

NOTICE OF VIOLATION

The Detroit Edison Company
Fermi 2

Docket No. 50-341
License No. NPF-43
EA 98-378

During an NRC investigation conducted between March 4, 1998, and July 2, 1998, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

Technical Specification 6.8.1.a requires, in part, that written procedures be established, implemented, and maintained covering the applicable procedures recommended in Regulatory Guide 1.33, Revision 2, Appendix a, February 1978.

Regulatory Guide 1.33, Appendix a, Section 7.e, recommends the implementation of radiation protection procedures covering personnel monitoring and contamination control.

The Fermi Radiation Protection Conduct Manual MRP04 (Revision 4, dated August 2, 1997) implements Technical Specification 6.8.1.a by addressing personnel monitoring and contamination control. Chapter 4, "Accessing and Working in Radiologically Restricted Areas," Section 3.1.4, requires, in part, that all personnel working in the Radiologically Restricted Area (RRA) contact the Radiation Protection Department for the appropriate radiological briefing prior to performing work in the RRA. Chapter 4, Section 4.11.15, further requires that an individual obtain approval from the Radiation Protection Department before connecting a vent or drain hose to any plant system.

Contrary to the above, on February 13, 1998, an individual failed to contact the Radiation Protection Department for an appropriate radiological briefing and approval prior to performing work in the RRA that involved attaching a drain hose to the condensate backwash receiving tank.

This is a Severity Level IV violation (Supplement IV).

The NRC has concluded that information regarding the reason for the violation, the corrective action taken, and the date when full compliance was achieved is already adequately addressed on the docket in the letter transmitting this Notice of Violation. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted

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copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Lisle, Illinois
this 30th day of September 1998

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, on March 4, 1998, regarding an allegation that a Radiation Waste Supervisor deliberately failed to contact the Radiation Protection Department at Fermi Power Plant (Fermi), as instructed, prior to collecting a sample from a non-routine point in the radiation waste system, which resulted in contamination of the turbine floor.

Based upon the evidence developed during the investigation and a review of the evidence contained in the investigation report provided by the licensee, it was determined that the Radiation Waste Supervisor willfully failed to contact the Radiation Protection Department at Fermi before collecting a sample from a non-routine point in the radiation waste system.

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FIELD OFFICE DIRECTOR, OFFICE OF INVESTIGATIONS, REGION III

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