



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
801 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4351

August 12, 1997

IA 97-063

Mr. Raymond J. Flowers  
[HOME ADDRESS DELETED  
UNDER 10 CFR 2.790]

SUBJECT: NOTICE OF VIOLATION (NRC INSPECTION REPORT 50-155/97005(DRS))

Dear Mr. Flowers:

This refers to the inspection conducted on March 3, 1997, through April 28, 1997, at the Big Rock Point Nuclear Plant, a Consumers Power Company facility located in Charlevoix, Michigan. This inspection reviewed the circumstances surrounding the February 2, 1997, tour of the steam drum and piping areas in the radiologically controlled area when you, a licensed shift supervisor, failed to appropriately respond to an electronic dosimetry alarm. A copy of the inspection report is enclosed. Enforcement actions are currently being considered against Consumers Power Company for this event.

Based on the information developed during the inspection, the NRC has determined that a violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in the subject inspection report (enclosed). On February 2, 1997, while accompanied by a radiation protection technician, you performed a tour of the steam drum and piping areas (high radiation areas) while the plant was operating at approximately 8 megawatts electric. During this tour, the electronic dosimeters worn by the radiation protection technician and you alarmed. When the alarms were received, the radiation protection technician indicated that you had to leave the area per procedure. While you were fully aware of this procedural requirement, you decided that personnel doses would remain as low as reasonably achievable (ALARA) if you completed the tour at this time, and that this ALARA consideration outweighed the requirement to leave the area. After completing the tour, you exited the area, reported receiving the dosimetry alarms, and wrote a condition report describing the event. The failure to exit the high radiation area after receiving electronic dosimetry alarms during the tour is contrary to the requirements in Administrative Procedure 5.8, "High Radiation Area Key and Access Control," Revision 10, Step 5.1.f.7 which requires such actions. The failure to adhere to this personnel radiation protection procedure during operations involving personnel radiation exposure is a violation of Technical Specification 6.11. Your actions also contributed, in part, to a Severity Level III Notice of Violation being issued to Consumers Power Company (enclosed).

This violation was caused by your casual attitude concerning radiation protection practices. While keeping doses as low as reasonable achievable at all times is important, the ALARA philosophy does not give individuals the authority to violate procedures. The failure to follow procedures raises significant regulatory concerns. It is imperative that you, a radiation worker, appreciate the importance of complying with procedures and understand the conditions under which a procedure may not be required to be followed. While this specific violation involved little risk to the public health and safety, the failure to adhere to approved procedures in other situations could result in grave consequences.

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You are reminded that you hold a license from the United States government that confers upon you the special trust and confidence of the American people in the safe operation of nuclear facilities and places you in the position where your performance is expected to be above reproach. Your actions on February 2, 1997, did not meet those standards. Therefore, this violation has been categorized in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600 at Severity Level IV. However, similar violations in the future could result in more significant enforcement actions.

The purpose of this letter is to make clear to you the consequences of your violation of NRC requirements. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice of Violation (Notice) when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence in order to ensure your ability and willingness to carry out the special trust and confidence placed in you as a licensed operator of a nuclear power facility. After reviewing your response to this Notice, including your proposed corrective actions, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, records or documents compiled for enforcement purposes are placed in the NRC Public Document Room (PDR). A copy of this letter and the enclosed Notice of Violation, and your response, with your address removed, will be placed in the PDR after 45 days unless you provide sufficient basis to withdraw this violation.

Should you have any questions concerning this action, please contact Mr. Brent Clayton of my staff. Mr. Clayton can be reached at either the address listed above or at (630) 829-9666.

Sincerely,

*for James P. Caldwell*  
A. Bill Beach  
Regional Administrator

Docket No. 55-30732  
License No. SOP-31137-1

Enclosures:

1. Notice of Violation
2. Inspection Report 50-155/97005(DRS)
3. Notice of Violation Issued  
to Consumers Power Company

cc [WITH HOME ADDRESS DELETED UNDER 10 CFR 2.790]:  
K. P. Powers, Plant General Manager  
Consumers Energy Company

DISTRIBUTION [WITH HOME ADDRESS DELETED UNDER 10 CFR 2.790]:

~~PUBLIC REL~~

SECY

CA

LCallan, EDO

AThadani, DEDE

LChandler, OGC

JGoldberg, OGC

SCollins, NRR

RZimmerman, NRR

Enforcement Coordinators

RI, RII and RIV

Resident Inspector, Big Rock Point

JHannon, NRR

LTran, NRR

JGilliland, OPA

HBell, OIG

GCaputo, OI

DRoss, AEOD

OE:ES

OE:EA (2)

RAO:RIII

SLO:RIII

PAO:RIII

OC/LFDCB

DRP

Docket File