

FEB 16 1989

DESIGNATED ORIGINAL

Certified By *Kelli E. Rosenfeld*

Docket No. 50-423  
License No. NPF-49  
EA 89-21

Northeast Nuclear Energy Company  
ATTN: Mr. E. J. Mroczka  
Senior Vice President - Nuclear  
Engineering and Operations Group  
P. O. Box 270  
Hartford, Connecticut 06141-0270

Subject: NOTICE OF VIOLATION (Inspection No. 50-423/88-23)

This letter refers to the NRC routine resident inspection conducted between November 11 and December 19, 1988, at the Millstone 3 Nuclear Generating Station, Waterford, Connecticut. The inspection report was sent to you on January 19, 1989. During the inspection, the inspectors reviewed the circumstances associated with violations of NRC physical protection requirements which were identified by your security force and reported to the NRC. The violations, which are described in the enclosed Notice, involved the degradation of a vital area (VA) barrier, and a failure to notify the NRC Operations Center within one hour of discovery of the degradation.

The vital area barrier was degraded since original construction because certain floor plates, which comprised a portion of the vital area barrier, were not secured and were easily removable. However, appropriate compensatory measures were not in place. As a result, a path existed through which unauthorized and undetected access could be gained from a protected area into a vital area. This violation is classified at Severity Level IV in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1988) because the degradation was not easily exploitable for the reasons provided in the inspection report.

Notwithstanding this classification at Severity Level IV, the NRC is concerned that the degradation existed since original construction without being identified. Furthermore, a walkdown and analysis of vital area barriers was conducted in 1985 in response to NRC concerns regarding the adequacy of the initial preoperational security program and the degradation was still not identified. This violation demonstrates the importance of proper awareness of plant conditions to assure that any degradations that might exist are promptly identified and appropriate compensatory measures are taken. Therefore, we emphasize that any similar violations in the future may result in escalated enforcement action. The other violation described in the enclosed Notice is also classified at Severity Level IV.

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You are required to respond to this letter and the enclosed Notice, and in preparing your response, you should follow the instruction specified in the enclosed Notice. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Further, you should place all Safeguards Information (as defined in 10 CFR 73.21) in an enclosure, so as to allow your letter, without the Safeguards Information, to be placed in the Public Document Room. 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.

The enclosed Notice contains details of your security program that have been determined to be exempt from public disclosure in accordance with 10 CFR 73.21 (Safeguards Information). Therefore, those portions of the Notice will not be placed in the NRC Public Document Room and will receive limited distribution. This letter will be placed in the Public Document Room in accordance with 2.790(a).

The response directed by this letter and the enclosed Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely, **ORIGINAL SIGNED BY**

  
for William F. Kane, Director  
Division of Reactor Projects

Enclosure:

Notice of Violation (contains Safeguards Information (SGI))

cc w/encl (w/o SGI):

W. D. Romberg, Vice President, Nuclear Operations (w/SGI)

S. E. Scace, Station Superintendent (w/SGI)

D. O. Nordquist, Manager of Quality Assurance

R. M. Kacich, Manager, Generation Facilities Licensing

Gerald Garfield, Esquire

Public Document Room (PDR)

Local Public Document Room (LPDR)

Nuclear Safety Information Center (NSIC)

NRC Resident Inspector (w/SGI)

State of Connecticut

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bcc w/encl (w/o SGI):  
 Region I Docket Room (with concurrences)  
 Management Assistant, DRMA (w/o encl)  
 Section Chief, DRP  
 J. Shedlosky, SRI, Haddam Neck  
 W. Raymond, SRI, Millstone 3  
 M. Boyle, LPM, NRR  
 R. Bores, DRSS  
 D. Holody, RI (2 cys w/SGI)  
 K. Christopher, RI  
 J. Lieberman, OE (w/SGI)  
 D. Rosano, OE (w/SGI)

RI:EO *6/11/89*  
 Christopher/tlm

01/31/89

RI:EO *6/11/89*  
 Holody

01/31/89

RI:DRP *6/11/89*  
 McCabe

02/2/89

RI:DRP *6/11/89*  
 Bettenhausen

02/2/89

RI:DRSS  
 Keimig

02/2/89

RI:DRP  
 Kane

02/5/89

RI:RC *6/11/89*  
 Gutierrez

01/ /89

RI:DRP  
 Allan

02/6/89

RI:DRP  
 Russell

02/6/89

OE  
 Lieberman

01/ /89

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