

July 27, 2003

EA-03-127

Mr. D. Wilson
Site Vice President
Monticello Nuclear Generating Plant
Nuclear Management Company, LLC
2807 West County Road 755
Monticello, MN 55362-9637

SUBJECT: MONTICELLO NUCLEAR GENERATING PLANT NON-CITED VIOLATION
[NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2002-032]

Dear Mr. Wilson:

This refers to information provided by your staff to the NRC that a former Emergency Preparedness (EP) Coordinator at the Monticello Nuclear Generating Plant (MNGP) closed an EP surveillance procedure prior to completing all of the steps required by the procedure. The NRC Office of Investigations (OI) investigated the matter and information obtained during the investigation indicated that the EP Coordinator deliberately closed the surveillance procedure knowing that several steps in the procedure were not complete. The synopsis from the OI report is enclosed.

Based on the information developed during investigations conducted by MNGP and OI, the NRC has concluded that a violation of NRC requirements occurred. In summary, on May 7, 2002, the former EP Coordinator initialed all 59 steps, then signed and dated the "Completed By" section of the cover sheet for MNGP Surveillance Procedure 1240, "Emergency Procedures and Forms Accuracy Verification." Your staff later identified that the EP Coordinator had not distributed updated EP telephone directories and revised Emergency Response Organization assignments on the "tag" boards in your emergency response facilities as required by Surveillance Procedure 1240. The Emergency Preparedness Coordinator stated that he signed the "Completed By" section of the procedure knowing that all of the requirements in the surveillance procedure had not been completed. This is considered a deliberate violation of a procedure that implements the NRC-approved MNGP Emergency Plan. Since pagers are the primary means of alerting the MNGP staff to an emergency, this violation has been categorized in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, as a Severity Level IV violation.

Corrective actions taken by MNGP in this matter included: (1) reviewing and/or re-performing EP surveillances; (2) revising Surveillance Procedure 1240 to ensure that the steps support completion of the required actions within the surveillance window; (3) applying additional personnel resources and oversight to the EP unit; (4) coaching the EP staff as to what constitutes surveillance procedure completion; and (5) a site-wide communication from the Site Vice President that discussed "the importance of doing what you say you have done." The issue was immediately investigated by MNGP, brought to the attention of the NRC by MNGP,

involved the acts of a low-level individual, and significant remedial action was taken. Therefore, after considering the circumstances of this case and after consulting with the Director, Office of Enforcement, this violation is being treated as a Non-Cited Violation (NCV), consistent with Section VI.A.1 of the Enforcement Policy.

You are not required to respond to this letter unless the description herein does not reflect your corrective actions or your position. If you contest the NCV, you should provide a response within 30 days of the date of this letter, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to the Regional Administrator and Enforcement Officer, Region III, the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001, and the NRC Resident Inspector at the Monticello Nuclear Generating Plant.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and your response (should you choose to respond) will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/ADAMS.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Sincerely,

/RA by Roy Caniano Acting For/

Cynthia D. Pederson, Director
Division of Reactor Safety

Docket No. 50-263
License No. DPR-22

Enclosure: OI Report Synopsis

See Attached Distribution

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SYNOPSIS

This investigation was initiated on November 4, 2002, by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, to determine if an Emergency Preparedness (EP) Coordinator at the Monticello Nuclear Generating Plant deliberately falsified a surveillance procedure. The surveillance procedure required signatures and/or initials to indicate that various steps within the procedure were completed. In this case, the licensee reported that the EP Coordinator may have signed off on various steps indicating that they were completed when actually they were not completed.

Based on the evidence developed, this investigation substantiated the allegation that the EP Coordinator deliberately falsified a surveillance procedure.