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**Date:** 12/13/13

**To:** NRC Operations Center

**From:** David Bland, President

**Fax:** 301-816-5151

**RE:** 10CFR21 Interim Report

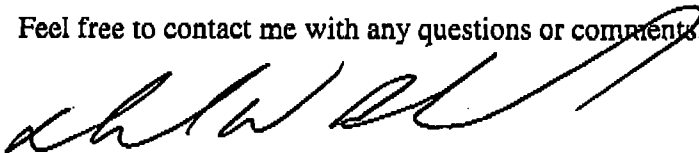
**Pages:** 5 (including cover)

**To Whom It May Concern:**

Following this cover page, please find attached our Interim Report for a 10CFR21 notification regarding the failure of personnel to comply with Nondestructive Examination procedures on Dry Shielded Canister field closure welds at Monticello Nuclear Generating Plant.

A copy of this report will be mailed to the NRC Document Control Desk.

Feel free to contact me with any questions or comments.



David Bland, President  
TriVis Inc

IE19  
NRR



December 13, 2013  
Ltr No: 12751 - NRC - 001

Document Control Desk  
U. W. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Subject: Report of Potential Substantial Safety Hazard in accordance with Title 10 Code of Federal Regulation, Part 21

To Whom It May Concern:

The purpose of this letter is to inform the staff of a condition identified during dry storage loading operations at the Monticello Nuclear Generating Plant (MNGP) currently underway in which quality control personnel failed to follow required liquid penetrant testing (PT) procedures in the examination of the NUHOMS canister field closure welds. This condition involves the failure of the subject personnel to adhere to the PT procedure *12751-MNGP-QP-9.202, Rev 1 Color Contrast Liquid Penetrant (PT) Examination Using the Solvent Removable Method*, which is a Quality procedure within the TriVis Inc Quality Program and approved for use at MNGP. PT testing is required by the CoC Technical Specifications (Tech Specs) to comply with ASME B&PV Code Section 3, Division 1, Article NB-5000. Article NB-5000 states that all NDE exams shall be performed in accordance with detailed written procedures. Therefore, this procedural noncompliance has created the uncertainty that the PT examinations performed, along with the associated field closure welds are in violation of the Code and the CoC.

Further background information is contained within Interim Report attached to this letter. Per 10CFR21.21, this Interim Report includes a description of the condition, the extent of condition evaluation, corrective actions taken to date and future corrective actions. In addition, TriVis will continue to work with the site Licensee to finalize and correct any issues which this may have caused to the NUHOMS dry storage systems involved and will provide a final evaluation to the Commission by January 31, 2014.

Should you have any additional questions regarding this matter I can be reached at (205) 621-0106.

David W Bland  
President  
TriVis Inc.

cc. Lee Samson, Xcel Nuclear – Monticello  
Leonard Sueper, Xcel Nuclear

## ENCLOSURE

### 10 CFR 21 Interim Report – Nonconforming Dry Shielded Canister Welds

#### Name and Address of the Individual Making the Interim Report

David Bland  
President  
TriVis Inc  
200 Beacon Parkway West  
Birmingham, AL 35209

#### Description of the Deviation or Failure to Comply that is being Evaluated

On October 17, 2013, a nondestructive examination (NDE) liquid penetrant test (LPT) was performed on the final weld pass of the Outer Top Cover Plate (OTCP) on Transnuclear Model NUHOMS®-61BTH Dry Shielded Canister (DSC) #16 at Monticello Nuclear Generating Plant (MNGP). An NRC inspector observed part of this activity and questioned whether the dwell times for the penetrant and developer used by a NDE Level II employee of TriVis Inc. (hereafter Trivis) were sufficient to meet procedural requirements. Upon evaluating recorded video of the work location, it was determined that the dwell times for both the penetrant and the developer of the OTCP weld on DSC #16 were not in compliance with the TriVis NDE LPT Procedure. An extent of condition review of previous LPT exams conducted on DSCs-11 through -16 revealed additional examinations that were not in compliance with the dwell times specified by the procedure as well as other procedural discrepancies. All of these examinations were performed by two contract NDE Level II examiners employed by TriVis.

#### Evaluation Status

The DSCs provide a containment vessel to ensure confinement of spent fuel radionuclides under normal and accident conditions. The subject welds form part of the containment vessel.

All six DSCs in question have been declared inoperable due, by Monticello station personnel, for the failure to satisfy NUHOMS® Technical Specification 1.2.5 of Certificate of Compliance 1004, Amendment 10, which requires all DSC closure welds except those subjected to full volumetric inspection to be dye penetrant tested in accordance with the requirements of the ASME Boiler and Pressure Vessel Code Section III. At this time there is no reason to suspect the integrity of the closure welds themselves based on the successful completion of the other Technical Specification required testing. This event did not result in challenges to fission product barriers and did not adversely affect the health and safety of the public.

Identity of the firm supplying the basic component which fails to comply or contains a defect

TriVis Inc.  
200 Beacon Parkway West  
Birmingham AL, 35209

Nature of the defect or failure to comply and the safety hazard which is created or could be created by such defect or failure to comply.

TriVis NDE personnel repeatedly failed to follow the dwell time as well as other procedural requirements for LPT examination of welds during the installation of the field welded components of DSCs-11 through 16.

The date on which the information of such defect or failure to comply was obtained.

October 17, 2013

In the case of a basic component which contains a defect or fails to comply, the number and location of these components in use at, supplied for, being supplied for, or may be supplied for, manufactured, or being manufactured for one or more facilities or activities subject to the regulations in this part.

TriVis has determined that the condition exists only with DSCs 11-16 at MNGP.

The corrective action which has been, is being, or will be taken; the name of the individual or organization responsible for the action; and the length of time that has been or will be taken to complete the action.

All work activities related to the dry fuel storage campaign at MNGP were stopped upon discovery of this condition. Northern States Power Company- Minnesota (NSPM) issued a stop work order for TriVis.

An extent of condition review was conducted to determine the impact of the issue on previous loading campaigns at NSPM. The review concluded the individuals involved had not previously performed NDE activities on site.

NSPM issued a supplier finding report to TriVis and it is currently being addressed as part of this evaluation.

Corrective actions and the timeline to restore the six affected DSCs to an operable status are being developed by NSPM, TriVis and other industry experts.

Any advice related to the defect or failure to comply about the facility, activity, or basic component that has been, is being, or will be given to purchasers or licensees.

TriVis has determined that the two NDE personnel had not previously been employed by TriVis. Thus, TriVis does not consider any DSCs previously loaded at MNGP or any other site to be in question.

In the case of an early site permit, the entities to whom an early site permit was transferred.

Not applicable.

Date on which Evaluation will be Completed

The evaluation will be completed by January 31, 2014 or a follow-up interim report will be submitted.

# ***U.S. Nuclear Regulatory Commission Operations Center***

## ***\*\*\* Event Summary \*\*\****

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**49628 TRIVIS INC.**

21.21(a)(2)

INTERIM EVAL OF DEVIATION

Part 21 (PAR)

Event # 49628

|                                       |   |
|---------------------------------------|---|
| <b>Rep Org:</b> TRIVIS INC.           | <b>Notification Date / Time:</b> 12/13/2013 14:37 (EST) |
| <b>Supplier:</b> TRIVIS INC.          | <b>Event Date / Time:</b> 12/13/2013 (CST)              |
|                                       | <b>Last Modification:</b> 12/13/2013                    |
| <b>Region:</b> 1                      | <b>Docket #:</b>  |
| <b>City:</b> BIRMINGHAM               | <b>Agreement State:</b> Yes                             |
| <b>County:</b>                        | <b>License #:</b>                                       |
| <b>State:</b> AL                      |   |
| <b>NRC Notified by:</b> DAVID BLAND   | <b>Notifications:</b> RICHARD SKOKOWSKI R3DO            |
| <b>HQ Ops Officer:</b> HOWIE CROUCH   | PART 21 GROUPS EMAIL                                    |
| <b>Emergency Class:</b> NON EMERGENCY |   |
| <b>10 CFR Section:</b>                |   |
| 21.21(a)(2) INTERIM EVAL OF DEVIATION |   |

## PART 21 REPORT - NON-DESTRUCTIVE TESTING DID NOT MEET PROCEDURAL REQUIREMENTS

The following information was summarized from the report submitted by TriVis via facsimile:

David Bland, President of TriVis Inc. reported that two contract Non-Destructive Evaluation (NDE) Level II examiners, employed by TriVis, failed to meet NDE procedural requirements for weld testing on the Outer Top Cover Plate (OTCP) on six Transnuclear Model NUHOMS-61BTH Dry Shield Canisters (DSC) at the Monticello Nuclear Generating Plant.

An NRC inspector observed part of this activity and questioned whether the dwell times for the penetrant and developer used by a NDE Level II employee of TriVis were sufficient to meet procedural requirements. Upon evaluating recorded video of the work location, it was determined that the dwell times for both the penetrant and the developer of the OTCP weld on DSC #16 were not in compliance with the TriVis NDE LPT [Liquid Penetrant Test] Procedure. An extent of condition review of previous LPT exams conducted on DSCs-11 through -16 revealed additional examinations that were not in compliance with the dwell times specified by the procedure as well as other procedural discrepancies.

All six DSCs were declared inoperable at the time of discovery. All work activities associated with dry fuel storage at Monticello were stopped. A timeline and corrective actions are being developed by TriVis and the licensee.

The two NDE Level II examiners were not previously employed by TriVis and did not perform any other NDE activities at Monticello.

Evaluations will be completed by January 31, 2014 or a follow-up interim report will be submitted.

12/13/2013

*U.S. Nuclear Regulatory Commission Operations Center Event Report*

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Part 21 (PAR)

Event # 49628

The licensee notified the NRC Resident Inspector.

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