

JUL 11 1985

Docket No. 50-293

Boston Edison Company M/C Nuclear
ATTN: Mr. William D. Harrington
Senior Vice President, Nuclear
800 Boylston Street
Boston, Massachusetts 02199

Gentlemen:

Subject: Inspection 50-293/85-01

This refers to your letter dated March 22, 1985, in response to our letter dated February 20, 1985, which transmitted Inspection Report 50-293/85-01. Thank you for informing us of the corrective and preventive actions documented in your letter regarding Violation B. These actions will be examined during a future inspection of your licensed program.

In your letter you disagree with Violation A, which dealt with the number of licensed operators that were present in the control room, and indicate that the use of the bathroom by a licensed operator is considered acceptable without any compensatory measures because you believe the bathroom to be a part of the control room. You also indicate that it is acceptable for the licensed senior operator providing supervisory oversight in the control room to relieve a licensed operator at the reactor controls for brief periods of time.

We have reviewed your response and as discussed in more detail in Enclosure 1, we reinforce our conclusion that your practices are in violation of the requirements of 10 CFR 50.54 as described in Appendix A to Inspection Report 50-293/85-01. In your letter, you stated that, based on your discussions with individuals from the Office of Nuclear Reactor Regulation, your practice is acceptable to and supported by the Division of Human Factors in that office. We have pursued this matter with responsible management in DHFS and they do not support your position. Accordingly, you are hereby required to respond to the violation and in responding to this letter you should follow the instructions in Appendix A to Inspection Report 85-01.

The response directed by this letter 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:

Richard W. Starostecki, Director
Division of Reactor Projects

Enclosure: Detailed Basis for Violation

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cc w/encl:

A. V. Morisi, Manager, Nuclear Management Services Department
 C. J. Mathis, Station Manager
 Joanne Shotwell, Assistant Attorney General
 Paul Levy, Chairman, Department of Public Utilities
 W. J. Nolan, Chairman, Plymouth Board of Selectmen
 Plymouth Civil Defense Director
 Senator Edward P. Kirby
 Division of Human Factors Safety, NRR
 NRC Licensing Project Manager
 Public Document Room (PDR)
 Local Public Document Room (LPDR)
 Nuclear Safety Information Center (NSIC)
 NRC Resident Inspector
 Commonwealth of Massachusetts (2)

bcc w/encl:

Region I Docket Room (with concurrences)
 Senior Operations Officer (w/o encls)
 Section Chief, DPRP

Discussed w/ Bill Russell - Stano

RI:DRP

for fed
 Johnson/meo
 6/20/85

RI:DRP

for fed
 Tripp
 6/21/85

RI:DRP

for fed
 Wenzinger
 6/21/85

DHFS

for fed
 Crocker
 6/21/85

RI:DRP

for fed
 Keely
 6/20/85

BASED ON TELEPHONE
 CONCURRENCE ON THIS DATE

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*Also discussed w/
 B. Russell on 7/10/85
 and he agrees that
 this is a violation
 NRC 7/11/85*

ENCLOSURE

DETAILED BASIS FOR VIOLATION

Requirement

10 CFR 50.54(m)(2)(iii) states: "When a nuclear power unit is in an operational mode other than cold shutdown or refueling, as defined by the unit's technical specifications, each licensee shall have a person holding a senior operator license for the nuclear power unit in the control room at all times. In addition to this senior operator, for each fueled nuclear power unit, a licensed operator shall be present at the controls at all times."

Example 1

Senior reactor operator (SRO) relieving the reactor operator (RO) at the controls.

The requirement clearly states: "In addition to this senior operator..." Therefore, one SRO may not satisfy the dual requirements of an RO/SRO at the controls and an SRO in the control room. Accordingly, when the SRO relieved the RO at the controls, these two requirements were not met.

Further, the Statements of Consideration for this rule, contained in the Federal Register at 48 FR 31611 state: "The requirement for a senior operator's continuous presence in the control room would assure that: (1) a person is available who can provide the oversight function of the supervisor so that the probability of correctly detecting abnormal events early enough to mitigate potential adverse consequences might be increased." The Statements of Consideration also state: "The requirement for an additional licensed operator for operating units is necessary so that a qualified individual will be able to provide relief for the operator at the controls. The senior operator in the control room cannot be relied on for such relief under the rule because having the senior operator perform the functions of a reactor operator, even for a limited time, would result in loss of oversight function of the supervisor which might decrease the probability of correctly detecting abnormal events early enough to mitigate potential adverse consequences. If the senior operator in the control room was without a second licensed individual to monitor plant instrumentation and manipulate controls, the senior operator might not be able to oversee and observe other relevant plant conditions."

Example 2

SRO's use of the bathroom while one RO remains in the control room.

The requirement states that the SRO must be in the control room at all times. In this instance, while the bathroom is adjacent to the control room, a person in the bathroom with the door closed has no direct visual or auditory contact with the control room panels or its annunciators. Accordingly, when the SRO is in the bathroom, the requirement for an SRO in the control room at all times is not met.

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Further, the Statements of Consideration for this rule state: "However, the senior operator should remain, at all times, in a position to provide prompt assistance to the reactor operators when requested. Additionally, that means that the senior operator must either (1) be in sight of or in the audible range of the reactor operators at the controls or (2) be in the audible range of the control room annunciators. This is necessary so that the senior operator's training and knowledge will be immediately available as needed."

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