

November 13, 1996

EA Nos. 96-034, 96-067, 96-086
96-106, 96-145, 96-146
96-183, 96-197, 96-198
96-331, 96-332, 96-333
96-350, 96-352

Mr. Bruce D. Kenyon
President and Chief Executive Officer
Northeast Nuclear Energy Company
P. O. Box 128
Waterford, CT 06385-0128

SUBJECT: SUGGESTED PRESENTATION FOR THE UPCOMING PRE-DECISIONAL
ENFORCEMENT CONFERENCE SCHEDULED FOR DECEMBER 5, 1996

Dear Mr. Kenyon:

During eight NRC inspections conducted between October 1995 and August 1996, numerous apparent violations of NRC requirements were identified. The apparent violations, which are summarized in the enclosure that provides a reference to the specific report in which it is documented, are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. A pre-decisional enforcement conference has been scheduled for December 5, 1996, to discuss these apparent violations.

This conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violation sooner, corrective actions, significance of the issues and the need for lasting and effective corrective action. As in all conferences, this conference provides an opportunity for you to point out any errors in our inspection reports and for you to provide any information concerning your perspectives on 1) the severity of the violation(s), 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII.

Given the large number of apparent violations (more than 60), the NRC suggests that you make your presentation at the conference in three parts. During the first part, we suggest that you provide a handout that describes whether you admit or deny the specific violations, points out any errors in the inspection reports, and also covers the causes of the specific violation, any missed opportunities by your staff to identify and correct it sooner, and your corrective actions, taken or planned, including the estimated completion dates. However, during your actual presentation during the conference regarding these specific violations, we suggest that you focus only on any apparent violations that you

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take issue with, and provide your rationale for your position. The NRC will use this handout following the pre-decisional enforcement conference to determine what further actions are required regarding the apparent violations.

During the second part, which should be the principal focus of the conference, we suggest that you provide an in-depth presentation and discussion of the root cause and corrective actions, taken or planned to address the broader programmatic deficiencies that these violations represent. These broader areas are summarized in the enclosure, along with the apparent violations related to those areas. You will note that the apparent violations in the attachment are grouped by similar root causes or corrective actions. You may choose to place the individual apparent violations into other groupings that you consider appropriate.

During the third part of the conference, you may provide your perspectives on: 1) the severity level of the grouped apparent violations; 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy; and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII.

Please be aware that the attached list does not contain all currently open apparent violations that are being considered for escalated enforcement action. Some issues are still under review by the NRC at this time. You will be receiving correspondence on these issues at a later date.

If you have questions regarding details of the proposed pre-decisional enforcement conference, please contact Wayne Lanning (610-337-5126) or Jacque Durr (610-337-5224).

Sincerely,

ORIGINAL SIGNED BY: W. KANE

Hubert J. Miller
Regional Administrator

Docket Nos. 50-245
50-336
50-423

cc w/encl:

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APPARENT VIOLATIONS TO BE DISCUSSED AT THE MILLSTONE
PRE-DECISIONAL ENFORCEMENT CONFERENCE

Technical Specifications

Failure to follow Technical Specifications.

EA 96-086 EEI 336/95-44-05

EA 96-106 EEI 245/96-01-01

EA 96-197 EEI 245/96-04-04

10 CFR 50.9(a)

Failure to provide complete and accurate information.

EA 96-183 EEI 336/96-05-11

10 CFR 50.71(e)

Failure to update the Final Safety Analysis Report.

EA 96-145 EEI 245/95-82-20

EA 96-198 EEI 423/96-201-01

10 CFR 50 Appendix B, Criterion II

Actions contrary to the QA Program.

EA 96-145 EEI 245/95-82-12

10 CFR 50 Appendix B, Criterion V

Failure to establish procedures appropriate to the circumstances.

EA 96-198 EEI 423/96-201-18

10 CFR 50 Appendix B, Criterion XI

Failure to conduct proper testing of equipment.

EA 96-183 EEI 336/96-05-09

EA 96-198 EEI 423/96-201-32

EEI 423/96-201-33

EEI 423/96-201-34

10 CFR 50.59 Items

Failure to properly make changes in the facility.

EA 96-034 245/96-03-01

EA 96-197 EEI 245/96-04-03

EA 96-198 EEI 423/96-201-02

EEI 336/96-201-03

EEI 423/96-201-04

EEI 423/96-201-05

EEI 423/96-201-06

EEI 423/96-201-07

EEI 423/96-201-08

EA 96-332 EEI 336/96-06-05

10 CFR 50.73(a)

Failure to provide proper event reports.

EA 96-197 EEI 245/96-04-01

10 CFR 50 Appendix B, Criterion III

Failure to properly implement design control measures.

EA 96-145 EEI 245/95-82-03

EEI 245/95-82-04

EEI 245/95-82-08

EEI 245/95-82-09

EEI 245/96-82-10

EEI 245/95-82-11

EEI 245/95-82-14

EEI 245/95-82-18

EEI 245/95-82-19

EA 96-146 EEI 423/96-06-15

EA 96-198 EEI 336/96-201-09

EEI 423/96-201-09

EEI 336/96-201-11

EEI 336/96-201-12

EEI 423/96-201-15

EEI 336/96-201-31

EEI 423/96-201-35

EEI 423/96-201-37

EEI 423/96-201-39

EEI 336/96-201-41

EA 96-352 URI 245/96-01-05

10 CFR 50 Appendix B, Criterion XV/XVI

Failure to properly process
nonconforming materials.

EA 96-350 EEI 245/96-06-04

10 CFR 50 Appendix B, Criterion XVII

Failure to maintain records.

EA 96-198 EEI 423/96-201-10

10 CFR 50 Appendix B, Criterion XVI

Failure to take prompt and effective
corrective actions.

EA 96-067 URI 245/95-44-01

EA 96-197 EEI 336/96-04-05

EEI 336/96-04-10

EA 96-198 EEI 423/96-201-13

EEI 336/96-201-20

EEI 423/96-201-21

EEI 423/96-201-22

EEI 423/96-201-23

EEI 423/96-201-24

EEI 336/96-201-25

EEI 423/96-201-26

EEI 423/96-201-27

EEI 336/96-201-29

EEI 423/96-201-29

EEI 336/96-201-30

EEI 336/96-201-36

EA 96-331 EEI 336/96-06-11

EA 96-333 EEI 336/96-06-12