

DCS

OCT 22 1985

Docket No. 50-271  
License No. DPR-28  
EA 85-105

Vermont Yankee Nuclear Power Corporation  
ATTN: Mr. Warren P. Murphy  
Vice President and Manager  
of Operations  
RD 5, Box 169  
Brattleboro, Vermont 05301

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY  
(NRC Inspection No. 50-271/85-21)

This refers to a special NRC inspection which was conducted on August 9, 1985 at the Vermont Yankee Nuclear Power Station, Vernon, Vermont. The inspection was conducted to review the circumstances associated with a radiological incident in which a Chemistry & HP Technician received an unplanned occupational radiation exposure of approximately 1.3 rem. The report of the inspection was forwarded to you on August 20, 1985. The exposure, which occurred on August 8, 1985 when the individual entered the Traversing Incore Probe (TIP) room to perform a survey, was reported to the NRC by a member of your staff on the same day. During the entry, the technician's survey meter went off scale, indicating radiation exposure rates in excess of 1000 R/hr in the room. Although the exposure received by the individual during the entry was not in excess of the regulatory limit, a substantial potential for such an exposure existed.

An enforcement conference was held on September 5, 1985 with you and members of your staff during which the exposure, associated violation, causes and your corrective actions were discussed. Further, on September 9, 1985, a Confirmatory Action Letter was issued to document the long term corrective actions planned to prevent a recurrence.

Although the technician was informed by the Chemistry & HP Supervisor prior to entering the TIP room that high exposure rates could be expected in the room since one TIP had been stuck in the core earlier that day, the technician was not instructed in precautionary actions to take and procedures to follow to minimize radiation exposure if high exposure rates were encountered. Further, the training received by the technician and his on-the-job experience (7 months) were not sufficient to provide him with enough experience to take timely precautionary actions on his own. As a result, the technician is believed to have been exposed to radiation levels of about 100-200 R/hr and received a whole body exposure of approximately 1.3 rem. Further, the technician was within a few feet of a 1000 R/hr field and potentially could have received a much higher exposure.

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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The NRC is concerned that formal, written and approved procedures for personnel entry into the TIP room, that could have prevented this exposure, had not been prepared or implemented, despite the fact that on at least two previous occasions, NRC inspectors had informed your staff of that need. The reliance on a more structured approach, as that necessitated by procedures, could have resulted in a more thorough evaluation of the need for obtaining the detailed survey results and could have prevented the high exposure received by the technician.

To emphasize the importance of proper instruction and supervision of individuals performing these activities and of adequate procedures for performing work activities, I have been authorized, after consultation with the Director, Office of Inspection and Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Fifty Thousand Dollars (\$50,000) for the violation set forth in the enclosed Notice. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1985) (Enforcement Policy), the violation described in the enclosed Notice has been categorized as a Severity Level III. The base civil penalty for a Severity Level III violation is \$50,000. The NRC considered mitigation of the penalty. However, no mitigation was proposed because (1) given the inexperience of the technician and the extremely high radiation fields in the area, the technician could have received a serious overexposure, (2) NRC inspectors had previously warned your staff that the absence of formal written procedures for entering the TIP room could result in unplanned exposures, yet such a procedure which could have prevented this event was not prepared, and (3) comprehensive long term corrective actions including permanent procedures governing entry into any high radiation area were not in place at the time of the enforcement conference.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions, the NRC will determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are 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  
Thomas E. Murley  
Thomas E. Murley  
Regional Administrator

Enclosure:  
Notice of Violation and Proposed  
Imposition of Civil Penalty

Vermont Yankee Nuclear  
Power Corporation

- 3 -

cc w/encl:

Mr. R. W. Capstick, Licensing Engineer  
Mr. W. F. Conway, President and Chief Executive Officer  
Mr. J. P. Pelletier, Plant Manager  
Mr. Donald Hunter, Vice President  
Mr. Cort Richardson, Vermont Public  
Interest Research Group, Inc.  
Public Document Room (PDR)  
Local Public Document Room (LPDR)  
Nuclear Safety Information Center (NSIC)  
NRC Resident Inspector  
State of New Hampshire  
State of Vermont

Vermont Yankee Nuclear  
Power Corporation

bcc w/encl:  
Region I Docket Room (with concurrences)  
J. Taylor, IE  
R. Vollmer, IE  
J. Axelrad, IE  
J. Collins, IE  
G. Klingler, IE  
T. Murley, IE  
J. Lieberman, ELD  
V. Stello, DED/ROGR  
Enforcement Coordinators  
RII, RIII, RIV, RV  
F. Ingram, PA  
J. Crooks, AEOD  
B. Hayes, OI  
S. Connely, IA  
L. Cobb, IE  
V. Miller, NMSS  
D. Nussbaumer, OSP  
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DRA:RI JA111 9/13/85	PA:RI Murley 9/16/85	ES:IE EFlack 8/ /85	ELD JLieberman 8/ /85	D:ES JAxelrad 8/ /85	DD:IE RVollmer 8/ /85	D:IE JTaylor 8/ /85
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Tu  
10/22/85

Rec'd  
by phone  
from IE 10/16.