



# NRC NEWS

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## **NRC CONFIRMS ACTIONS TO BE TAKEN AT FITZPATRICK NUCLEAR PLANT TO ADDRESS VIOLATIONS INVOLVING RADIATION PROTECTION PROGRAM**

The NRC has issued an order to Entergy Nuclear Operations confirming actions the company is required to implement at the James A. FitzPatrick nuclear power plant. The actions are intended to address multiple violations involving radiation protection technicians at the Scriba, N.Y., plant, and are in addition to steps already taken at the site. The violations, which were identified by the NRC's Office of Investigations, stem from failures by the technicians to perform or properly execute their duties.

Details of the additional actions to be taken by Entergy, the plant's owner, in response to the violations were determined through the NRC's Alternative Dispute Resolution (ADR) process. They are contained in a Confirmatory Order being issued by the agency today.

The NRC's Office of Investigations identified the violations during three separate investigations conducted at the plant in 2009 and 2010. In a letter dated Sept. 8, 2011, the NRC provided the results of the investigations and summarized the violations. They include: Failure by technicians to perform required respirator fit testing on multiple occasions from 2006 to 2009; a failure to maintain accurate documentation of completed respirator fit tests during the same period; a failure to perform and/or accurately document independent verification of certain valve positions after the valves were manipulated between September 2007 and December 2009; a failure to document a personal contamination event on at least one occasion; a failure to perform a contamination survey, or check, prior to the removal of an item from the plant's radiologically controlled area; and a failure to carry out daily radiological surveys, on multiple occasions from 2006 to 2009, of a reactor building airlock. No health and safety impacts on workers as a result of these violations were identified.

Entergy was offered the option of a predecisional enforcement conference or ADR. The company requested ADR, which, in this context, refers to a process in which a neutral mediator with no decision-making authority assists the NRC and licensees in reaching an agreement resolving any differences regarding an enforcement action. Toward that end, an ADR mediation session involving the NRC and Entergy took place on Nov. 9, 2011, at the agency's Region I Office in King of Prussia, Pa.

During that ADR mediation session, an agreement was reached, with the specifics now contained in a Confirmatory Order issued by the NRC. The order documents a number of corrective actions already completed by Entergy prior to the ADR. They include internal investigations and assessments to evaluate the causes of the violations and whether the problems extended to other work groups; retesting affected individuals for respirator fit and ensuring there were no radiological consequences for the time period in question; reinforcing expectations and conducting training with all Entergy personnel in this area; and enhancing management oversight of the FitzPatrick radiation protection department.

As a result of the ADR, Entergy has agreed to implement additional company- and industry-wide corrective actions. The terms of the settlement are intended to serve the NRC objectives of ensuring the corrective actions are effective and extended to the nuclear power industry such that the deterrence effect is as great, or greater than, what would have been achieved under the traditional enforcement process. The additional actions include:

- The company will review its existing company-wide general employee training to ensure adequate coverage in the areas of procedural compliance and record-keeping. It will document the results of this review within 60 days.
- Entergy will, within 90 days, review its procedure on nuclear safety culture monitoring processes to determine whether it should have detected the weaknesses that led to the conduct responsible for the violations. If that is not found to be the case, Entergy will develop enhancements and revise the procedure within 120 days of completion of the review. In addition, the company will provide the results of its review to the Nuclear Energy Institute (NEI), an industry trade organization, for its consideration in revising the NEI document “Fostering a Strong Nuclear Safety Culture”. The results of that review will be made available to the NRC.
- Entergy will prepare a case study about what occurred, with top managers at each of the company’s nuclear power plants presenting the report to employees at the respective facilities. These presentations will be completed within 180 days.
- Within 360 days, Entergy will deliver a presentation to managers of other U.S. nuclear power plants on lessons learned and actions taken in response to the issues identified at FitzPatrick.
- The company will, within 360 days, develop and conduct an assessment of the radiation protection departments at all nine of Entergy’s nuclear power plants. The assessment will review the rigor with which members of the departments perform and document routine activities. If those reviews identify performance or documentation issues, the company will enter those issues into the respective plants’ corrective action programs.
- Entergy will send the NRC a letter within 30 days of completion of all corrective actions. The NRC will subsequently conduct confirmatory reviews.

A copy of the Confirmatory Order will be available on the NRC [website](#).

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