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FOR IMMEDIATE RELEASE

NRC STAFF CITES NORTHEAST NUCLEAR ENERGY COMPANY FOR SPENT FUEL POOL VIOLATIONS AT MILLSTONE 1

The Nuclear Regulatory Commission staff has cited Northeast Nuclear Energy Company (NNECO) for four violations associated with fuel off-loads before 1993 at the Millstone Unit 1 nuclear power plant in Waterford, Conn. However, no civil penalties were proposed.

“Fuel off-load” is the term used to describe the practice of removing fuel from a reactor when a nuclear power plant is shut down for refueling. “Full-core off-load” means that all of the fuel has been taken out of the reactor.

The four violations are based on findings by the NRC’s Office of Investigations, which began looking into allegations in 1994 that full-core off-loads had routinely been performed at Millstone 1 during refueling outages in violation of the unit’s operating license.

The NRC has concluded that even though the violations did not have safety significance because safety margins were always preserved, the company acted in careless disregard when 1.) performing both partial and full-core reactor fuel off-loads before the full cooldown time assumed in the plant’s Final Safety Analysis Report (FSAR) without doing a proper engineering analysis; and 2.) utilizing unapproved and unanalyzed measures to augment spent fuel pool cooling during refueling outages, without procedures to direct those activities. It also was found that in two instances the utility submitted incomplete and inaccurate information to the NRC related to the performance of some fuel off-loads.

In a letter to the company, NRC Region I Administrator Hubert J. Miller said the NRC staff would normally consider issuing a fine for the violations, but they occurred more than five years ago and were outside the statute of limitations for issuance of a civil penalty.

Mr. Miller noted that the staff consulted with the Commission and would have exercised discretion not to issue a fine even if the statute of limitations had not expired because: 1.) these violations were additional examples of the underlying performance problems at Millstone for which a \$2.1 million civil penalty was issued in December 1997; 2.) the plants were shut down while the company addressed underlying performance problems; and 3.) the company essentially replaced the entire management infrastructure since the time these fuel off-load problems occurred.

In summary, he wrote, "discretion is appropriate because you have already implemented corrective actions to address the underlying performance problems at Millstone and further enforcement action is not necessary to achieve additional remedial actions."

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EDITORS: The text of the Notice of Violation and Mr. Miller's letter to the company is posted on the NRC Internet web site at: www.nrc.gov