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Dominion Institutes Corrective Actions at Millstone Nuclear Plant Under Settlement Agreement with NRC

Under a settlement agreement reached with the Nuclear Regulatory Commission, Dominion is implementing a broad range of corrective actions at its Millstone Unit 2 nuclear power plant in Waterford, Conn. These actions are designed to address violations of certain regulations, prevent recurrences and respond to questions the NRC raised regarding changes involving a reactor safety system at the facility.

The settlement was achieved under the NRC's Alternate Dispute Resolution (ADR) process after apparent violations of agency regulations were identified during an investigation by the NRC's Office of Investigations.

"The use of the ADR process in this case has yielded meaningful corrective actions on the part of Dominion that are designed to prevent these kinds of issues from occurring in the future, at Millstone and at other U.S. nuclear power plants," said Scott Morris, Director of the Division of Inspection and Regional Support in the NRC's Office of Nuclear Reactor Regulation. "The lessons learned will be shared at the site, throughout the Dominion nuclear plant fleet and throughout the industry."

In September 2011, the NRC became aware that Dominion, the plant's owner and operator, had submitted requests for NRC approval of amendments to the Millstone Unit 2 operating license that were incomplete and inaccurate. The requests sought to modify the requirements for Millstone Unit 2's charging pumps and irradiated fuel decay time.

The Office of Investigations initiated an investigation in November 2011 to determine if wrongdoing had occurred. In an inspection report issued on April 29, 2015, the agency notified Dominion that the violations were being considered for heightened, or escalated, enforcement.

The first violation considered for escalated enforcement was for a willful violation for changes made to the plant's Updated Final Safety Analysis Report, without a license amendment, that removed credit for a specific type of safety-related pump in the mitigation of a postulated accident. The second violation was a non-willful violation for a failure to provide complete and accurate information to the NRC pertaining to the changes. A third apparent violation, related to Dominion's failure to obtain a

license amendment prior to making changes related to spent fuel pool heat-load analysis, was not considered for escalated enforcement.

The NRC offered Dominion a choice of attending an enforcement conference or ADR to address the apparent violations. ADR entails a trained neutral mediator working with the parties to reach resolution on the issues. ADR can result in broad, long-term corrective actions.

Based on those discussions, a settlement agreement was reached. In exchange for the array of corrective actions by Dominion, the NRC agreed not to pursue further enforcement action against the company related to the apparent violations. The NRC issued a legally binding Confirmatory Order on Aug. 26, 2015, that requires the company to, among other things:

- Make any needed changes to plant procedures governing the operation and testing of the charging pumps, and perform an evaluation of the use of the pumps.
- Issue a fleet-wide communication to reinforce the importance of providing complete and accurate information to the NRC.
- Submit a license amendment request to the NRC addressing the use of charging pumps and seek the agency's approval of the spent fuel pool heat-load analysis.
- Complete an assessment of its 50.59 program. (50.59 refers to a section of NRC regulations that allows plant owners to make changes to their facilities without prior NRC approval, provided certain criteria are satisfied.) The results of the assessment will be provided to the NRC and any corrective actions deemed necessary will be performed.
- Complete a formal sampling program of plant changes made under the 50.59 program since 2002 to identify whether other deficiencies exist in this program.
- Provide a presentation at an industry forum to discuss the events that led to the Confirmatory Order.

The NRC will follow up to ensure the corrective actions are fully implemented. A copy of the settlement agreement is available in the NRC's [ADAMS](#) electronic documents system under Accession Number ML15236A207.