



Dennis R. Madison
Vice President - Farley

Joseph M. Farley Nuclear Plant
7388 North State Hwy 95
Columbia, Alabama 36319
334.814.4511 tel
334.814.4575 fax

dramadiso@southernco.com

June 20, 2018

Docket Nos.: 50-348
50-364

NL-18-0782

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555-0001

Joseph M. Farley Nuclear Plant – Unit 1 and Unit 2
Reply to a Notice of Violation; EA-17-187

Reference: NRC letter to Southern Nuclear Operating Company, Joseph M. Farley Nuclear Plant – Inspection Report 05000348/2018013 and 05000364/2018013; Investigation Report No. 2-2017-003; and Notice of Violation (EA-17-187)

Ladies and Gentlemen:

In accordance with the provisions of 10 CFR 2.201, the Nuclear Regulatory Commission (NRC) has issued to Southern Nuclear Operating Company (SNC) a violation, as restated in the enclosure. SNC acknowledges and concurs with the violation. This letter constitutes the required response submittal.

This letter contains no new NRC commitments. If you have any questions, please contact Gene Surber, Licensing Manager, at 334.814.5448.

Respectfully submitted,

D. R. Madison

DRM/RGS

Enclosure: Reply to Violation EA-17-187

cc: Regional Administrator, Region II
NRR Project Manager – Farley Nuclear Plant
Senior Resident Inspector – Farley Nuclear Plant
RType: CFA04.054

**Joseph M. Farley Nuclear Plant – Unit 1 and Unit 2
Reply to a Notice of Violation; EA-17-187**

Enclosure

Reply to Violation EA-17-187

RESTATEMENT OF VIOLATION

10 CFR 20.1703 states, in part, if the licensee assigns or permits the use of respiratory protection equipment to limit the intake of radioactive material,

- (a) The licensee shall use only respiratory protection equipment that is tested and certified by the National Institute for Occupational Safety and Health (NIOSH) except as otherwise noted in this part.
- (b) If the licensee wishes to use equipment that has not been tested or certified by NIOSH ... the licensee shall submit an application to the NRC for authorized use of this equipment except as provided in this part. The application must include evidence that the material and performance characteristics of the equipment are capable of providing the proposed degree of protection under anticipated conditions of use. This must be demonstrated either by licensee testing or on the basis of reliable test information.
- (e) The licensee shall also consider limitations appropriate to the type and mode of use. The licensee shall use equipment in such a way as not to interfere with the proper operation of the respirator.

TS 5.4.1.a, Procedures, requires in part, written procedures to be established, implemented and maintained covering the applicable procedures recommended in RG 1.33, Rev. 2, Feb. 1978, Appendix A. Section 7.e.(5), Respiratory Protection, requires procedures for respiratory protection.

Licensee procedure NMP-HP-514, Operation of the 3M AirMate Hood and Powered – Air Purifying Respirator (PAPR) Blower Unit, Version 1.1, provides the following:

Section 5.1.2.2 states, “The [respiratory protective] equipment shall be used in such a way as to not interfere with the proper operation of the respirator.”

Section 5.1.3 states, “Only equipment certified by the National Institute for Occupational Safety and Health (NIOSH) or approved by the NRC shall be used when credit is taken for the use of respirators to protect personnel against radioactive material. The 3M Air-Mate Hood and PAPR Blower Unit has been NIOSH approved under TC-21C-635.”

Section 5.1.16 states, “DO NOT USE parts not described within this procedure. This action will violate the NIOSH approval (TC-21C-635). The unit MUST be used with the parts described in this procedure regardless of the desired use.”

Section 5.1.19 states, “Repair and/or modification of this equipment outside the guidance in this procedure MUST be performed by a qualified individual. Improper repairs or modifications may reduce the effectiveness of the unit and violate the NIOSH approval.”

Contrary to the above, on September 8, 2016, the station altered a respiratory protective device in such a way that it interfered with the proper operation of a respirator. Specifically, an SNC Corporate Fleet Radiation Protection Manager, an SNC Corporate Lead Health Physicist, and a Farley Radiation Protection Supervisor directed a Radiation Protection technician to place a

cover over the power switch of a PAPR which subsequently interfered with the proper operation of the respirator worn by a worker. It was determined that the three licensee officials willfully engaged in the use of parts not described in the site's procedure and thus created an assembly that was not tested and approved by NIOSH or authorized by the NRC. The unauthorized alteration of the respirator inhibited a contract employee's ability to properly operate the PAPR while working in the spent fuel transfer canal. The three licensee officials engaged in deliberate misconduct in violation of 10 CFR 50.5(a)(1), which caused SNC to be in violation of 10 CFR 20.1703(a), (b) and (e), and SNC Procedure NMP-HP-514.

REASON FOR THE VIOLATION

Upon reviewing the event, the station concluded that the cause of the event was the failure to follow procedures for respirator use. Although the intent was to protect the worker from inadvertently losing air, the direction to willfully violate the procedure and alter the PAPR is in violation of the CFR.

CORRECTIVE STEPS THAT HAVE BEEN TAKEN AND RESULTS ACHIEVED

Following the event, a worker stand-down was conducted along with a Human Performance Review Board to identify lessons learned such that they could be applied organizationally to ensure worker safety. The event was communicated site-wide to all supervisors and above to inform them of the event and included organizational shortfalls of perceived time pressure, lack of attention in proper body positioning, and the unapproved altering of a respirator (bump preventer).

Additionally, SNC evaluated the type of PAPR that was being used across the fleet and adopted the use of an additional type of PAPR specifically for use in tight spaces and not prone to accidental bumping of the power switch. A new procedure was also developed to support the use of the new respirator.

Since the event, there have been no incidents of accidental bumping, emergency egress, or any identified altering of a respirator during the use by any worker.

CORRECTIVE STEPS THAT WILL BE TAKEN

There are no additional corrective steps that are necessary for the station to be in compliance with the regulations.

DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Corrective Actions to address the identified violation are complete. Farley is in full compliance with applicable regulatory requirements.