

MAR 05 1980

Docket No. 50-346

Toledo Edison Company
ATTN: Mr. W. A. Johnson
President
Edison Plaza
300 Madison Avenue
Toledo, OH 43652

Gentlemen:

Enclosed is an order modifying your license effective immediately.

Sincerely,

Original Signed by
V. Stello

Victor Stello, Jr.
Director
Office of Inspection
and Enforcement

T. W. Brockett, IE
CP Book
XOOS Reading
EDO Reading
IE Reading
R. Ryan, SP
R. F. Burnett, DOS
S. E. Bryan, IE
H. C. Moseley, IE
D. Thompson, IE

7717 MNBB
SS-881

Distribution

PDR
NSIC
LPDR
TIC
ACRS (3)
SECY
CA
IE Files
(Central Files
CON
V. Stello, IE
R. C. DeYoung, IE
F. Ingram, PA
J. P. Murray, ELD
J. Lieberman, ELD
B. Brodenick, ELD
J. Crooks, OMPA
J. J. Cummings, OIA
Enforcement Coordinators,
RI, RII, RIII, RIV, RV
E. M. Howard, IE
G. Barber, IE

Mail Stop

PJ16
PJ16
PJ16
PJ16
H-1016
H-1149
H-1057

PJ16
L-316

MNBB-3709
MNBB-9604
MNBB-9604
MNBB-9604
MNBB-12105
LA-1200

WPU:DM RO1:IE
3/4/80 SEBryan
Job P 3/4/80

RO1:IE
NCMoseley
3/5/80

XOOS:IE
3/5/80

DD:IE
R. DEYOUNG
3-5-80

ELD D:IE
3/4/80 3/5/80

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

8003140324

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

THE TOLEDO EDISON COMPANY AND)
THE CLEVELAND ELECTRIC ILLUMINATING)
COMPANY)

Davis-Besse Nuclear Power Station,)
Unit No. 1)

Docket No. 50-346

ORDER MODIFYING LICENSE

EFFECTIVE IMMEDIATELY

I

The Toledo Edison Company and the Cleveland Electric Illuminating Company are holders of Facility Operating License No. NPF-3 which authorizes the operation of the Davis-Besse Nuclear Power Station, Unit No. 1 (the facility or Davis-Besse 1), at steady state power levels not in excess of 2772 megawatts thermal (rated power). The Toledo Edison Company is the lead licensee, (the licensee). The facility is a Babcock & Wilcox (B&W) designed pressurized water reactor (PWR) located at the licensee's site in Ottawa County, Ohio.

II

Davis-Besse Unit No. 1 was the first nuclear power reactor built and operated by the licensee. The facility, which began commercial operation November 21, 1977, experienced a higher than normal number of operating events during early operation and testing. Many of these events were caused by personnel errors and procedural deficiencies. A meeting with

8003140 337

licensee corporate management was held during August 1978 in which the operating staff weaknesses were noted along with the related problem of untimely evaluation and resolution of facility change requests.

III

The facility, being of B&W design, has undergone a significant number of procedural, equipment and operational changes as a result of lessons learned from the investigation of the Three Mile Island accident which occurred on March 28, 1979. An order issued to the licensee on May 16, 1979 and several NRC Bulletins have required major additional effort on the licensee's corporate and plant staffs.

IV

A series of management meetings was initiated by Region III to address the licensee's enforcement history, number of personnel errors, breakdown in management controls, equipment problems and lack of management's effectiveness in dealing with identified problems. The primary thrust of the first meeting in this series held on April 14, 1979, was to address the need for immediate action by the licensee to improve management controls and plant operations. In the second meeting held on May 31, 1979, the licensee presented a program, based upon its assessment of problem areas, to improve the level of management control, staffing, training, the correction of equipment problems and plant operations. During meetings held on July 17 and September 19, 1979, the licensee presented

schedules and progress reports on their program for corrective action. At the September 19, 1979, meeting, it appeared that licensee management had made progress in its control of licensed activities. Personnel errors were declining and organizational changes were underway.

V

A recent evaluation of the licensee's operation shows that the staffing, while improved, is not yet at the desired level. Timely resolution of problems is still a matter of concern. The changes required by the TMI investigations and related studies and bulletins continue to place an additional burden on the operating staff causing extended use of overtime.

During the week of February 18, 1980, the Resident Inspector, upon direct questioning of plant operators, was told by one operator that staffing problems were so significant that the plant was unsafe to operate. On February 25, 1980, the Director, Region III, and the Director, Division of Reactor Operations Inspection, IE, interviewed several plant workers including senior licensed operators, licensed operators and nonlicensed personnel. Perceived problems of excessive work hours and inadequate training were identified during these interviews. Some of those interviewed, including two senior licensed operators stated their view that some shifts did not have adequately qualified people to successfully handle an emergency. None of those interviewed rated the plant as being any better than marginally safe. Additional investigation was conducted

onsite on February 26 and 27, 1980. These investigations showed that while the licensee meets the staffing requirements of its license, concerns remain regarding the adequacy of training of nonlicensed personnel, the ability to respond to emergency conditions, and the overall depth of the staff.

Specifically:

- 1) Six of the more experienced equipment operators have been effectively removed from regular shift work to train to become licensed operators;
- 2) Some of the remaining equipment operators have been trained on the equipment only in certain zones. While this is adequate for routine shift operations, these equipment operators are not trained on all safety related equipment such that they could be relied upon if needed in other work zones during an emergency.
- 3) There is little flexibility to accommodate the loss of staff because of sickness or other work leave. Such problems result in additional overtime work requirements.

A meeting was held with licensee management in the Region III office on February 29, 1980, to discuss the above concerns and to consider corrective actions.

VI

The past experience of plant operations, the observation by plant operators as to the adequacy of the operating staff, and the above NRC findings, demonstrate that changes in the plant operating staff are required to provide reasonable assurance that the facility can be safely operated under emergency conditions. Therefore, in view of the above, I have determined that the public health, safety and interest require License No. NPF-3 be modified as stated in Part VII below, effective immediately.

VII

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED THAT:

1. The licensee shall:

- a) Return six experienced and fully qualified equipment operators, who have been involved in operator license training, to regular shift work to provide two fully qualified equipment operators for each operating shift. The additional qualified individuals will remain on shift duty until such time as they are relieved from duty by other fully qualified individuals who are appropriately trained and certified by the licensee's training department.

- b) Provide one additional person for each day shift to relieve the shift foreman of nonlicensed administrative responsibilities.
- c) Expedite the on-the-job training schedule for existing equipment operators who are not yet fully qualified. This program shall be accomplished by personnel from Toledo Edison Company or an outside contract organization and shall continue at least until the refueling outage.

Or in the alternative to items a), b) and c) above, place and maintain the facility in a cold shutdown or refueling mode of operation.

- 2. Prior to return of the station to operations from the scheduled April 1980 refueling outage, each operating shift shall have a complete complement of fully trained personnel in accordance with the staffing and qualification levels set forth in draft ANSI Standard 3.1.

VIII

The licensee, or any other person who has an interest affected by this Order, may, within twenty-five days of the date of this Order, request a hearing. Any request for a hearing shall be addressed to the Director, Office of Inspection and Enforcement, U.S.N.R.C., Washington, D.C. 20555. If a hearing is requested, the Commission will issue an order designating the time and place of hearing. Such a request for hearing SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

IX

In the event the licensee or any other person requests a hearing as provided above, the issues to be considered at such a hearing shall be:

- (1) whether the facts set forth in Section II, III, IV and V are true; and
- (2) whether this Order should be sustained.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed by
V. Stello

Victor Stello, Jr.
Director
Office of Inspection
and Enforcement

Dated at Bethesda, Maryland
this 5 day of March 1980.