

## NOTICE OF VIOLATION

North Atlantic Energy Service Corporation  
Seabrook Station

Docket No. 50-443  
License No. NPF-86

During an NRC inspection conducted January 27-31, 1997, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG-1600, the violations are listed below.

1. 10 CFR 50.65(b)(2) requires that the scope of the monitoring program specified in paragraph (a)(1) include nonsafety-related structures, systems, and components (SSCs): (i) that are relied upon to mitigate accidents or transients or are used in plant emergency operating procedures (EOPs); (ii) whose failure could prevent safety-related SSCs from fulfilling their safety-related function; or (iii) whose failure could cause a reactor scram....

10 CFR 50.65(a)(1) states that licensees shall monitor the performance or condition of SSCs against licensee established goals, in a manner sufficient to provide reasonable assurance that such SSCs, as defined in paragraph (b), are capable of fulfilling their intended functions.

Contrary to the above, on January 31, 1997, the following nonsafety-related SSC functions were not included in the 10 CFR 50.65 monitoring program:

Rod control function CP-04, to "maintain Tavg within limits and minimizes reactor power transients, based on inputs from various systems" is a function whose failure would cause a reactor scram.

Containment air handling function CAH-02, to "maintain the normal ambient air temperature in the containment structure within design limits," is a function whose failure could prevent safety-related SSCs from fulfilling their safety-related function.

Sample system function SS-03, to "provide grab samples of steam generator blowdown for each steam generator" is a function used in the plant emergency operating procedures (EOPs).

This is a Severity Level IV violation.

2. 10 CFR 50.65(a)(1) states, in part, that each holder of an operating license...shall monitor the performance or condition of SSCs against licensee-established goals...and that such goals shall be established commensurate with safety.

10 CFR 50.65(a)(2) states, in part, that monitoring under (a)(1) is not required where it has been demonstrated that the performance or condition of a SSC is being effectively controlled through the performance of appropriate preventive maintenance such that the SSC remains capable of performing its intended safety function. Paragraph (c) states that "[t]he requirements of this section shall be implemented by each licensee no later than July 10, 1996."

Regulatory Guide 1.160, "Monitoring the Effectiveness of Maintenance at Nuclear Power Plants," Revision 1, endorses NUMARC 93-01, "Industry Guidelines for Monitoring the Effectiveness of Maintenance at Nuclear Power Plants," Revision 0, as an acceptable method for implementing the requirements of 10 CFR 50.65. Regulatory Guide 1.160 states that the methods described in the guide will be used in the evaluation of the effectiveness of maintenance activities of licensees who are required to comply with 10 CFR 50.65 unless a licensee has proposed an acceptable alternative method of compliance.

NUMARC 93-01, Section 9.3.2, states, in part, that performance criteria for evaluating SSCs are necessary to identify the standard against which performance is to be measured. Criteria are established to provide a basis for determining satisfactory performance...(for SSCs monitored under (a)(2)). Additionally, Section 9.3.2 states that performance criteria for risk significant SSCs be established to assure that reliability and availability assumptions used in the plant-specific probabilistic risk assessment, individual plant examination, or other risk determining analysis are maintained or adjusted when necessary.

Contrary to 10 CFR 50.65(a)(2), as of January 31, 1997, North Atlantic Energy Service Company (NAESC), in choosing the NUMARC approach, failed to demonstrate that the performance or condition of SSCs was effectively controlled through the performance of appropriate preventive maintenance in that the licensee did not demonstrate that the performance criteria used to monitor reliability would ensure that the SSCs remained capable of performing their intended safety function. Specifically, in accordance with NUMARC 93-01, for those risk-significant SSCs within the scope of 10 CFR 50.65, NAESC established performance criteria to monitor reliability that neither considered, nor were bounded by, the safety significance defined by the plant-specific probabilistic risk assessment, individual plant examination, or other risk determining analysis for those SSCs. The affected SSCs included risk-significant functions for: rod control function CP-01; solid state protection functions SSPS-01 and SSPS-02; and anticipated transient without scram (ATWS) mitigation function ATSW-01. NAESC had not proposed an acceptable alternative to demonstrate compliance with 10 CFR 50.65(a)(2).

This is a Severity Level IV violation.

Pursuant to the provisions of 10 CFR 2.201, North Atlantic Energy Service Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at King of Prussia, Pennsylvania  
this 31 day of March 1997