

NOTICE OF VIOLATION

Duke Power Company
Catawba Nuclear Station
Units 1 and 2

Docket Nos.: 50-321 and 50-366
License Nos.: DPR-57 and NPF-7
EA 97-119

During an NRC inspection conducted on February 10 - 14, 1997, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (NUREG 1600), the violations are listed below:

- A. 10 CFR 50.65(b) establishes the scoping criteria for selection of safety-related and non-safety related structures, systems, or components to be included within the Maintenance Rule program. Scoping criteria shall include, in part, non-safety related structures, systems, or components that are relied upon to mitigate accidents or transients, or are used in the plant emergency operating procedures, or whose failure could prevent safety-related structures, systems, and components from fulfilling their safety-related function, or whose failure could cause a reactor scram or actuation of a safety-related system.

Catawba Nuclear Station Administrative Procedure, EDM-210, REQUIREMENTS FOR MONITORING THE EFFECTIVENESS OF MAINTENANCE AT THE NUCLEAR POWER PLANTS OR THE MAINTENANCE RULE, Revision 3, implemented the requirements of 10 CFR 50.65(b).

Contrary to the above, as of February 10, 1997, the licensee failed to include a number of structures, systems, and components within the scope of the Maintenance Rule as required. Specifically, the following systems and components were not included within the scope of the Maintenance Rule.

1. Nuclear Sampling Systems NM-3 and NM-4; and Auxiliary Building Chilled Water System YN-1 (maintains chilled water to the NM sample flow Heat exchanger) - These non-safety related systems were not included in the scope of the Maintenance Rule even though they are relied upon to mitigate accidents or transients.
2. Main Steam to Auxiliary Equipment System SA-3 (maintains steam supply to the three condensate steam air ejectors on each unit) - This non-safety related system was not included in the scope of the Maintenance Rule even though its failure could cause a reactor scram or the actuation of a safety-related system.
3. Ice Condenser Hitch Pins 073S (maintains configuration of the ice baskets) - These non-safety related components were not included in the scope of the Maintenance Rule even though their failure could prevent safety-related structures, systems, and components from fulfilling their safety-related function.

This is a Severity Level IV violation (Supplement I)

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- B. 10 CFR 50.65(a)(1) requires, in part, that holders of an operating license shall monitor the performance or condition of structures, systems, or components, against licensee-established goals, in a manner sufficient to provide reasonable assurance that such structures, systems, and components, within the scope of the Maintenance Rule, are capable of fulfilling their intended functions. When the performance or condition of a structure, system, or component does not meet established goals, appropriate corrective action shall be taken. 10 CFR 50.65(a)(2) requires, in part, that monitoring as specified in paragraph (a)(1) is not required where it has been demonstrated that the performance or condition of a structure, system, or component is being effectively controlled through the performance of appropriate preventive maintenance, such that the structure, system, or component remains capable of performing its intended function.

Catawba Nuclear Station Administrative Procedure, EDM-210, REQUIREMENTS FOR MONITORING THE EFFECTIVENESS OF MAINTENANCE AT THE NUCLEAR POWER PLANTS OR THE MAINTENANCE RULE, Revision 3, provided instructions for implementation of the requirements of 10 CFR 50.65(a)(1) and (a)(2). Appendix D, Section D.2.3 of EDM-210 identified a Forced Outage Rate of no more than 8% per fuel cycle as a plant level performance criteria.

Contrary to the above, as of February 10, 1997, the licensee was not monitoring the performance or condition of structures, systems, or components, against licensee-established goals, or demonstrating that the performance or condition of a structure, system, or component was being effectively controlled through the performance of appropriate preventive maintenance, in a manner sufficient to provide reasonable assurance that such structures, systems, and components, within the scope of the Maintenance Rule, are capable of fulfilling their intended functions, in that:

Procedure EDM-210 did not provide adequate performance criteria at the plant level relating to load reductions. Four examples were identified where load reductions of approximately 50 percent were initiated as a result of maintenance related issues; however, no criteria existed to identify maintenance preventable functional failures for these load reductions.

This is a Severity Level IV Violation (Supplement I)

Pursuant to the provisions of 10 CFR 2.201, Duke Power 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 II, and a copy to the NRC Resident Inspector at the Catawba facility 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

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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 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 reduction. 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 in Atlanta, Georgia
this 20th day of March 1997