NOTICE OF VIOLATION

Detroit Edison Company
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Docket No. 50-341
License No. NPF-43

During an NRC inspection conducted January 14 through February 13, 1998, 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) established the scope of the monitoring program for selection of safety-related and nonsafety-related structures, systems, or components (SSCs) to be included within the maintenance rule (MR) program. The monitoring program shall include safety-related SSCs that are relied upon to remain functional during and following design basis events to ensure the integrity of the reactor coolant pressure boundary, the capability to shut down the reactor and maintain it in a safe shutdown condition, and the capability to prevent or mitigate the consequences of accidents that could result in potential offsite exposure comparable to the 10 CFR, Part 100 guidelines. The monitoring program shall also include nonsafety-related SSCs 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 SSCs from fulfilling their safety-related function, or whose failure could cause a reactor scram or actuation of a safety-related system.

Contrary to the above, the licensee failed to include four SSCs within the scope of the MR as required. Specifically, the following SSCs should have been originally included within the scope of the MR but were not:

1. As of January 14, 1998, the licensee failed to include the equipment associated with function C5100-03, a safety-related neutron monitoring indication function in the scope of the MR program. This function was relied upon to remain functional during and following design basis events to ensure the capability to shut down the reactor and maintain it in a safe shutdown condition.

2. As of January 14, 1998, the licensee failed to include the rod block monitoring system (system C5114), a nonsafety-related system relied upon to mitigate reactivity and power distribution anomaly transients, in the scope of the MR program.

3. As of January 14, 1998, the licensee failed to include the steam tunnel cooling system (system T4111), a nonsafety-related system whose failure could cause a reactor scram or actuation of a safety-related system, in the scope of the MR program.

4. As of January 14, 1998, the licensee failed to included the equipment associated with function T4802-07, a nonsafety-related containment purge and drywell vent function that was used in emergency operating procedures, in the scope of the MR program.

This is a Severity Level IV violation (Supplement I).

B. 10 CFR 50.65(a)(1) states, in part, that holders of an operating license shall monitor the performance or condition of SSCs, as defined by 10 CFR 50.65(b), against licensee established goals, in a manner sufficient to provide reasonable assurance that such SSCs are capable of fulfilling their intended functions. When the performance or condition of a SSC does not meet established goals, appropriate corrective action shall be taken.

10 CFR 50.65(a)(2) states that the monitoring as specified in 10 CFR 50.65(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 function. 10 CFR 50.65(c) states that, the requirements of this Section shall be implemented by each licensee no later than July 10, 1996.

Contrary to 10 CFR 50.65(a)(2), as of November 17, 1997, the licensee had not demonstrated that the performance or condition of the nuclear boiler system within the scope of 10 CFR 50.65 was being effectively controlled through the performance of appropriate preventive maintenance. On November 17, 1997, the licensee had elected to not monitor the performance or condition of the nuclear boiler system pursuant to the requirements of section (a)(1). The licensee had not demonstrated that the condition or performance of the nuclear boiler system had been effectively maintained by performing appropriate preventive maintenance under the requirements of 10 CFR 50.65(a)(2). Specifically, the licensee failed to establish an adequate measure to evaluate the effectiveness of the performance of appropriate preventive maintenance on the reactor pressure vessel (RPV) parameter indication equipment of the nuclear boiler system prior to placing this system under section (a)(2). Design basis functionality was required at the divisional level for the RPV parameter indication equipment. The licensee's sole basis for demonstrating effective preventive maintenance for this equipment was the system level criterion that the equipment have less than or equal to three maintenance preventable functional failures (MPFFs) per three years. This criterion would allow excessive divisional failures of the RPV parameter indication equipment. Therefore, the licensee's basis for placing the nuclear boiler system, which included RPV parameter indication equipment, under the requirements of section (a)(2) was inadequate and the nuclear boiler system should have been monitored in accordance with section (a)(1).

This is a Severity Level IV violation (Supplement I).

C. 10 CFR 50.65(a)(1) requires, in part, that each licensee monitor the performance or condition of SSCs, against licensee-established goals, in a manner sufficient to provide reasonable assurance that such SSCs, are capable of fulfilling their intended functions.

Contrary to the above, as of January 17, 1997, the licensee failed to monitor the performance or condition of the high pressure coolant injection (HPCI) system against licensee-established goals in a manner sufficient to provide reasonable assurance that the HPCI system was capable of fulfilling its intended function. Specifically, a functional

failure of the HPCI system occurred in that a frozen instrument line rendered the HPCI system outside of its design basis of automatically switching HPCI's water source from the condensate storage tank to the safety-related suppression pool. The freezing of the instrument line was maintenance preventable. Although the licensee had an established goal of less than or equal to three MPFFs per three years, the licensee had failed to monitor the performance of the HPCI system against this goal in that the MPFF associated with the frozen instrument line was not identified.

This is a Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Detroit Edison 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 III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, 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 or severity level, (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.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Lisle, Illinois
this 25 th day of March 1998

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