NOTICE OF VIOLATION

Cleveland Electric Illuminating Company
Perry Nuclear Power Plant

Docket No. 50-440
License No. NPF-58

During an NRC inspection conducted November 4 - 8, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG 1600, the violation is listed below:

> 10 CFR 50.65 (a)(3) requires, in part, that in performing monitoring and preventive maintenance activities, an assessment of the total plant equipment that is out of service should be taken into account to determine the overall effect on performance of safety functions.
>
> Technical Specification 6.8.1 requires, in part, that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures or drawings.
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> Plant Administrative Procedure 0130, "On-Line-Schedule Development," Revision 1, Step 6.6.2, requires that risk assessments be performed for activities on Risk Significant Systems that are added before and after schedules are issued.
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> Contrary to the above, on August 20 and 21, 1996, the licensee performed a division 1 outage which removed residual heat removal train A, the low pressure core spray system, emergency closed cooling system train A, emergency service water system train A, the division 1 emergency diesel generator, the control rod drive pump train B and the reactor core isolation cooling system without performing an adequate risk assessment for removing these SSCs from service.
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> This is a Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Cleveland Electric Illuminating 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 of Violation 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

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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 Lisle, Illinois
this 29th day of January 1997