

ENCLOSURE 1

NOTICE OF VIOLATION

Pacific Gas and Electric Company
Diablo Canyon Nuclear Power Plant

Docket Nos.: 50-275; 50-323
License Nos.: DPR-80; DPR-82

During an NRC inspection conducted July 7 through August 26, 1997, two 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) states, in part, that the scope of the monitoring program specified in paragraph (a)(1) shall include safety-related structures, systems, and components and certain nonsafety-related structures, systems, and components whose failure could prevent safety-related structures, systems, and components from fulfilling their safety-related function or cause a reactor scram or actuation of a safety-related system. Paragraph (c) states, "[t]he requirements of this section shall be implemented by each licensee no later than July 10, 1996."

Contrary to the above, the licensee identified from July 10, 1996, to June 30, 1997, that the licensee's 10 CFR Part 50.65 monitoring program scope did not include the following structures, systems, and components: long-term cooling, extraction steam, auxiliary steam, nuclear steam system supplier sampling (safety-related), service cooling water, fire detection, nitrogen and hydrogen, fuel handling, cranes (safety-related), digital rod position, communications (safety-related), non vital 4kV, non vital 480V ac, non vital 125V dc, non vital 120V ac, emergency lighting, cathodic protection, fire barrier penetrations, containment purge (safety-related) and main steam blowdown (safety-related).

This is a Severity Level IV violation (Supplement I) (50-275;-323/9704-01).

- B. 10 CFR 50.65(a)(1) states, in part, that licensees shall monitor the performance or condition of structures, systems, and components against licensee established goals, in a manner sufficient to provide reasonable assurance that such structures, systems, and components are capable of fulfilling their intended functions.

10 CFR 50.65(a)(2) states that the monitoring of Section (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 functions.

Contrary to the above, the licensee had not monitored the performance or condition of certain systems against licensee-established goals pursuant to the requirements

of Section (a)(1). Specifically, the licensee had not demonstrated that the performance or condition of systems within the scope of 10 CFR 50.65 were being effectively controlled through the performance of appropriate preventive maintenance prior to placing the systems under Section (a)(2) for the following:

1. From July 10, 1996, to July 11, 1997, the team identified that the licensee had not demonstrated the effective preventive maintenance of the solid state protection and nuclear instrumentation systems in that the licensee's sole basis for demonstrating effective preventive maintenance on these systems was the absence of a specific number of maintenance preventable functional failures over a certain period of time (i.e., reliability).
2. From May 30, 1997, until July 9, 1997, the team identified that the licensee failed to justify or demonstrate that the performance of the control rod drive mechanism ventilation system was being effectively controlled by preventive maintenance to provide reasonable assurance that the system was capable of performing its intended function.

This is a Severity Level IV violation (Supplement 1) (50-275;50-323/9704-04).

Pursuant to the provisions of 10 CFR 2.201, Pacific Gas and Electric 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 IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, 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, (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 Arlington, Texas
this 12th day of September 1997