NOTICE OF VIOLATION

Tennessee Valley Authority
Watts Bar Nuclear Plant

Docket No. 50-390
License No. NPF-90
EA 98-343

During an NRC inspection conducted on May 18-22, 1998, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

A. 10 CFR 50.65(a)(1) requires, in part, that the holders of an operating license shall monitor the performance or condition of SSCs within the scope of the rule 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. Such goals shall be established commensurate with safety. When the performance or condition of an SSC does not meet established goals, appropriate corrective action shall be taken.

10 CFR 50.65(b)(1) requires, in part, that the holders of an operating license shall include, within the scope of the monitoring program specified in 10 CFR 50.65(a)(1), safety-related structures, systems, or components (SSC) 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 scope shall also include non-safety 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 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, as of May 18, 1998, the licensee failed to identify and include the following functions of SSCs within the scope of the licensee's Maintenance Rule program:

1. Main feedwater recovery following a trip or transient, aligning emergency raw cooling water to centrifugal charging pump 1A-A, and refilling of the CST using the demineralized water system. These SSCs are relied upon during and after design basis events to mitigate the consequences of accidents.

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2. Pressurizer level, reactor pressure vessel level, and residual heat removal suction relief valve over-pressure protection as applicable for non-Mode 1 conditions. These SSCs are relied upon during and after design basis events to maintain the reactor in a safe shutdown condition. (01014)

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

B. 10 CFR 50.65(a)(1) requires, in part, the holders of an operating license shall monitor the performance or condition of SSCs within the scope of the monitoring program, as defined in 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. Such goals shall be established commensurate with safety. When the performance or condition of an SSC 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 10 CFR 50.65(a)(1) is not required where it has been demonstrated that the performance or condition of an SSC is being effectively controlled through the performance of appropriate preventive maintenance, such that the SSC remains capable of performing its intended function.

Contrary to 10 CFR 50.65(a)(2), as of July 10, 1996, the time that the licensee elected not to monitor the performance or condition of certain SSCs against established goals pursuant to the requirements of Section (a)(1), the licensee failed to demonstrate that the performance or condition of SSCs within the scope of 10 CFR 50.65 had been effectively controlled by performing appropriate preventive maintenance. Specifically, the licensee failed to demonstrate adequately that the performance or condition of functions of the atmospheric dump valves, the passive cold leg accumulators, and the 120VAC vital power system had been effectively controlled by performing appropriate preventive maintenance in accordance with the requirements of 10 CFR 50.65 (a)(2). The licensee used inadequate measures in the demonstration to evaluate the effectiveness of preventive maintenance on these functions in that only unplanned capacity loss factor time was specified as an unavailability performance measure for these functions. As such, all unplanned unavailability was not considered even though SSC functions during these times would be unable to perform as required. (02014)

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

C. 10 CFR 50.65(a)(1) requires, in part, the holders of an operating license shall monitor the performance or condition of SSCs within the scope of the monitoring program, as defined in 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. Such goals shall be established commensurate with safety. When the performance or condition of an SSC 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 10 CFR 50.65(a)(1) is not required where it has been demonstrated that the performance or condition of an SSC is being effectively controlled through the performance of appropriate preventive maintenance, such that the SSC remains capable of performing its intended function.

Contrary to 10 CFR 50.65(a)(2), as of July 10, 1996, the time that the licensee elected to not monitor the performance or condition of certain SSCs against established goals pursuant to the requirements of Section (a)(1), the licensee failed to demonstrate that the performance or condition of SSCs within the scope of 10 CFR 50.65 had been effectively controlled by performing appropriate preventive maintenance. Specifically, the licensee failed to adequately demonstrate that the performance or condition of functions of the auxiliary feedwater system and the emergency raw cooling water system had been effectively controlled by performing appropriate preventive maintenance in accordance with the requirements of 10 CFR 50.65 (a)(2). The licensee used inadequate measures in the demonstration to evaluate the effectiveness of preventive maintenance on these SSCs in that surveillance testing unavailability time was not monitored for these SSCs. As such, all planned unavailability was not considered even though SSC functions during these times were unable to perform as required. (03014)

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

Pursuant to the provisions of 10 CFR 2.201, Tennessee Valley Authority 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 Watts Bar 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 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 previously 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.

The NRC has concluded that, for Violation B, information regarding the reason for violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 50-390/98-05, dated July 6, 1998. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description for Violation B therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it 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 facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

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 Atlanta, Georgia
this **6th** day of **July 1998**