

**ENCLOSURE 1**

**NOTICE OF VIOLATION**

Washington Public Power Supply System  
Washington Nuclear Project-2

Docket No.: 50-397  
License No.: NPF-21

During an NRC inspection conducted on November 18-22, 1996, with in-office review until January 6, 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(a)(1) states, in part, that "[e]ach holder of an operating license . . . shall monitor the performance or condition of structures, systems, or components, against licensee-established goals . . . [and that] [Such] goals shall be established commensurate with safety . . . ."

10 CFR 50.65(a)(2) states, in part, that monitoring under (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 safety function. Paragraph (c) states that "[t]he requirements of this section shall be implemented by each licensee no later than July 10, 1996."

Regulatory Guide 1.160, "Monitoring the Effectiveness of Maintenance at Nuclear Power Plants," Revision 1, endorses NUMARC 93-01, "Industry Guidelines for Monitoring the Effectiveness of Maintenance at Nuclear Power Plants," Revision 0, as an acceptable method for implementing the requirements of 10 CFR 10.65. Regulatory Guide 1.160 states that the methods described in the guide will be used in the evaluation of the effectiveness of maintenance activities of licensees who are required to comply with 10 CFR 50.65 unless a licensee has proposed an acceptable alternative method for compliance.

The licensee subscribed to the NUMARC 93-01 methodology in Procedure TI 4.22, "Maintenance Rule Program," Revision 0. NUMARC 93-01, Section 9.3.2, states, in part, that performance criteria for evaluating structures, systems, or components are necessary to identify the standard against which performance is to be measured. Criteria are established to provide a basis for determining satisfactory performance . . . (for structures, systems, or components monitored under (a)(2)). Additionally, Section 9.3.2 states that performance criteria for risk significant structures, systems, and components should be established to assure that reliability and availability assumptions used in the plant-specific probabilistic risk assessment, individual plant examination, or other risk determining analysis are maintained or adjusted when necessary. Appendix B of NUMARC 93-01 defines availability as the time that a structure, system, or component is capable of performing its intended function as a fraction of the total time that the intended function may be demanded . . . the numerical complement of unavailability.

As a measure to demonstrate the ability of certain risk-significant systems to perform the intended functions, the licensee chose to monitor unavailability of risk-significant systems.

Contrary to the above, for the nuclear condensate, reactor feedwater, and uninterruptible alternating current power supply systems, the licensee: (1) failed to establish goals commensurate with safety as described in 10 CFR 50.65(a)(1); and (2) as an alternative, failed to demonstrate that the performance of the above specified systems was effectively controlled through the performance of appropriate preventive maintenance and that the systems remained capable of performing their intended function, in that neither were the unavailability of the functions performed by the systems monitored, nor an acceptable alternative method for compliance, proposed.

This is a Severity Level IV violation (Supplement 1) (50-397/9618-01).

- B. 10 CFR 50.65(a)(1) states, in part, that "[e]ach holder of an operating license . . . shall monitor the performance or condition of structures, systems, or components, against licensee-established goals . . . [and that] [Such] goals shall be established commensurate with safety . . . ."

10 CFR 50.65(a)(2) states, in part, that monitoring under (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 safety function. Paragraph (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 22, 1996, the licensee failed to demonstrate that the performance or condition of structures, systems, or components was effectively controlled through the performance of appropriate preventive maintenance, in that the licensee had not demonstrated that the performance criteria used to monitor reliability would ensure that the structures, systems, or components remained capable of performing their intended safety functions. Specifically, in accordance with NUMARC 93-01, for those risk-significant structures, systems, or components within the scope of 10 CFR 50.65, the licensee established performance criteria to monitor reliability, but without an adequate technical basis. The technical basis neither considered nor was bounded by the safety significance defined by the licensee's plant-specific probabilistic risk analysis, individual plant examination, or other risk determining analysis for those structures, systems, or components. The licensee had not proposed an acceptable alternative to demonstrate compliance with 10 CFR 50.65(a)(2).

This is a Severity Level IV violation (Supplement 1) (50-397/9618-02).

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket in licensee Letter G02-97-001 to Mr. Thomas P. Gwynn from P. R. Bemis dated January 2, 1997, to the preliminary findings of NRC Inspection Report 50-397/96-18. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description 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 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).

Dated at Arlington, Texas  
this 29th day of January 1997