

L. William Pearce
Site Vice President

724-682-5234
Fax: 724-643-8069

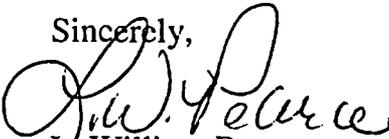
November 14, 2003
L-03-187

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, D. C. 20555

Subject: Beaver Valley Power Station, Unit No. 2
BV-2 Docket No. 50-412, License No. NPF-73
Reply to Notice of Violation – EA-03-153

In response to NRC correspondence dated October 15, 2003, and in accordance with 10 CFR 2.201, the attached reply addresses the Notice of Violation transmitted with the letter.

No regulatory commitments are contained in this submittal. If there are any questions concerning this matter, please contact Mr. Larry R. Freeland, Manager, Regulatory Affairs/Performance Improvement at 724-682-5284.

Sincerely,

L. William Pearce

Attachment:

c: Mr. T. G. Colburn, NRR Senior Project Manager
Mr. P. C. Cataldo, NRC Sr. Resident Inspector
Mr. H. J. Miller, NRC Region I Administrator
Mr. D. A. Allard, Director BRP/DEP
Mr. L. E. Ryan (BRP/DEP)

IEOI

FIRSTENERGY NUCLEAR OPERATING COMPANY
Beaver Valley Power Station Unit No. 2

Reply to Notice of Violation – EA-03-153
Letter dated October 15, 2003

VIOLATION EA-03-153 (Severity Level IV)

10 CFR 50, Appendix B, Criterion XVI "Corrective Action," requires, in part, that conditions adverse to quality be promptly identified and corrected. The cause of significant conditions adverse to quality must be identified and corrective actions taken to preclude recurrence.

The Beaver Valley Unit 2 Technical Specification, Section 6.8.1 requires, in part, that written procedures shall be established, implemented, and maintained covering the applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, Revision 2, February 1978. Regulatory Guide 1.33, Revision 2 requires administrative procedures for procedure adherence.

Nuclear Operating Administrative Procedure, NOP-LP-2001, "Condition Report Process" Revision 1, requires any individual who identifies a condition, including those adverse to quality, to initiate a condition report by documenting the issue, observation or concern by completing the "Origination" section of the condition report form.

The Beaver Valley Condition Report Reference Guide, Revision 3, which is required by NOP-LP-2001, requires prompt condition reports when expectations regarding materials, parts, components, activities, processes, procedures and documents associated with the design, maintenance or operation of the plant are not met.

Contrary to the above, on November 21, 2002, a condition adverse to quality existed, (no senior reactor operator in the Beaver Valley Unit 2 control room for approximately four minutes), and a prompt condition report was not initiated by any members of the shift crew on duty at the time, until November, 28, 2002.

Reason for the Violation

On November 21, 2002, upon his return to the control room, the Shift Manager was informed by the shift operations crew that that no Senior Reactor Operator (SRO) was in the control room for approximately four minutes. The Shift Manager was uncertain as to the procedural and regulatory significance of his absence and immediately reviewed both the Unit 2 Technical Specifications and the Conduct of Operations Chapter of the Operating Manual. During his review of both documents, the Shift Manager could not locate the specific control room staffing requirements and inaccurately concluded that no

regulation or licensing requirements had been violated. While he sought a peer check at the time of the event from the on-duty control room operators who agreed with his assessment, the Shift Manager chose not to seek a timely critical peer check with the on-duty Unit Supervisor or other knowledgeable individuals, initiate a condition report or notify the appropriate management personnel of the issue. The other cognizant members of the shift crew did not demonstrate a low enough threshold for the initiation of a condition report to document questionable activities or events.

Since the SRO concluded that he was not in any non-compliance situation, the absence from the control room was considered not to be an event; therefore, it was not reportable. This rationalization meant to him and the control room crew, that no condition report or management notifications were necessary. Based on this rational the personnel involved did not have a low enough threshold for the initiation of a condition report to document questionable activities or events.

Corrective Actions Taken and Results Achieved

Although untimely, the Shift Manager did initiate a condition report on November 28, 2002, after being questioned by the Unit Supervisor who was on duty when the event occurred but was not aware of the situation until November 28, 2002. The condition report was determined to be a significant condition adverse to quality and a root cause investigation was initiated to investigate the event.

Following management notification that a condition report was written regarding this event, a night order was issued by December 2, 2002 to reinforce the control room staffing requirements and the obligation of all shift operations personnel to report conditions adverse to expectations, requirements and license conditions. Additionally, the Operations Manager directly communicated with the Unit 1 and 2 operations crews to reinforce Beaver Valley Power Station management expectations for immediate notification by operations staff regarding the occurrence of significant events.

On January 2, 2003, following investigation of the event, the responsible Shift Manager was relieved of control room licensed duties and was assigned to a position in the Planning and Scheduling Section. By letter dated October 2, 2003, FirstEnergy Nuclear Operating Company (FENOC) requested the withdrawal of his Senior Reactor Operator license effective on September 15, 2003.

Corrective Actions to Prevent Further Violations

Management expectations regarding the timely notification and reporting of conditions adverse to quality, were reinforced with operating crews during licensed operator retraining. This training was completed by June 12, 2003.

Training on the legal requirements, responsibilities, expectations and accountability of licensed operators was provided by a representative from FirstEnergy Legal Department to licensed personnel at Beaver Valley Power Station as part of the 2003 Module 8 of the Licensed Operator Retraining Program. This training was completed by June 11, 2003.

The Conduct of Operation and Standards was revised on August 11, 2003, and provides the expectation that operations personnel are to be critical in their routine assessment of individual and team performance. The standard measurement for this expectation is that all operations personnel identify conditions using the guidance provided in the condition report process. This expectation is that conditions shall be identified when personnel's expectations regarding materials, parts, components, activities, processes, procedures and documents associated with the design, maintenance or operation of the plant are not met. This low threshold ensures that all conditions are identified, and that the appropriate amount of resources can be applied to affect their resolution.

Additionally, as part of general employee training on INPO SOER 02-4, "Davis Besse Reactor Head Degradation," FENOC employees at Beaver Valley Power Station participated in case study training. The training included review of the Davis Besse event, the self assessment of Davis Besse root causes as the relate to Beaver Valley Power Station, safety culture and safety conscious work environment. Included in the topics discussed were the basic principles for problem identification and resolution. This training was completed by September 27, 2003.

Date when Full Compliance will be Achieved

Full compliance was achieved with the identification and completion of the event investigation in accordance with the corrective action program on January 29, 2003.