



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA ST., N.W., SUITE 3100
ATLANTA, GEORGIA 30303

Central File

DEC 6 1979

In Reply Refer To:

RII:JPO

50-438, 50-439

50-259, 50-260

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50-567

Tennessee Valley Authority
Attn: H. G. Parris
Manager of Power
500A Chestnut Street Tower II
Chattanooga, Tennessee 37401

Gentlemen:

The enclosed Information Notice provides information with regard to reporting of defects and noncompliance, in accordance with Part 21 of Title 10, Chapter 1, Code of Federal Regulations.

This Information Notice is provided as notification of a significant matter. Although no specific action or response is requested, it is expected that recipients will review the information for possible applicability. If you have questions regarding the matter, please contact me.

Sincerely,

James P. O'Reilly
Director

Enclosures:

1. IE Information Notice
No. 79-30
2. List of Recently Issued
IE Information Notices

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Tennessee Valley Authority

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cc w/encl:

A. M. Qualls
Plant Superintendent
Post Office Box 2000
Hollywood, Alabama 35752

W. R. Dahnke, Project Manager
Post Office Box 2000
Hollywood, Alabama 35752

J. F. Cox
400 Commerce Street
W10C131 C-K
Knoxville, Tennessee 37902

D. L. Terrill
Project Engineer
400 Chestnut Street Tower II
Chattanooga, Tennessee 37401

H. L. Abercrombie
Plant Superintendent
Post Office Box 2000
Decatur, Alabama 35602

D. E. McCloud
Project Engineer
400 Chestnut Street Tower II
Chattanooga, Tennessee 37401

R. T. Hathcote, Project Manager
Post Office Box 2000
Hartsville, Tennessee 37074

J. E. Wills, Project Engineer
400 Chestnut Street Tower II
Chattanooga, Tennessee 37401

W. P. Kelleghan, Project Manager
Post Office Box 2000
Surgoinville, Tennessee 37873

G. G. Stack, Project Manager
Post Office Box 2000
Daisy, Tennessee 37319

cc w/encl: (Continued on Page 3)

Tennessee Valley Authority

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cc w/encl: (Continued from Page 2)
J. M. Ballentine
Plant Superintendent
Post Office Box 2000
Daisy, Tennessee 37319

D. L. Lambert, Project Engineer
400 Chestnut Street Tower II
Chattanooga, Tennessee 37401

J. F. Groves, Plant Superintendent
Post Office Box 2000
Spring City, Tennessee 37381

T. B. Northern, Jr., Project Manager
Post Office Box 2000
Spring City, Tennessee 37381

M. M. Price, Project Manager
Post Office Box 2000
Iuka, Mississippi 38852

E. G. Beasley
Tennessee Valley Authority
309 Grant's Building
Knoxville, Tennessee 37902

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INSPECTION AND ENFORCEMENT
WASHINGTON, D.C. 20555

December 6, 1979

IE Information Notice No. 79-30

REPORTING OF DEFECTS AND NONCOMPLIANCES, 10 CFR PART 21

Background

Section 21.1, Title 10, Code of Federal Regulations, Chapter 1, Part 21, states, "The regulations in this part establish procedures and requirements for implementation of Section 206 of the Energy Reorganization Act of 1974. That Section requires any individual director or responsible officer of a firm constructing, owning, operating or supplying the components of any facility or activity which is licensed or otherwise regulated pursuant to the Atomic Energy Act of 1954, as amended, or the Energy Reorganization Act of 1974, who obtains information reasonably indicating: (a) that the facility, activity or basic component supplied to such facility or activity fails to comply with the Atomic Energy Act of 1954, as amended, or any applicable rule, regulation, order, or license of the Commission relating to substantial safety hazards or (b) that the facility, activity, or basic component supplied to such facility or activity contains defects which could create a substantial safety hazard, to immediately notify the Commission of such failure to comply or such defect, unless he has actual knowledge that the Commission has been adequately informed of such defect or failure to comply."

Discussion

Recent inspections performed by NRC Office of Inspection and Enforcement personnel reveal a general misunderstanding of 10 CFR Part 21 requirements in cases where a licensee or nonlicensee has selected to rely on other reporting requirements such as 50.55(e) and Regulatory Guide 1.16 as the means to adequately inform the Commission of a matter reportable under Part 21. In this area inspection findings have consistently shown that many activities covered by Part 21 have not been appropriately considered in procedures and other instructions currently being implemented. Specifically, the provisions of 21.21(a)(1), 21.21(a)(2), 21.21(b)(3) and 21.51 are not being adequately addressed.

Compliance with each element of the rule is necessary to assure proper handling of matters subject to consideration and reporting under Part 21. Your attention is directed to Section 21.51 which requires that each individual or organization subject to 10 CFR Part 21 prepare records sufficient to assure compliance with the requirements of that part.

All holders of NRC licenses or permits issued pursuant to 10 CFR Part 50, architect-engineers, contractors and suppliers subject to Part 21 requirements should ensure that management control systems are established to assure that all requirements of 10 CFR Part 21 are met, with particular emphasis on the specific areas discussed above.

RECENTLY ISSUED
IE INFORMATION NOTICES

| Information Notice No. | Subject | Date Issued | Issued To |
|------------------------|---|-------------|--|
| 79-30 | Reporting of Defects and Noncompliances, 10 CFR Part 21 | 12/6/79 | All power reactor facilities holding OLs and CPs and vendor inspected LCVIP. |
| 79-29 | Loss of NonSafety-Related Reactor Coolant System Instrumentation During Operation | 11/16/79 | All power reactor facilities holding OLs or CPs |
| 79-28 | Overloading of Structural Elements Due to Pipe Support Loads | 11/16/79 | All power reactor facilities with an OL or CP |
| 79-27 | Steam Generator Tube Ruptures At Two PWR Facilities | 11/16/79 | All power reactor facilities holding OLs and CPs |
| 79-12A | Attempted Damage To New Fuel Assemblies | 11/9/79 | All Fuel Facilities, research reactors, and power reactors with an OL or CP |
| 79-26 | Breach of Containment Integrity | 11/5/79 | All power reactor facilities holding OLs and CPs |
| 79-25 | Reactor Trips At Turkey Point Units 3 And 4 | 10/1/79 | All power facilities with an OL or a CP |
| 79-24 | Overpressurization Of Containment Of A PWR Plant After A Main Steam Line Break | 10/1/79 | All power reactor facilities with a CP |
| 79-23 | Emergency Diesel Generator Lube Oil Coolers | 9/26/79 | All power reactor facilities holding OLs and CPs |
| 79-22 - | Qualification of Control Systems | 9/14/79 | All power reactor facilities with operating licenses and construction permits. |
| 79-21 | Transportation and Commercial Burial of Radioactive Material | 9/7/79 | All power and research reactors with OLs |