

Georgia Power Company, Atlanta, Georgia
(Hatch, Units 1 and 2), EA 83-35, Supplement I

A Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$40,000 was issued on June 2, 1983 based on a violation with multiple examples of the licensee's failure to ensure proper restoration of electrical cable tray systems and a portion of related fire protection systems after the performance of maintenance or modification affecting these systems. The licensee responded and paid the civil penalty on June 23, 1983.

→ Louisiana Power and Light, New Orleans, Louisiana
(Waterford Steam Electric Station, Unit 3), EA 82-109, Supplement II

A Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$20,000 was issued on December 6, 1982 based on a violation of NRC's Quality Assurance requirements as illustrated by numerous deficiencies and discrepancies noted by the licensee's startup and QA organizations in both the as-built condition of systems offered for startup testing by the prime contractor and deficiencies in the supporting quality documentation. The licensee responded on January 4, 1983. An Order was issued on March 16, 1983 and the licensee paid the civil penalty on April 8, 1983.

Maine Yankee Atomic Power Company, Augusta, Maine
(Maine Yankee Atomic Power Station), EA 83-40, Supplement I

A Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$40,000 was issued on May 20, 1983 based on a violation involving a technical specification's limiting condition for operation. The reactor was operated at power for approximately 29 days with one train of the high pressure safety injection (HPSI) not capable of automatically starting because of the actuation of an interlock caused by the installation of a grounding device in the pump breaker cubicle. The remaining train of HPSI was also inoperable for seven hours because its associated emergency power supply, 1B diesel generator, was out of service. The licensee responded and paid the civil penalty on June 17, 1983.

Northern States Power Company, Minneapolis, Minnesota
(Monticello Nuclear Generating Plant), EA 83-22, Supplement I

A Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$20,000 was issued on April 11, 1983 based on one violation concerning the failure to maintain primary containment integrity for approximately 13 days when it was required. The licensee responded and paid the civil penalty on May 11, 1983.



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

DEC 6 1982

Docket No: 50-382
EA 82-109

Louisiana Power and Light Company
ATTN: L. V. Maurin, Vice President

Nuclear Operations
142 Delaronde Street
New Orleans, Louisiana 70714

Gentlemen:

This refers to the inspection conducted under the Resident Inspection Program by Messrs. G. L. Constable and J. E. Cummins of our staff during the period May 16 to July 15, 1982, of activities authorized by NRC Construction Permit CPPR-103 for the Waterford Steam Electric Station, Unit 3, and to the discussion of our findings with Messrs. D. B. Lester, G. Rogers, and other members of your staff at the conclusion of the inspection. These findings were also discussed during the enforcement conference held in your corporate offices on August 20, 1982, and during a subsequent conference held at the Waterford facility on November 23, 1982.

This inspection identified a significant violation of NRC requirements as illustrated by the numerous deficiencies and discrepancies noted by your startup and QA organizations in both the as-built condition of systems offered for startup testing by your prime contractor, and deficiencies in the supporting quality documentation. As noted by Mr. G. D. McLendon during the November 23, 1982, meeting, the principal cause of this breakdown was insufficient participation by Louisiana Power and Light Company (LP&L) in the implementation of quality assurance programs. LP&L failed to exercise adequate oversight and control over contractors, to whom implementation of quality assurance programs had been delegated, and dedicated only minimal LP&L resources to quality assurance programs.

The Nuclear Regulatory Commission places great emphasis on the need for licensees to maintain proper control over all aspects of safety-related activities. This includes the implementation of a quality assurance program that identifies and corrects construction deficiencies in a timely manner. An effective quality assurance program must operate at each tier, from subcontractor through contractor to the owner. While we recognize that the quality assurance program did not totally breakdown, there was a breakdown in the subtier programs of your contractor and subcontractor. This violation is categorized at a Severity Level III as described in the NRC Enforcement Policy published in the Federal Register, 47 FR 9987 (March 9, 1982). According to this policy, for a Severity Level III

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DEC 6 1982

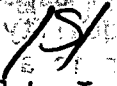
violation a base civil penalty of \$40,000 is normally assessed. However, the Enforcement Policy permits consideration of mitigating circumstances. Based upon a careful review of the circumstances associated with this violation, we have concluded that mitigation of 50% of the civil penalty is appropriate. The bases for this mitigation are the corrective action you have initiated (the extensive revision of your system turnover process) and your role in identifying and reporting the breakdown of quality assurance programs to NRC. Therefore, after consultation with the Director of the Office of Inspection and Enforcement, I have been authorized to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$20,000 as set forth in the Notice appended to this letter. This action is being taken in order to emphasize the importance of your participation in quality assurance activities and your responsibility to ensure that contractors are properly implementing quality assurance programs.

You are required to respond to this letter and should follow the instructions in the Appendix when preparing your response. Additionally, your response should address actions planned or taken which would ensure that work completed prior to the identification of this breakdown was properly accomplished. This should include work performed by other subcontractors as well as the subcontractors already identified as having deficient inspection programs. These actions should include verification of as-built plant configuration and review of related quality documentation. Your response should also address measures taken or planned to ensure that your quality assurance procedures are adequate and that as-built verification requirements are clearly stated. Your reply to this letter and the results of future inspections will be considered in determining whether further enforcement action is appropriate.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Appendix are not subject to the clearance procedures of the Office of Management and Budget otherwise required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,


John T. Collins
Regional Administrator

Enclosure:
Appendix - Notice of Violation and Proposed
Imposition of Civil Penalty

- cc w/encl:
- F. J. Drummond, Project Support Manager
- T. F. Gerrets, QA Manager
- D. B. Lester, Plant Manager

APPENDIX

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Louisiana Power and Light Company
Waterford 3 Steam Electric Station

Docket No. 50-382
Construction Permit: CPPR-103
EA 82-109

During April, May, and June 1982, EBASCO submitted four Emergency Core Cooling Systems (ECCS) to the Louisiana Power and Light Company (LP&L) for turnover. Following an LP&L audit of these systems, they were rejected by LP&L. LP&L reported its audit findings to the NRC. LP&L found that records for these systems did not represent their true as-built status. As a result NRC conducted an inspection during the period May 16 to July 15, 1982.

During this inspection a significant violation of NRC quality assurance requirements was identified. As discussed in inspection report 50-382/82-14, the four ECCS systems were not QA/QC acceptable. Installation of safety-related instrument impulse piping was found to have been improperly conducted and documented. Further NRC and LP&L reviews identified hanger weld and orientation problems involving these safety-related systems.

In order to emphasize the importance of your participation in quality assurance activities and your responsibility to ensure that contractors are properly implementing quality assurance programs, the NRC proposes to impose a civil penalty of \$20,000 for these matters. In accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C), 47 FR 9987 (March 9, 1982) and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended ("Act"), 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205, the particular violations and the associated civil penalty are set forth below:

VIOLATION ASSESSED CIVIL PENALTY

10 CFR 50 Appendix B, Criterion II, requires that, "The quality assurance program shall provide control over activities affecting the quality of the identified structures, systems, and components to an extent consistent with their importance to safety. Activities affecting quality shall be accomplished under suitably controlled conditions."

Contrary to the above, Louisiana Power and Light Company failed to adequately control activities affecting the quality of safety-related work. Specifically, LP&L failed to ensure that Ebasco Services, Inc., as construction manager, was adequately controlling the quality of safety systems and providing the complete and accurate documentation of quality required for these systems. This failure is illustrated by the fact that on April 30, May 20, May 22, and June 22, 1982, Ebasco QA signed four ASP-IV-50-6 forms indicating that four safety systems were ready for turnover to LP&L. These safety systems were containment spray, low pressure

safety injection, safety injection tanks, and high pressure safety injection. The pertinent fabrication and installation records specified that these systems were ready for turnover. Subsequently, the LP&L construction QA and startup organizations rejected all four system turnover packages due to numerous findings which the quality records and exception lists did not accurately identify. These findings included previously unidentified installation errors, as-built drawings that did not match actual field installation, field installations which included work that was not in compliance with procedures and specifications, QC inspections that had not identified unacceptable field installations, and QC records that were not consistent with current as-built drawings. These deficiencies in the control of activities affecting quality should have been identified by LP&L prior to system turnover.

This is a Severity Level III Violation (Supplement II).

Civil Penalty - \$20,000

Pursuant to the provisions of 10 CFR 2.201, the Louisiana Power and Light Company is hereby required to submit to the Director, Office of Inspection and Enforcement, USNRC, Washington, D.C., 20555, within 30 days of the date of this Notice a written statement or explanation, including for each alleged violation: (1) admission or denial of the alleged violation; (2) the reasons for the violation if admitted; (3) the corrective steps which have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, the Louisiana Power and Light Company may pay the civil penalty in the amount of \$20,000 or may protest imposition of the civil penalty in whole or in part by a written answer. Should the Louisiana Power and Light Company fail to answer within the time specified, the Director, Office of Inspection and Enforcement, will issue an order imposing the civil penalty in the amount proposed above. Should the Louisiana Power and Light Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, such answer may: (1) deny the violation listed in this Notice in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice, or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request mitigation of the penalty. In requesting mitigation of the proposed penalty, the five factors contained in Section 10(B) of 10 CFR Part 2, Appendix C should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set

forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The Louisiana Power and Light Company's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing a civil penalty.

Upon failure to pay any civil penalty due, which have been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION

John T. Collins
John T. Collins
Regional Administrator

DEC 6 1982

Dated at Arlington, Texas
this 6 day of December 1982