

May 29, 2013
EN 13-014

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Tennessee Valley Authority EA-13-023
Sequoyah Nuclear Site EA-13-045
Docket Nos.: 50-327/328

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission of escalated enforcement actions that will be issued on or about June 3, 2013, to Tennessee Valley Authority (TVA) as a result of inspections at Sequoyah Nuclear Site. The escalated enforcement actions consist of two White Significance Determination Process findings, both of which are associated with a violation, and a Severity Level III Notice of Violation. The White findings are issues of low to moderate safety significance and will require additional inspections.

The first White finding involved TVA's failure to properly establish an adequate abnormal operating procedure (AOP) to mitigate the impact of a probable maximum flood (PMF) in accordance with Technical Specification 6.8.1, "Procedures and Programs," and Regulatory Guide 1.33, Revision 2, Appendix A. Specifically, prior to September 30, 2009, AOP-N.03, "External Flooding," was inadequate to mitigate the effects of a PMF event, in that, earthen dams located upstream of the facility could potentially overtop, causing a subsequent breach. Failure of the earthen dams during a PMF event would have resulted in onsite flooding and subsequent submergence of critical equipment, such as the emergency diesel generators, resulting in an ineffective flood mitigation strategy for these PMF events.

The second White finding involved TVA's failure to translate the design basis related to onsite flooding protection into specifications, drawings, procedures, and instructions in accordance with 10 CFR 50, Appendix B, Criterion III, "Design Control". Specifically, Sequoyah's existing design documentation, including current licensing documents and configuration controlled drawings for the Essential Raw Cooling Water (ERCW) pumping station, did not contain sufficient information to identify the penetrations' seals as flood barriers to prevent flood water from entering the building during design basis flood (a PMF) events. As a result of degraded or missing flood penetration seals, the ERCW pump station would not have remained functional when subjected to the design basis PMF and other less severe flooding events.

A Severity Level III Notice of Violation is being issued for a violation of 10 CFR 50.72(b)(3)(ii)(B) which, in part, requires a licensee to notify the NRC as soon as practical and within eight hours of the occurrence of the nuclear plant being in an unanalyzed condition that significantly degraded plant safety. On December 30, 2009, TVA failed to notify the NRC upon confirmation that a postulated PMF level would exceed the current licensing basis and the design basis PMF flooding event would result in overtopping of critical earthen dam structures upstream of the Sequoyah facility.

In response to the preliminary determination letter, TVA attended a joint Regulatory Conference and Pre-decisional Enforcement Conference and presented its assessment of the significance

of the findings, and the corrective actions taken to resolve the violations. After reviewing the information developed during the inspection, and the information provided by TVA, the staff concluded that the findings and violations are appropriately characterized as discussed above. The licensee has informed the NRC that multiple corrective actions are in place and/or planned.

It should be noted that TVA has not been specifically informed of the enforcement actions. The schedule of issuance and notification is:

Mailing of Final Significance Determination	June 3, 2013
Telephone Notification of Licensee	June 3, 2013

The State of Tennessee will be notified.

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