

## Minor Violations – Examples

There is no set rule as to what is minor and what is not, i.e., the determination that an issue is minor will depend on the circumstances of the particular issue. The following are some examples of different categories of minor violations:

**Record keeping issues:** Minor violations involve issues that do not preclude the licensee from being able to take appropriate action on safety-related matters; or properly assessing, auditing, or otherwise evaluating the licensee’s safety-related activities, e.g.:

Post-maintenance testing was performed on ten glycol air handling units during an outage of a Westinghouse ice condenser facility. All the required tests were performed, based on statements from licensee workers, but there was no record that an actual air flow test was conducted on two of the units. Based on indications in the control room, both air handling units had comparable air flow to those that had documented test results, and the ice condenser technical specification required air temperatures were all well-within specifications.

The violation: Criterion XI of 10 CFR Part 50, Appendix B, requires test results to be documented and evaluated to assure that test requirements are satisfied.

Minor because: This was a record keeping issue of low significance. There was reasonable assurance that test requirements were met as evidenced by actual air flow being satisfactory and technical specification temperatures being within limits.

Not minor if: The air flow in the two units was determined to be degraded during subsequent testing.

**Licensee administrative requirement/limit issues:** Minor violations involve isolated cases where licensees exceed administrative limits, i.e., limits that licensees impose upon themselves that are more conservative than NRC’s regulatory limits, e.g.:

NRC inspectors identified that a high radiation door was not locked as required by plant procedures. While the licensee’s procedurally controlled administrative limit for area postings was exceeded, the door to the area was conservatively classified and did not exceed regulatory radiation levels to warrant posting as a locked high radiation area.

The violation: Plant procedures require that activities shall be accomplished in accordance with procedures.

Minor because: The requirement was a licensee administrative limit. The area was conservatively posted and no regulatory limits requiring posting were exceeded.

Not minor if: The area radiation levels exceeded the regulatory radiation levels such that the area should have been a locked high radiation area.

**Nonsignificant dimensional, time, calculation, or drawing discrepancies:** Minor violations would be characterized by minor discrepant values referred to in either a licensee's Final Safety Analysis Report (FSAR) or other design documents, e.g.:

A temporary modification was installed on one of two redundant component cooling water system surge tanks to restore seismic qualification. The supporting calculations, which did not receive a second-level review, were found to contain technical errors that did not result in the train being inoperable.

The violation: Design control measures for verifying or checking the adequacy of design were not implemented. Design changes, including field changes, are required to be subjected to design control measures commensurate with those applied to the original design.

Minor because: These are non-significant calculation errors. The calculation errors were minor and the installed modification restored seismic qualification of the tank.

No minor if: The calculation errors were significant enough that the modification required revision or rework to correctly resolve seismic concerns.

**Isolated procedural errors:** Minor violations include isolated procedural errors or inadequate procedures that have no impact on safety equipment, e.g.:

While performing a reactor protection procedure, an operator inadvertently operated the bypass switch which caused a single channel trip condition. The operator failed to follow the procedure and adequately self-check to ensure the correct switch was manipulated.

The violation: Criterion V of 10 CFR Part 50, Appendix B, requires that activities be accomplished in accordance with procedures.

Minor because: This was an isolated procedural error and there were no safety consequences.

Not minor if: The error caused a reactor trip or other transient.

**Work in progress findings:** For enforcement purposes, these minor violations include violations occurring and identified in the course of performing work or maintenance on equipment that is out of service or declared inoperable per the technical specifications and has no safety consequences, and the violation is identified and corrected prior to returning the equipment to service and/or declaring the equipment operable. Errors that occur on non-designated pieces of equipment, such as inadvertently or mistakenly operating a different train

of the equipment, or errors that cause another requirement (e.g., technical specifications) to be violated, are not included as minor, e.g.:

Prior to system restoration following modification, the licensee determined that the modification package that replaced the spent fuel pool cooling system suction piping did not include the siphon hole called for by the original system design. The siphon hole was not installed. Due to the location of the piping, a siphoning event would lower spent fuel pool level several feet, but would not uncover the stored fuel, nor significantly increase radiation levels in the spent fuel pool area.

The violation:           The pipe design was not correctly translated into proper work instructions and drawings.

Minor because:        This was a work in progress. The error was identified and corrected during turnover of the modification prior to system restoration.

Not minor if:           The system was returned to service without installation of the siphon hole or completion of an evaluation to remove the requirement for the siphon hole.

**Minor changes to requirements:** Minor violations include the failure to meet 10 CFR 50.59 requirements that involve a change to the FSAR description or procedure, or involve a test or experiment not described in the FSAR, where there was no reasonable likelihood that the change would ever require NRC approval per 10 CFR 50.59, e.g.:

The licensee developed and approved a preventive maintenance task that should have required that a change be made to the plant technical specifications. A 10 CFR 50.59 screening was not performed. When requested to perform the task, control room operators identified that the task would violate technical specifications and did not perform it.

The violation:           A task was changed that would require a change to the technical specifications without first completing a 10 CFR 50.59 screening.

Minor because:        The licensee's established process identified the problem prior to implementation. The problem did not affect any equipment and had no safety consequences.

Not minor if:           The task had been performed.

**NOTE:**

Violations that involve issues that are considered significant enough to be utilized in the formal NRC assessment process are not minor.

For additional examples of minor violations, please refer to the applicable inspection manual chapters.

- IMC 0610, “Nuclear Material Safety and Safeguards Inspection Reports”
- IMC 0612, “Power Reactor Inspection Reports”, Appendix E, “Examples of Minor Issues”
- IMC 0613, “Power Reactor Construction Inspection Report”
- IMC 0616, “Fuel Cycle Safety and Safeguards Inspection Reports”
- IMC 0617, “Vendor and Quality Assurance Implementation Inspection Reports”

**NOTE:**

IMC 0612, Appendix B, “Issue Screening,” provides guidance for answering the “more than minor” questions at operating reactors. These questions can be used with the following guidance to determine whether identified violations are minor. Where a licensee does not take corrective action for a minor violation, willfully commits a minor violation, or the NRC has indications that the minor violation has occurred repeatedly (indicating that the apparent cause of the previous occurrence may not have been addressed), the matter should be considered more than minor, i.e., the matter should be categorized at least at Severity Level IV or associated with a green inspection finding and dispositioned in an NOV or NCV, as appropriate.