

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Carolina Power and Light Company
H. B. Robinson Unit 2

Docket No. 50-261
License No. DPR-23
EA 87-112

During a Nuclear Regulatory Commission (NRC) inspection conducted on May 11 - June 12, 1987, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1987), the Nuclear Regulatory Commission proposes to impose a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The violations and associated civil penalty are set forth below:

I. Inoperable Low Pressure Safety Injection System - Valve RHR-764

- A. Technical Specification (TS) 3.3.1.3 requires, in part, that when the unit is in the hot shutdown condition, the requirements of 3.3.1.1 shall be met.

Technical Specification Limiting Condition for Operation (LCO) 3.3.1.1 requires two residual heat removal (RHR) pumps and all essential features including valves, interlocks, and piping associated with the pumps to be operable.

Technical Specification 3.0 states that, except as provided for in each specification, if an LCO cannot be satisfied because of circumstances in excess of those addressed in the specification, the unit shall be placed in hot shutdown within eight hours and in cold shutdown within the next thirty hours unless corrective measures are taken under the permissible LCO statements or until the unit is placed in a condition in which the specification is not applicable.

Contrary to the above, on June 5, 1987, the essential features associated with both RHR pumps were not operable in that the discharge flow paths for low pressure safety injection were isolated with the unit in hot shutdown due to valve RHR-764 being shut, and the unit was not placed in cold shutdown within 38 hours.

- B. Technical Specification 6.5.1.1.1a requires that written procedures be implemented covering the procedures recommended in Appendix A of Regulatory Guide 1.33. Appendix A of Regulatory Guide 1.33 requires procedures for the operation of safety-related systems and for procedural adherence.

Contrary to the above, on June 5, 1987, procedures were not properly implemented for the operation of the Residual Heat Removal (RHR) System (low pressure safety injection) and resulted in the incorrect configuration of the RHR System causing its isolation for approximately 42 hours. Specifically:

1. While the valve lineup in Attachment 9.1 to Operation Procedure OP-201 (Revision 6), Residual Heat Removal System, required valve RHR-764 (HCV-758 Bypass) to be placed in the locked open position, the valve remained shut.

2. Although Section 6.2.3 of Plant Program PLP-030 (Revision 0), Independent Verification, requires both the initial positioner and the second individual conducting independent verification perform the evolution independently, the individuals conducted the RHR Heat Exchanger room valve lineup together, eliminating the opportunity to correctly position RHR-764.
3. While Section 6.2.3 of Plant Program PLP-030 also requires that the results of a valve lineup be documented on the valve lineup sheet by the individuals conducting the lineup and independent verification, the documentation was not completed. Furthermore, a senior reactor operator documented the independent verification as complete via communication on the plant phone system, removing the last opportunity to recognize that valve RHR-764 was still shut causing the isolation of the low pressure safety injection system.

II. Isolation of High Pressure Safety Injection Pumps

Technical Specification 6.5.1.1.1a requires that written procedures be implemented covering the procedures recommended in Appendix A of Regulatory Guide 1.33. Appendix A of Regulatory Guide 1.33 requires procedures for the operation of safety systems and for procedural adherence.

Contrary to the above, on June 11, 1987, procedures were not properly implemented for the operation of safety systems in that, during the performance of General Procedure GP-007 (Revision 9), Plant Cooldown from Hot Shutdown, valves not required by the procedure were shut. With the unit in hot shutdown and the reactor coolant temperature above 350°F, the Safety Injection Pumps Discharge Header Cross-Connect Valves were shut isolating two of the three pumps. The paths remained isolated for a period of approximately 14 hours.

Collectively, the violations associated with items I.A, I.B and II above have been categorized as a Severity Level III problem (Supplement I).

Cumulative Civil Penalty - \$50,000 (assessed equally among violations I.A, I.B, and II)

Pursuant to the provisions of 10 CFR 2.201, Carolina Power and Light Company (licensee) is hereby required to submit a written statement or explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) admission or denial of the violation, (2) the reasons for the violation if admitted, (3) the corrective steps that 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. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be

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taken. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 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 licensee may pay the civil penalty by letter addressed to the Director, Office of Enforcement, U. S. Nuclear Regulatory Commission, with a check, draft, or money order payable to the Treasurer of the United States in the cumulative amount of the civil penalty proposed above or may protest imposition of the civil penalty in whole or in part by a written answer addressed to the Director, Office of Enforcement, U. S. Nuclear Regulatory Commission. Should the licensee fail to answer within the time specified, an order imposing the civil penalty will be issued. Should the licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation" and may: (1) deny the violations 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, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the five factors addressed in Section V.B of 10 CFR Part 2, Appendix C, (1987) 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 parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the licensee is directed to the other provisions of 10 CFR 2.205 regarding the procedure for imposing a civil penalty.

Upon failure to pay the penalty due, which has 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.

The responses to the Director, Office of Enforcement, noted above (Reply to a Notice of Violation, letter with payment of civil penalty, and Answer to a Notice of Violation), should be addressed to: Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region II, and a copy to the NRC Resident Inspector, H. B. Robinson Plant.

FOR THE NUCLEAR REGULATORY COMMISSION

ORIGINAL SIGNED BY

J. Nelson Grace

J. Nelson Grace
Regional Administrator

Dated at Atlanta, Georgia
this 18th day of September 1987