

Enclosure 1

NOTICE OF VIOLATION

Rochester Gas and Electric Corporation
Ginna Station

Docket No. 50-244
License No. DPR-18

During an NRC inspection conducted on January 28 to March 23, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

- A. Technical Specifications (TS) Section 5.4.1 requires, in part, that written procedures be established, implemented and maintained covering applicable procedures recommended in Regulatory Guide 1.33, Revision 2, Appendix A, February 1978. Regulatory Guide 1.33 recommends a written administrative procedure covering procedure adherence and temporary procedure change methods. The licensee's administrative procedure A-601.3, "Procedure Control - Temporary Changes," was established to meet the above recommendation and requires that an independent reviewer (PIR) review associated 10CFR50.59 safety reviews for adequacy and completeness. Procedure A-601.3 also requires the shift supervisor review temporary procedure changes for impact on operations.

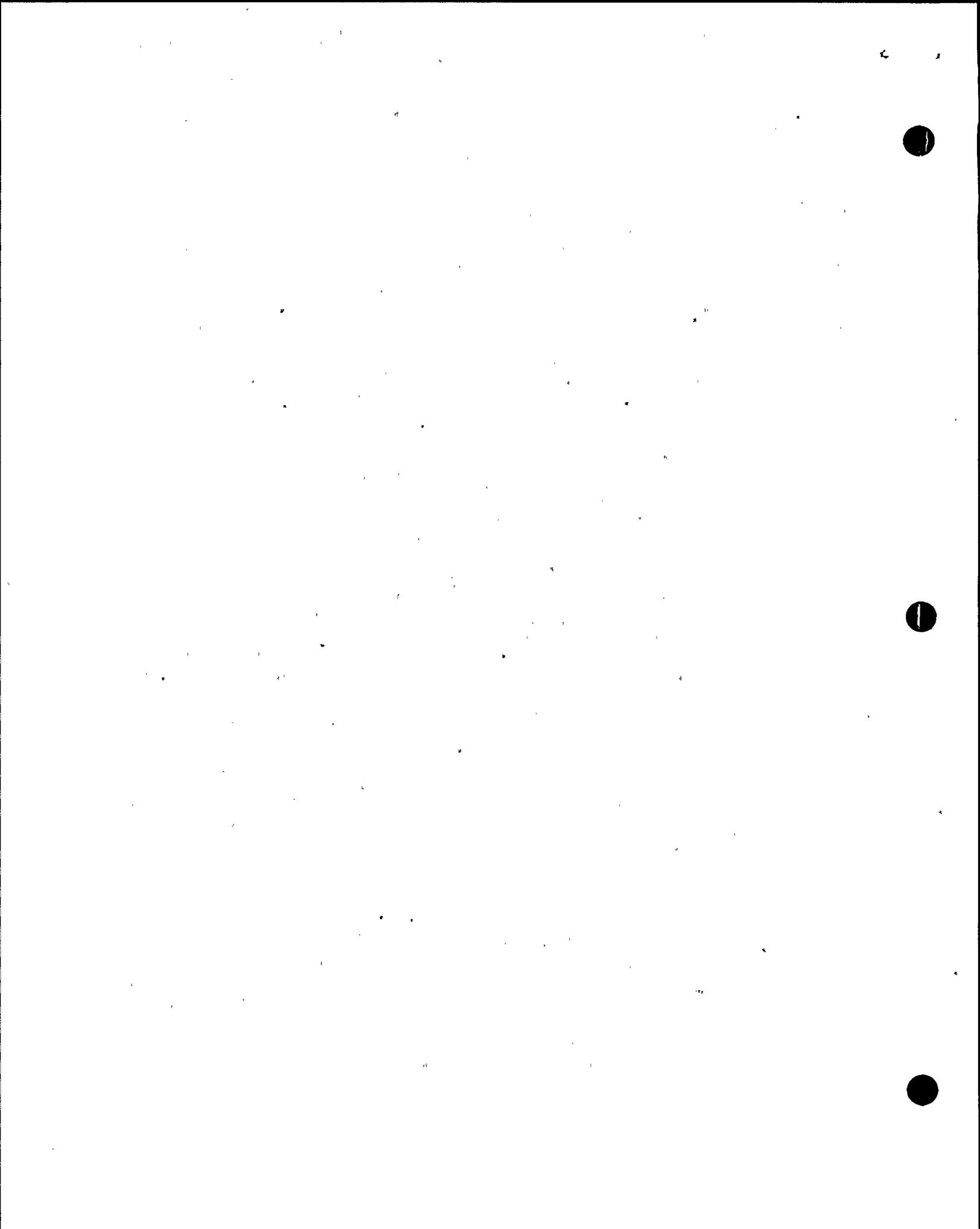
Contrary to the above, on March 8, 1996, administrative procedure A-601.3 was not properly implemented and did not prevent the authorization of work that physically rendered both pressurizer power-operated relief valves (PORVs) inoperable for a total of 1 hour and 37 minutes when the reactor plant was in Mode 3. A pending temporary change to procedure M-37.150 was altered to permit maintenance on both PORVs simultaneously without the PIR reviewing the associated 10CFR50.59 safety evaluation for adequacy and completeness. Once the temporary procedure change was altered, the associated 10CFR50.59 safety evaluation was no longer adequate or complete since two inoperable PORVs in Mode 3 is a condition prohibited by TS Section 3.4.11, Condition F. In addition, the shift supervisor did not adequately review the temporary procedure change for its impact on plant operations, in that he authorized work to proceed that disabled both PORVs simultaneously.

This is a Severity Level IV violation (Supplement I).

- B. 10 CFR Part 50.47(b)(8) requires adequate emergency facilities and equipment to support the emergency response, and 10 CFR Part 50.47(b)(9) requires adequate methods, systems, and equipment for assessing and monitoring actual or potential offsite consequences of a radiological emergency condition. The licensee's Nuclear Emergency Response Plan (NERP), Section 4.3.12, Laboratories, states "the second laboratory (Environmental Laboratory) is used for environmental samples.... and duplicates the main laboratory equipment and could be used for diluted post-accident samples if needed." Section 6.3.9, Plant Laboratories, states in part, "Separate laboratory facilities are provided for assessing the effect of the plant on the environs."

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Additionally, 10 CFR Part 50.47(b)(14) requires, in part, periodic exercises be conducted to evaluate major portions of the emergency response capabilities, and periodic drills be conducted to develop and maintain key skills. The NERP, Section 7.1.5, Drills and Exercises, states, in part, "A plant environs radiological monitoring drill (onsite and offsite) will be conducted annually in conjunction with training for and during the annual exercise. This shall include collection and review of analyses procedures for environmental samples." Appendix H of the NERP cross-references Section 7.1.5 to Objective N.2.d of NUREG-0654, Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants, which states, in part, "Plant environs and radiological monitoring drills (onsite and offsite) shall be conducted annually. These drills shall include collection and analysis of all sample media ..."

Contrary to the above, as of March 14, 1996 adequate methods (procedures) did not exist to utilize the laboratory capabilities at the Assessment Facility (Environmental Lab) to handle, transport and analyze a post accident sampling system (PASS) sample and to assess potentially contaminated samples collected offsite during radiological emergency conditions. Additionally, the licensee has never exercised (under drill conditions) bringing simulated radioactive samples from either the in-plant laboratory or from offsite into the Assessment Facility for analysis.

These issues combined are a Severity Level IV violation (Supplement VIII).

Pursuant to the provisions of 10 CFR 2.201, Rochester Gas and Electric Corporation is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without



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redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at King of Prussia, Pennsylvania
this 8th day of May 1996