

ENCLOSURE 1

NOTICE OF VIOLATION

Arizona Public Service Company
Palo Verde Nuclear Generating Station

Docket Nos.: 50-528
50-529
50-530

License Nos.: NPF-41
NPF-51
NPF-74

During an NRC inspection conducted on June 2 through July 13, 1996, two 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. 10 CFR 50.59, "Changes, tests, and experiments," states in part that the licensee may make changes in the facility as described in the safety analysis report without prior Commission approval unless the proposed change involves a change in the Technical Specifications or an unreviewed safety question.

Procedure 90AC-ONS01, Revision 4, "10 CFR 50.59 Screenings and Evaluations," establishes the method for meeting the requirements of 10 CFR 50.59.

Step 3.2.4 of the procedure states, in part, that, "Questions 1 through 4 are used to screen the change to determine whether or not a 10 CFR 50.59 evaluation is required. In answering Questions 1 through 4, the appropriate 'Yes' or 'No' box shall be checked."

Appendix A of the procedure provides the 10 CFR 50.59 screening and evaluation form, including Question 1, which states, "Does the proposed change make changes in the facility as described in the Licensing Basis?"

Appendix C of the procedure provides guidance on answering the screening questions and defines a change in the facility as described in a Licensing Basis document to include the Combustion Engineering Standard Safety Analysis Report (CESSAR).

CESSAR, Chapter 17, Appendix B, Table 3-2, "Evaluation of ICC Detection Instrumentation to Attachment 1 of II.F.2," states, in part, that the facility has 61 core exit thermocouples (CETs) and that both channels of the Quality Safety Parameter Display System (QSPDS) displays together display all CET temperatures.

Contrary to the above, on June 21, the licensee made a change to the facility as described in the licensing basis, in that the change reduced the number of CETs which displayed on the QSPDS from 61 to 45, and did not answer Question 1 of Procedure 90AC-ONS01, Appendix A, "Yes."

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This is a Severity Level IV violation (Supplement I) applicable to Unit 2.

- B. Paragraph 2.E. of the Facility Operating License No. NPF-41 for Palo Verde Nuclear Generating Station requires the licensee to fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans, including all amendments to those plans made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55, and pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p).

10 CFR 73.55 (d)(1) prescribes, in part, that the licensee shall control all points of personnel and vehicle access into a protected area (PA). Identification and search of all individuals unless otherwise provided herein must be made and authorization must be checked at these points. The search function for detection of firearms, explosives, and incendiary devices must be accomplished through the use of both firearms and explosive detection equipment capable of detecting those devices. The licensee must subject all persons except bona fide Federal, State, and local law enforcement personnel on official duty to these equipment searches upon entry to a PA.

10 CFR 73.55 (d)(2) states, "At the point of personnel and vehicle access into a PA, all hand-carried packages shall be searched for devices such as firearms, explosives, and incendiary devices, or other items which could be used for radiological sabotage."

Paragraph 5.3.2 of the licensee's physical security plan states, in part, "Equipment searches of personnel are required of individuals entering the PA."

Paragraph 5.3.7 of the licensee's physical security plan states, in part, "Packages, materials and items shall be physically searched or machine searched in accordance with Palo Verde Nuclear Generating Station procedures prior to their entry into the PA."

Paragraph 3.2.1.4 of security procedure 20DP-OSK22, Revision 8, "Protected Area Ingress and Egress Control," states, in part, "Personnel screening - ensure that personnel satisfactorily complete all screening requirements (nitrate detector, x-ray, and metal detector) prior to being allowed access to the PA. Material screening - ensure that all hand carried items, packages and materials are properly searched prior to admittance to the PA."

Contrary to the above, on July 3, 1996, an NRC inspector observed that a person did not satisfactorily complete all screening requirements and ensure that their hand carried items were properly searched prior to being allowed into the PA. Specifically, a janitorial employee, carrying a plastic trash receptacle bag, entered the PA without processing through search equipment.



This is a Severity Level IV violation (Supplement III) applicable to Units 1, 2, and 3.

Pursuant to the provisions of 10 CFR 2.201, Arizona Public Service Company 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 IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, 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 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 Arlington, Texas
this 26th day of July 1996

