

NOTICE OF VIOLATION

American Electric Power Company  
Buchanan, MI

Docket Nos. 50-315; 50-316  
License Nos. DPR-58; DPR-74  
EA 99-241

During an NRC inspection conducted on July 17 through August 25, 1999, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 50.59 requires, in part, that the licensee shall maintain records of changes in procedures made pursuant to this section, to the extent that these changes constitute changes in the facility as described in the safety analysis report. These records must include a written safety evaluation which provides the basis for the determination that the change does not involve an unreviewed safety question.

The UFSAR, in Section 9.3, "Residual Heat Removal," stated that, "The cooldown rate of the reactor coolant is controlled by regulating the flow through the tube side of the residual heat exchangers. A bypass line, which serves both residual heat exchangers, is used to regulate the temperature of the return flow to the reactor coolant system as well as maintain a constant flow through the RHR system."

Contrary to the above, on May 21, 1999, the licensee performed a surveillance test on the Unit 2 East Residual Heat Removal Train using the Component Cooling Water System to regulate the temperature of the return flow to the reactor coolant system. The licensee performed the surveillance test using Change No. 2 to Surveillance Procedure 02-OHP 4030.STP.054E, "East Residual Heat Removal Train Operability Test - Shutdown," Revision 7, without having performed a full safety evaluation. The licensee failed to restore compliance after Non-Cited Violation 50-316/99004-04 was identified in March 1999 for the same issue (Violation 50-316/99017-01(DRP)).

This is a Severity Level IV violation (Supplement 1 ).

Pursuant to the provisions of 10 CFR 2.201, Indiana and Michigan Power is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555 with a copy to the Regional Administrator, Region III, 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: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (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.

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If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within 2 working days.

Dated this 22nd day of September 1999

10

