

NOTICE OF VIOLATION

Carolina Power & Light Company
Shearon Harris Unit 1

Docket No. 50-400
License No. NPF-63

During an NRC inspection conducted from December 20, 1998, through January 30, 1999, 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 Specification 6.8.1 requires, in part, that written procedures be established, implemented, and maintained covering the applicable procedures recommended in appendix A of Regulatory Guide 1.33, Revision 2, 1978. That appendix specifically lists a procedure for "Authorities and Responsibilities for Safe Operation and Shutdown."

Regulatory Guide 1.33, Revision 2, 1978, specifically endorses ANSI N18.7-1972/ANS-3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants." In section 5.2.1, that standard states, in part, that the responsibilities and authorities of plant operating personnel include "the responsibility to determine the circumstances, analyze the cause, and determine that operations can proceed safely before the reactor is returned to power after a trip."

Procedure OMM-004, "Post-trip/Safeguards Actuation Review," Revision 10, implements those requirements. Section 5.2 requires, in part, that the direct cause of the event be determined, that proper plant response be verified, and that the results be documented in the Post Trip/Safeguards Actuation Report. It further requires that the Post Trip/Safeguards Actuation Report be thoroughly reviewed to ensure that any indications of improper plant response are clearly documented.

1. Contrary to the above, as of November 20, 1998, the licensee had not verified proper plant response for the October 23, 1998, reactor trip, in that the Post Trip/Safeguards Actuation Report incorrectly indicated that the steam-dump valves had closed when reactor coolant system average temperature reached 544°F.
2. Contrary to the above, as of November 20, 1998, the Post Trip/Safeguards Actuation Report for the October 23, 1998, reactor trip had not been thoroughly reviewed, in that the required reviews failed to identify that numerous indications of plant response required to be included by procedure OMM-004, had not been included in the report.

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

Enclosure 1

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- B. 10 CFR 50, Appendix B Criterion V, "Instructions, Procedures, and Drawings," requires, in part, that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures or drawings.

10 CFR 50, Appendix B, Criterion XVI, "Corrective Action," requires, in part, that measures shall be established to assure that conditions adverse to quality are promptly identified and corrected. In the case of significant conditions adverse to quality, the measures shall assure that the cause of the condition is determined and corrective action taken to preclude repetition. The Quality Assurance Program Manual (NGGM-PM-0007) and procedure CAP-NGGC-0001, "Corrective Action Management," Revision 1 implement that requirement.

Procedure CAP-NGGC-001 requires a person who identifies an adverse condition to initiate a Condition Report. It also requires that a Condition Report (CR) which involves a significant change outside normal plant variances in a key plant parameter (including water levels) be classified as a "Significant Adverse Condition."

Contrary to the above:

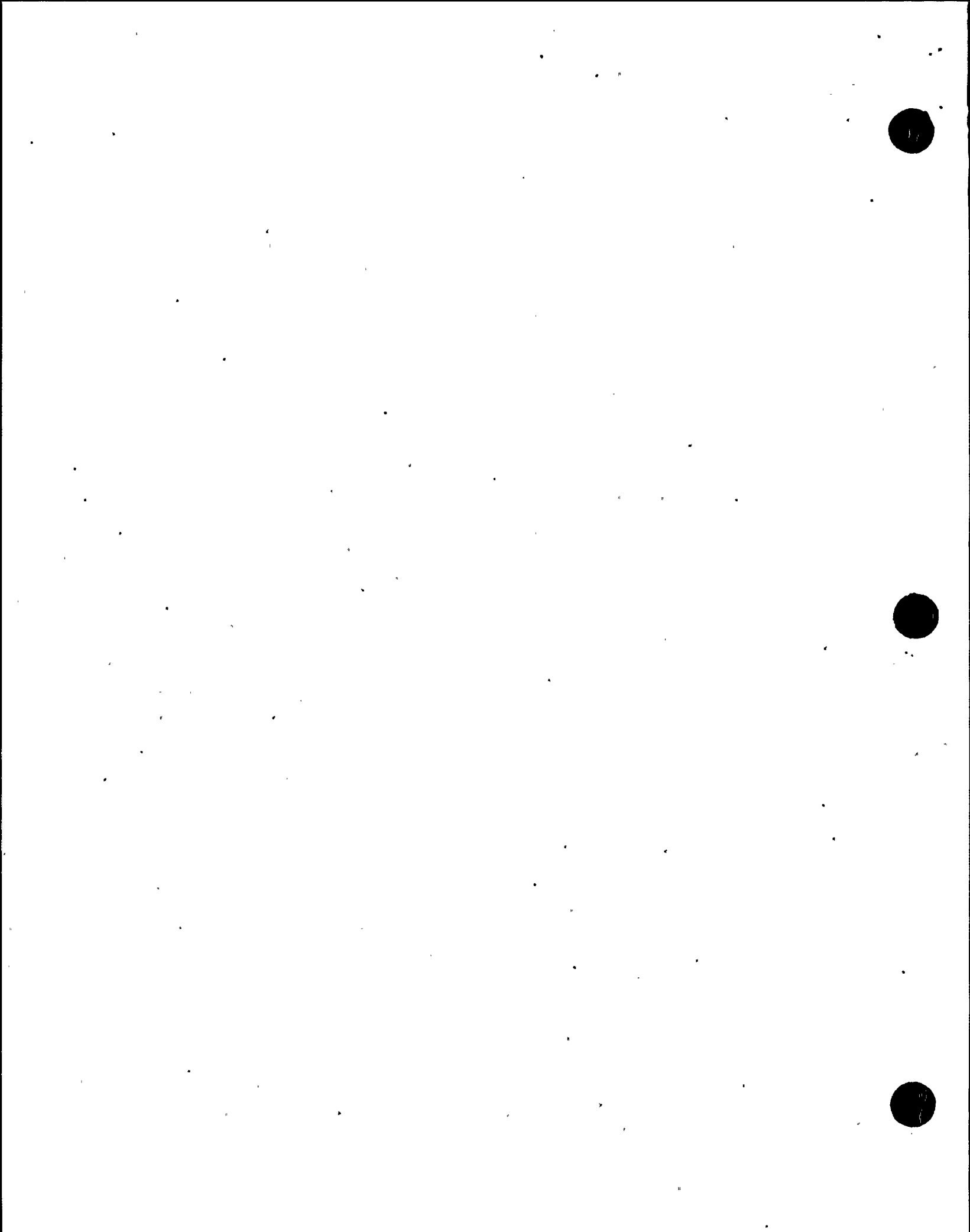
1. As of November 18, 1998, the licensee had failed to properly classify as significant a condition where all valid reactor vessel water level indications were disabled while the reactor coolant system was in a reduced-inventory condition, and failed to determine the cause of the condition, in that the Condition Report that described the condition was classified as an Adverse Condition, and the associated evaluation failed to identify that the cause was an inadequate design.
2. As of January 22, 1999, the licensee had not initiated a Condition Report for an identified adverse condition, in that, after becoming aware that the Post Trip/Safeguards Actuation Report for the October 23, 1998, reactor trip and associated reviews were inadequate, the licensee did not initiate a Condition Report.

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

- C. 10 CFR 50, Appendix B, Criterion III, "Design Control," requires, in part, that measures shall be established to assure that applicable regulatory requirements are correctly translated into specifications, drawings, procedures, and instructions, and that design changes shall be subject to measures which provide for verifying or checking the adequacy of design.

EGR-NGGC-0005, "Engineering Service Requests," Revision 9, implements Criterion III, and requires, in part, that the Responsible Engineer provide testing requirements which verify that the modified system/component functions/performs as intended, the design change has been correctly implemented, and the revised design is correct.

Contrary to the above, as of December 8, 1998, Engineering Service Request (ESR) 94-00099, "RCS vacuum fill," Revision 10, had not translated applicable regulatory requirements that would provide instrumentation to adequately monitor and control reactor vessel water level into specifications, drawings, procedures, and instructions, and had not verified or checked the adequacy of the design, in that the design described in that ESR did not provide instrumentation that accurately monitored reactor vessel water level, testing to verify that



design was not performed, and reviews of the design were not adequate to determine that the design was not correct.

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

Pursuant to the provisions of 10 CFR 2.201, Carolina Power and Light 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 II, and a copy to the NRC Resident Inspector at Shearon Harris Nuclear Power Plant, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked "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 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 Atlanta, Georgia
this 1st day of March 1999

