

*official*

FEB 26 1990

Docket No. 50-400  
License No. NPF-63  
EA 90-010

Carolina Power and Light Company  
ATTN: Mr. Lynn W. Eury  
Executive Vice President  
Power Supply  
P. O. Box 1551  
Raleigh, NC 27602

Gentlemen:

SUBJECT: NOTICE OF VIOLATION  
(NRC INSPECTION REPORT NO. 50-400/90-01)

This refers to the Nuclear Regulatory Commission (NRC) inspection conducted by J. Tedrow on December 26, 1989 - January 5, 1990 at the Harris facility. The inspection included a review of the circumstances surrounding a reactor startup performed in December 1989, and subsequent power ascension during which the Power Range Nuclear Instruments were not properly calibrated to adjust for a new low leakage core loading pattern. The report documenting this inspection was sent to you by letter dated January 17, 1990. NRC concerns relative to the inspection findings were discussed in an Enforcement Conference held on February 15, 1990. The letter summarizing this Conference was sent to you on February 23, 1990.

The violation described in the enclosed Notice of Violation involved a failure to properly establish limiting safety system settings for the Reactor Trip System. The events or circumstance that resulted in this violation included insufficient management attention and failure of operations personnel to identify the miscalibrated instruments despite various other instruments and events that could have alerted them to the problem early in its evolution. Additionally, your personnel did not recognize the significance in the timeliness of reporting this event. After careful consideration of this matter, the NRC staff has concluded that the safety significance of this violation is commensurate with a Severity Level IV violation.

In addition to the need for corrective action regarding the specific matters identified in the enclosed Notice, we are concerned about the implementation of your management controls that permitted this situation to develop. Consequently, your response should describe those particular actions taken or planned to improve the effectiveness of your program.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. Your response should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including

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your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790, a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and its enclosure are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,

Original Signed by  
Luis A. Reyes

Luis A. Reyes, Director  
Division of Reactor Projects

Enclosure:  
Notice of Violation

cc w/encl:  
R. B. Richey, Manager  
Harris Nuclear Project  
Box 165  
New Hill, NC 27562

C. S. Hinnant  
Plant General Manager  
Harris Nuclear Project  
Box 165  
New Hill, NC 27562

D. L. Tibbitts, Director  
Regulatory Compliance  
Harris Nuclear Project  
P. O. Box 165  
New Hill, NC 27562

Richard E. Jones  
General Counsel  
Carolina Power & Light Company  
P. O. Box 1551  
Raleigh, NC 27602

(cc w/encl continued - See page 3)

Carolina Power and Light Company

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(cc w/encl cont'd)  
Dayne H. Brown, Director  
Division of Radiation Protection  
N. C. Department of Environment,  
Health & Natural Resources  
P. O. Box 27687  
Raleigh, NC 27611-7687

bcc w/encl:  
C. Barth, OGC  
J. Lieberman, OE  
A. Upchurch, Chairman, Triangle J  
Council of Governments  
Document Control Desk

NRC Resident Inspector  
U.S. Nuclear Regulatory Commission  
Route 1, Box 315B  
New Hill, NC 27562

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RII:ETQS

GJenkins  
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