

APPENDIX A

NOTICE OF VIOLATION

Tennessee Valley Authority
Browns Ferry Nuclear Plant

Docket No. 50-296
License No. DPR-68

Based on the NRC inspection December 10-14, 1979, certain of your activities were apparently not conducted in full compliance with NRC requirements as indicated below.

- A. Criterion V of Appendix B to 10 CFR 50 states that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings. The accepted quality assurance program (Topical Report TVA-TR-75-1A), Section 17.2.5, states in part that procedures shall be developed to prescribe those activities that affect the safety-related functions of the critical structures, systems and components.

In addition, Item 6.3.A.1 of the facility technical specifications state that detailed written procedures, including applicable checkoff lists, shall be prepared, approved and adhered to for normal startup, operations and shutdown of the reactor and of all systems and components involving nuclear safety of the facility.

Contrary to the above, written procedures were not prepared covering removal and installation of primary containment hatches. This resulted in an improperly secured equipment hatch and loss of primary containment integrity following startup on December 6, 1979.

This is a violation (Civil Penalty - \$5,000).

- B. 10 CFR 50.36(c)(2) requires that when a limiting condition for operation of a nuclear reactor is not met, the licensee shall shut down the reactor or follow any remedial action permitted by the technical specification until the condition can be met. Technical Specification 3.7.A.2 states that primary containment integrity shall be maintained at all times when the reactor is critical. This specification does not provide any remedial action.

Contrary to the above, Browns Ferry Unit No. 3 was operated without primary containment integrity maintained during the period from return to critical at 6:45 a.m. on December 6, 1979, until containment integrity was restored at approximately 8:30 a.m. on December 9, 1979.

Each day or fraction thereof that the facility was operated without containment integrity constituted a separate violation; a civil penalty of \$5,000 is imposed for each (cumulative civil penalty \$20,000.00).

- C. Technical Specification 6.7.2.a. requires prompt notification to the NRC within 24 hours by telephone, and confirmation by telegraph, mailgram, or

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facsimile transmission no later than the first working day following the event in which abnormal degradation is discovered in the primary containment.

Contrary to the above, verbal notification to the NRC was not made until approximately 41 hours after indications were available that the primary containment was leaking in excess of technical specification limits. The confirmation facsimile transmission was not made until the second working day following the event.

This is an infraction (Civil Penalty \$4,000).

This Notice of Violation is sent to you pursuant to the provisions of Section 2.201 of the NRC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations. You are hereby required to submit to this office, within twenty-five (25) days of the date of this letter, a written statement or explanation in reply, including for each item of noncompliance: (1) admission or denial of the alleged items of noncompliance; (2) the reasons for the items of noncompliance, if admitted; (3) the corrective steps which have been taken by you and the results achieved; (4) the corrective steps which will be taken to avoid further noncompliance; and (5) the date when full compliance will be achieved.

