

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Virginia Electric and Power Company
Surry Units 1 and 2

Docket No. 50-280, 50-281
License No. DPR-32, DPR-37
EA 88-215

During the Nuclear Regulatory Commission (NRC) inspection conducted between the period of June 5 to July 30, 1988, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), the Nuclear Regulatory Commission proposes a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The particular violation and associated civil penalty are set forth below:

10 CFR 50, Appendix B, Criterion V, as implemented by the licensee's Topical Report, VEP 1-5A, requires that activities affecting quality shall be prescribed by documented procedures of a type appropriate to the circumstances and shall be accomplished in accordance with these procedures. The procedures shall include appropriate quantitative or qualitative acceptance criteria for determining that important activities have been satisfactorily accomplished.

Contrary to the above, maintenance and modification activities affecting quality were either accomplished without adequate procedures or acceptance criteria to assure adequate cleanliness and foreign material exclusion control or such procedures and acceptance criteria were not properly implemented. Specific examples include:

- (1) In June 1988, the licensee found foreign material in the Unit 1 inside recirculation spray pump 1A test strainer, both Unit 2 inside recirculation spray pump containers, and both Unit 2 low head safety injection pump suction lines. The foreign material which resulted from various inadequate maintenance and modification activities included screws, nuts, pieces of metal, wire, various non-metallics, one angle grinder head, and one ten inch wrench.
- (2) During the April - June 1988 Unit 1 refueling outage, the following modifications were accomplished on safety-related systems without specification or assurance of cleanliness or foreign material exclusion prior to system closure:
 - (a) Design Change (DC) 88-01-1, "Inside Recirculation Spray Pump Full Flow Test Line";
 - (b) Design Change (DC) 87-22-1, "Replacement of Containment Recirculation Spray Coolers";
 - (c) Design Change (DC) 86-13-1, "R.G. 1.97 - Containment Spray Flow and Pressurizer Heater Status."
- (3) In April 1988, the following work orders were accomplished in the Unit 1 containment sump on a safety-related system without procedures,

controls, or specification of cleanliness or foreign material exclusion requirements:

- (a) Work Order Job Number 3800062569, "Remove RS Sump Grating," 4/18/88;
 - (b) Work Order Job Number 3800062573, "Inst RS Sump Blnk (Sump) PT-16.4," 4/18/88.
- (4) On July 5, 1988, using Special Test Procedure 1-ST-214, "Operability of IRS Pumps," system and test spoolpieces were removed and installed on the Unit 1 inside recirculation pump. The procedure did not specify verification that cleanliness or foreign material exclusion was maintained during the reassembly of the system, nor were the flange ends of the system spoolpiece on the discharge side blanked as required by the procedure.
- (5) During the fall, 1986, Unit 2 refueling outage, the following safety-related work orders were accomplished without procedures and controls to assure cleanliness or material accountability control in the containment sump:
- (a) Work Order Job Number (WOJN) 3800040809, "Rem./Inst. RS Sump Grating," dated 10/10/86.
 - (b) WOJN 3800040816, "Inst/Remv 12" Suct Fng Pen 68," dated 10/10/86.
 - (c) WOJN 3800040817, "Inst/Remv Suct Fng Pen 69," dated 10/10/86.
 - (d) WPJN 3800046068, "Inst. RS Sump Grating," dated 11/24/86.

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

Civil penalty - \$50,000.

Pursuant to the provisions of 10 CFR 2.201, Virginia Electric and Power Company (licensee) is hereby required to submit a written statement or explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) admission or denial of the violation, (2) the reasons for the violation if admitted, (3) the corrective steps that have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, the Licensee may pay the civil penalty by letter addressed to the

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Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, or money order payable to the Treasurer of the United States in the amount of the civil penalty proposed above, or may protest imposition of the civil penalty in whole or in part by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission. Should the Licensee fail to answer within the time specified, an order imposing the civil penalty will be issued. Should the licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation" and may: (1) deny the violations listed in this Notice in whole or in part, (2) demonstrate extenuating circumstances, (3) show error in this Notice, or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the five factors addressed in Section V.B of 10 CFR Part 2, Appendix C (1988), should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201 but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the licensee is directed to the other provisions of 10 CFR 2.205 regarding the procedure for imposing a civil penalty.

Upon failure to pay the penalty due, which has been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

The responses to the Director, Office of Enforcement, noted above (Reply to a Notice of Violation, letter with payment of civil penalty, and Answer to a Notice of Violation) should be addressed to: Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, Region II, 101 Marietta Street, N.W., Suite 2900, Atlanta, Georgia 30323.

FOR THE NUCLEAR REGULATORY COMMISSION

ORIGINAL SIGNED BY



Malcolm L. Ernst
Acting Regional Administrator

Dated at Atlanta, Georgia
this 11th day of November 1988