

Appendix A

NOTICE OF VIOLATION

Cleveland Electric Illuminating Company

Docket No. 50-440
Docket No. 50-441

Based on the results of the NRC inspection conducted on October 16-18, 1979, it appears that certain of your activities were in noncompliance with NRC requirements as noted below. Items 1, 2 and 3 are infractions.

1. 10 CFR 50, Appendix B, Criterion V states, "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. Instructions, procedures or drawings shall include appropriate quantitative or qualitative acceptance criteria for determining that important activities have been satisfactorily accomplished."

CEI Project Administration Manual, Section 1003, Revision 0, dated September 29, 1978, Paragraph 1.2 states, in part, "Procurement documents shall require that the examination and test personnel of . . . U. S. Testing . . . shall qualify and certify personnel to approved procedures which meet Regulatory Guide 1.58 and ANSI N45.2.6."

Contrary to the above, on October 16-18, 1979, the inspector observed that:

- a. U. S. Testing Company Procedure UST-TQ-1 "Training and Qualification of Inspection, Test and Audit Personnel," Revision 9, dated March 23 1979 did not meet the intent of ANSI N45.2.6 in that the procedural requirements for Level I, II and III background experience and education were less stringent than the minimum recommended by ANSI N45.2.6.
- b. U. S. Testing Company failed to follow the above procedure in certifying three inspection personnel who lacked the required prior experience at the time of hire and whose records failed to demonstrate what other relevant factors were considered in assigning the level of inspection capability as an exception to the procedure.

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2. 10 CFR 50, Appendix B, Criterion XIV requires, in part, that measures shall be established to indicate, by use of markings such as stamps, tags or labels, the status of inspections upon individual items of the nuclear plant. The PNPP PSAR Chapter 17, Section 17.1.14.1 and CEI Corporate Nuclear Quality Assurance Program, Section 1400, paragraph 1.1, requires that the inspection status of safety class components be controlled in accordance with approved procedures. An applicable CEI PNPP Construction Quality Section Procedure, numbered 1502 (dated May 1, 1978), paragraphs 5.2.2 and 5.2.3, requires that, if nonconforming materials are released for limited use, such materials be clearly identified and tracked.

Contrary to the above, on October 17-18, 1979, five nonconforming safety-related motor operated valves were found not to be clearly identified as nonconforming or conditionally released. Three of these valves had been installed, one was being installed and the other valve was in storage.

3. 10 CFR 50, Appendix B, Criterion XVI, states, in part, that, "Measures shall be established to assure that conditions adverse to quality . . . are promptly identified and corrected." The CEI Corporate Nuclear Quality Assurance Manual, in Section 1600 "Corrective Action", contains an identical requirement.

Contrary to the above, the licensee failed to take prompt corrective action either to obtain or have another onsite organization obtain an "N" Certificate authorization for the Perry ASME Code work requiring such an authorization, or to take steps to seek relief from the Code requirement for an "N" Certificate authorization.