



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 1000  
ARLINGTON, TEXAS 76011

NOV 20 1989

In Reply Refer To:  
Docket No. 50-382  
License No. NPF-38  
EA 89-192

Louisiana Power & Light Company  
ATTN: J. G. Dewease, Senior Vice President  
Nuclear Operations  
317 Baronne Street  
New Orleans, Louisiana 70160

Gentlemen:

SUBJECT: NOTICE OF VIOLATION (NRC INSPECTION REPORT NO. 89-23)

This is in reference to the inspection conducted August 1-31, 1989, at Louisiana Power & Light Company's (LP&L) Waterford Steam Electric Station, Unit 3 (Waterford 3). The NRC's report of this inspection, which was issued on September 27, 1989, discussed an apparent repetitive violation of plant procedures governing the operation of danger-tagged equipment. This matter as well as matters arising from another inspection (NRC Inspection Report 89-31 issued October 10, 1989) were discussed at an enforcement conference in NRC's regional office on October 24, 1989.

Waterford 3 Procedure UNT-005-003, Revision 8, entitled "Clearance Requests, Approval and Release," prohibits the operation of valves or equipment which have been tagged with a red danger tag unless the tag has been cleared and removed from the valve or equipment in accordance with the procedure. The purpose of this procedure is to protect both personnel and equipment. As discussed in Inspection Report 89-23, NRC inspectors observed the operation of danger-tagged valves on August 23, on February 15, and on January 31, 1989, in violation of this procedure.

NRC's view of the significance of this matter is directly related to the potential consequences of operating tagged valves or equipment in neglect of the procedure and to the fact that three violations of this procedure were witnessed by NRC personnel within a seven-month period. In our view, it is highly unlikely that the only three instances in which this procedure was violated were those witnessed by NRC inspectors. In addition, NRC addressed its concern about the first two instances of procedural violations in a letter transmitting Inspection Report 89-06, dated March 28, 1989. In this letter, NRC emphasized the need for prompt and effective corrective action to ensure that all site personnel were trained to follow this procedure. LP&L's actions in response to this were not effective in preventing the violation observed on August 23.

8911290277 891120  
PDR ADOCK 05000382  
Q PDC

(EOL)  
11

NOV 20 1989

The violation in the enclosed Notice of Violation (Notice) has been classified at Severity Level IV in accordance with the NRC's "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989) (Enforcement Policy). Although NRC does not normally consider monetary civil penalties for Severity Level IV violations, the Enforcement Policy states that such penalties "may be imposed for Severity Level IV violations that are similar to previous violations for which the licensee did not take effective corrective action."

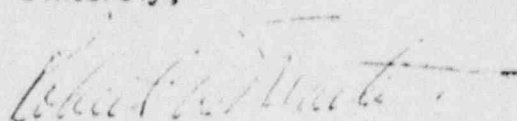
NRC considers these particular recurring violations serious because the integrity of the equipment tag-out process is vital in maintaining and controlling the status of equipment and in ensuring personnel safety. In accordance with our Enforcement Policy, NRC gave serious consideration to assessing a civil penalty in this instance. However, on the basis of LP&L's presentation during the enforcement conference, NRC recognizes that LP&L has treated this as a serious matter and has acted responsibly to resolve this issue. NRC has no reason to conclude that LP&L's corrective actions, as outlined during the October 24 enforcement conference, will not effectively resolve this problem at Waterford 3. NRC endorses LP&L's efforts to ensure that each individual employee understands the importance of procedural compliance and LP&L's emphasis on individual accountability. For these reasons, NRC has elected not to propose a monetary penalty for the violation at issue.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. The NRC will review your response to this Notice, including your proposed corrective actions, and the results of future inspections to determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice 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.

Sincerely,



Robert D. Martin  
Regional Administrator

Enclosure:  
Notice of Violation

cc: (see next page)

NOV 20 1985

cc:

Louisiana Power & Light Company  
ATTN: R. P. Barkhurst, Vice President  
Nuclear Operations  
P.O. Box B  
Killona, Louisiana 70066

Louisiana Power & Light Company  
ATTN: J. R. McGaha, Jr., Plant Manager  
P.O. Box B  
Killona, Louisiana 70066

Louisiana Power & Light Company  
ATTN: L. W. Laughlin, Site  
Licensing Support Supervisor  
P.O. Box B  
Killona, Louisiana 70066

Louisiana Power & Light Company  
ATTN: G. M. Davis, Manager, Events  
Analysis Reporting & Response  
P.O. Box B  
Killona, Louisiana 70066

Monroe & Leman  
ATTN: W. Malcolm Stevenson, Esq.  
201 St. Charles Avenue, Suite 3300  
New Orleans, Louisiana 70170-3300

Shaw, Pittman, Potts & Trowbridge  
ATTN: Mr. E. Blake  
2300 N Street, NW  
Washington, D.C. 20037

Middle South Services, Inc.  
ATTN: Ralph T. Lally, Manager  
of Quality Assurance  
P.O. Box 61000  
New Orleans, Louisiana 70161

Chairman  
Louisiana Public Service Commission  
One American Place, Suite 1630  
Baton Rouge, Louisiana 70825-1697

Louisiana Power & Light Company  
ATTN: R. F. Burski, Manager, Nuclear  
Safety and Regulatory Affairs  
317 Baronne Street  
New Orleans, Louisiana 70112

NOV 20 1989

Department of Environmental Quality  
ATTN: William H. Spell, Administrator  
Nuclear Energy Division  
P.O. Box 14690  
Baton Rouge, Louisiana 70898

President, Police Jury  
St. Charles Parish  
Hahnville, Louisiana 70057

Mr. William A. Cross  
Bethesda Licensing Office  
3 Metro Center  
Suite 610  
Bethesda, Maryland 20814

bcc w/encl

HQ DISTRIBUTION:

SECY  
 CA  
 JMTaylor, DEDR  
 HThompson, DEDS  
 TMurley, NRR  
 JPartlow, NRR/ADP  
 JLiaberman, OE  
 JGoldberg, OGC  
 Enforcement Officers  
 RI, RII, RIII, RV  
 FIngram, GPA/PA  
 EJordan, AEOD  
 BHayes, OI  
 OE:ES  
 OE:EA File  
 OE:Chron  
 DCS

RIV DISTRIBUTION:

RMartin  
 JMontgomery  
 SJCollins  
 LJCallan  
 TPGwynn  
 JPJaudon  
 DChamberlain  
 AHowell  
 WSmith, RI  
 JGilliland (ltr hd)  
 CHackney  
 WBrown  
 RWis  
 EO Files  
 RIV Files  
 DRP Division Files  
 RSTS Operator  
 MIS Coordinator  
 OI Field Office  
 E

\*previously concurred

RIV:EO	D:DRP	RA
*GSanborn	*SCollins	*RDMartin
11/14/89	11/14/89	11/15/89

*Handwritten:*  
 IF01  
 +E14  
 11