

APPENDIX A

NOTICE OF VIOLATION

TU Electric

Dockets: 50-445/90-01
50-446/90-01

Comanche Peak Steam Electric Station
Units 1 and 2, Glen Rose, Texas

Permits: CPPR-126
CPPR-127

During an NRC inspection conducted on January 3 through February 6, 1990, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989), the violations are listed below:

- A. Criterion XVI of Appendix B to 10 CFR Part 50 as implemented by Section 16.0, Revision 0, of the TU Electric Quality Assurance Manual requires that "Measures shall be established to assure that conditions adverse to quality, . . . are promptly identified and corrected."

Contrary to the above, an error in Calculation 16345/6-CS(B)-058, "Service Water Intake Structure-Exterior Wall Design," Revision 1, which was identified by the NRC was not adequately corrected. The NRC issued Open Item 445/8948-O-01; 446/8948-O-01 identifying that the groundwater level assumption of 780 feet in the above calculation was in conflict with groundwater readings of approximately 783 feet at two piezometers located next to the service water intake structure. The applicant issued Change Notice 2 to the base calculation which revised the assumed groundwater level to 783 feet. However, the revised groundwater level of 783 feet was still inadequate in light of the facts that (1) both of the local piezometers read greater than 783 feet at some time during the 1988 monitoring program, (2) no margin was added for instrument error, and (3) no consideration was made for the possible changes in groundwater level over the 40-year service life of the intake structure.

This is a Severity Level IV violation (Supplement II)
(445/9003-V-01; 446/9003-V-01).

- B. Criterion XVI of Appendix B to 10 CFR Part 50 as implemented by Section 16 of the TU Electric Quality Assurance Manual requires that measures shall be established to assure that conditions adverse to quality are promptly identified and corrected. Furthermore, for significant conditions adverse to quality, the measures shall assure that the cause of the condition is

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determined and that adequate corrective actions to preclude repetition are taken.

The Code of Federal Regulations 10 CFR Part 50.55(e) requires that the Commission be notified of each deficiency found in construction, which, were it to have remained uncorrected, could have adversely affected the safety of operations and which represents:

- (iv) A significant deviation from performance specifications which will require extensive evaluation or repair to establish the adequacy of the structure system or component to meet the criteria and basis stated in the safety analysis, or to otherwise establish the adequacy of the structure, system, or component to perform its intended safety function.

CPSES Nuclear Engineering and Operations Procedure NEO 9.01, Revision 4, Section 6.4.1.2 requires that evaluations for reportability under 10 CFR 50.55(e) shall be documented on or attached to Reportability Evaluation Forms (REFs) and shall provide justification as to why an adverse condition is or is not reportable.

Contrary to the above, Plant Incident Report 89-243, which identified the presence of foreign material in the containment spray system which could have blocked a horizontal containment spray header and resulted in an unanalyzed condition during plant operations, was inadequately reviewed for reportability on SN-463. As a result of this inadequate review, the root cause of this condition and the generic implications were not adequately addressed. Furthermore, the corrective actions were inadequate in that the applicant failed to properly examine other related areas that may have contained similar debris.

This is a Severity Level IV violation (Supplement II)
(445/9003-V-03).

Pursuant to the provisions of 10 CFR 2.201, TU Electric is hereby required to submit a written statement or explanation to the U. S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC, 20555, with a copy to the Assistant Director for Inspection Programs, Comanche Peak Project Division, Office of Nuclear Reactor Regulation, within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation if admitted, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) 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. Where good cause is shown, consideration will be given to extending the response time.

FOR THE NUCLEAR REGULATORY COMMISSION

RF Warrick

Dated at Comanche Peak Site
this 16th day of February

1990