

Appendix

NOTICE OF VIOLATION

Toledo Edison Company

Docket No. 50-346

As a result of the inspection conducted on January 21-22, 1982, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980), the following violation was identified:

10 CFR 50.59(a)(1) states in part that, "The holder of a license authorizing operation of a production or utilization facility may (ii) make changes in the procedures as described in the safety analysis report, without prior Commission approval, unless the proposed change involves a change in the technical specifications incorporated in the license or an unreviewed safety question.

10 CFR 50.59(b) states in part that "The licensee shall maintain records of changes in procedures made pursuant to this section, to the extent that such changes constitute changes in procedures as described in the safety analysis report. These records shall include a written safety evaluation which provides the bases for the determination that the change does not involve an unreviewed safety question.

Contrary to the above, the licensee did not conduct a safety evaluation to determine whether operation at rated conditions with a BWST temperature in excess of the 90°F temperature assumed in the safety analysis report constituted an unreviewed safety question.

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

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Under the authority of Section 182 of the Atomic Energy Act of 1954, as amended, this response shall be submitted under oath or affirmation. Consideration may be given to extending your response time for good cause shown.

MAR 26 1982

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Dated

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C. E. Norelius, Director  
Division of Engineering and  
Technical Programs

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