

NOTICE OF VIOLATION

AND

PROPOSED IMPOSITION OF CIVIL PENALTIES

Iowa Electric Light and Power Company  
Duane Arnold Energy Center

Docket No. 50-331  
License No. DPR-49  
EA 82-90

An inspection conducted during the period March 15 - May 12, 1982 identified certain violations of NRC requirements. The licensee did not adequately ensure that post maintenance testing was completed after maintenance was performed on safety-related equipment. As a result, the inoperability of an emergency diesel generator that resulted from the change of fuel oil filters went undetected for 18 days.

This failure occurred when the incompleted maintenance action request on the diesel oil filter was placed in the deferred test file without adequate communication and documentation. In addition, inadequate shift turnover procedures and failure to log the diesel status when maintenance was performed contributed to the problem.

In order to emphasize the need for improvements in your management controls, we propose to impose civil penalties in the cumulative amount of Forty Thousand Dollars. The violations have been categorized at the Severity Levels described in the NRC Enforcement Policy (10 CFR Part 2, Appendix C) published in the Federal Register, 47 FR 9987 (March 9, 1982).

For the purpose of assessing civil penalties, the event associated with these violations has been categorized as a Severity Level III. Pursuant to the NRC Enforcement Policy and Section 234 of the Atomic Energy Act of 1954, as amended ("Act"), 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205, the particular violations and the associated civil penalties are set forth below:

- A. Technical Specification 3.5.G.1 requires in part that, during any period when one diesel generator is inoperable, continued reactor operation is permissible only during the succeeding seven days unless such diesel generator is sooner made operable, provided that all the low pressure core and containment cooling subsystems and the remaining diesel generator shall be operable. If this requirement cannot be met, an orderly shutdown shall be initiated and the reactor shall be placed in the Cold Shutdown Condition within 24 hours.

Technical Specification 3.5.A.3 requires in part that the low pressure coolant injection (LPCI) subsystems shall be operable whenever irradiated fuel is in the reactor vessel, and prior to reactor startup from a Cold Condition.

Technical Specification 3.7.B.1 requires in part that both trains of the standby gas treatment system and the diesel generators required for operation of such trains shall be operable at all times when secondary containment integrity is required.

Technical Specification 3.5.D.2 requires that from and after the date that the High Pressure Coolant Injection (HPCI) subsystem is made or found to be inoperable for any reason, continued reactor operation is permissible only during the succeeding seven days unless such subsystem is sooner made operable, provided that during such seven days all active components of the automatic depressurization system (ADS) subsystem, the reactor core isolation cooling (RCIC) system, the LPCI subsystem and both Core Spray subsystems are operable.

Contrary to the above:

1. From February 25 to March 15, 1982, the 1G-21 diesel generator was inoperable because its start time was 30 seconds, as compared to the design value of 10 seconds.
2. On February 25, 1982, from 11:00 a.m. to 10:58 p.m., both LPCI subsystems were inoperable (hangers were taken out of service in "A" train; 1G-21 diesel generator, which supplies emergency power to "B" train, was inoperable).
3. From March 2 to March 8, 1982, both Standby Gas Treatment Systems were inoperable (wet charcoal in "A" train; 1G-21 diesel generator, which supplies emergency power to "B" train, was inoperable).
4. From 1:49 p.m. on March 5, 1982, to 10:04 p.m. on March 6, 1982, HPCI was inoperable and the B Core Spray subsystem was inoperable due to the 1G-21 diesel generator being inoperable.

This is a Severity Level III violation (Supplement I).  
(Civil Penalty - \$30,000).

- B. Technical Specification 6.8.1 states in part, "Detailed written procedures involving nuclear safety, ...covering areas listed below shall be adhered to." Item 1 requires procedures for "Normal startup, operation, and shutdown of systems and components of the facility." Item 5 requires procedures for "Preventive and corrective maintenance operations which could have an effect on the nuclear safety of the facility."

Administrative Control Procedure 1401.4, "Control of Plant Work," Item 6.20.5.1 states, "Describe the reason for deferring testing on line 8 of the inspection and test report."

Administrative Control Procedure 1404.4, "Operating Logs," Item 6.3.4.2 requires that entries made during each shift shall include all plant maintenance.

Administrative Control Procedure 1406.2, "Maintenance Procedures," Item 5.1 states, "Maintenance that can affect the performance of safety-related equipment shall be properly pre-planned and performed in accordance with written procedures, documented instructions, or drawings appropriate to the circumstances (for example, skills possessed by qualified maintenance personnel may not require detailed step-by-step delineation in a written procedure) which conform to applicable codes, standards, specifications, and criteria. Where appropriate sections of related vendor manuals, equipment operating and maintenance instructions, or approved drawings with acceptable tolerances do not provide adequate instruction to ensure the required quality of work, a suitable documented procedure shall be prepared."

10 CFR 50, Appendix B, Criterion V states in part, "Activities affecting quality shall be prescribed by documented instructions, procedures of a type appropriate to the circumstances..."

Contrary to the above:

1. The Shift Supervising Engineer logs contain no entries with respect to the maintenance performed on the 1G-21 diesel generator on February 25, 1982.
2. No entries were made on line 8 of Safety Related Inspection and Test Report No. 82-118 associated with the change of the 1G-21 diesel generator fuel oil filters.
3. There is no procedure which governs the change of diesel generator fuel oil filters. There are also inadequate instructions contained in the vendor technical manual. In addition, the change of fuel oil filters does not fall within the normal or routine duties of personnel. Interviews with personnel indicate that operators and maintenance personnel were not adequately familiar with requirements for maintenance of fuel oil filters.
4. Administrative Control Procedure 1404.1, "Shift Organization Operation and Turnover," is not appropriate to the circumstances in that it does not contain adequate direction to ensure that plant operations and maintenance receive engineering evaluation and that shift relief turn-overs encompass all items necessary to ensure operation of the plant safely as demonstrated by the following:
  - a. Section 4.3, "Responsibilities and Authorities, The Shift Technical Advisor," states in part, "Routine duties should include matters involving engineering evaluations of day to day plant operations from a safety point of view." The evaluation is not mandatory and no specific guidelines are provided on what is to be accomplished.

- b. Section 6.7, "Shift Turnover," states in part, "Shift change shall be accomplished by having each incoming shift operator relieve each outgoing shift operator...." There are no guidelines or procedures which clearly specify what shall be reviewed during shift turnover.

This is a Severity Level IV violation (Supplement 1).  
(Civil Penalty - \$10,000).

Pursuant to the provisions of 10 CFR 2.201, Iowa Electric Light and Power Company is hereby required to submit to the Director, Office of Inspection and Enforcement, USNRC, Washington, DC 20555 and a copy to the Regional Administrator, USNRC, Region III within 30 days of the date of this Notice a written statement or explanation, including for each alleged violation: (1) admission or denial of the alleged violation; (2) the reasons for the violation if admitted; (3) the corrective steps which 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. 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, Iowa Electric Light and Power Company may pay the civil penalties in the cumulative amount of \$40,000 or may protest imposition of the civil penalties in whole or in part by a written answer. Should Iowa Electric and Power Company fail to answer within the time specified, the Director, Office of Inspection and Enforcement will issue an order imposing the civil penalties proposed above. Should Iowa Electric Light and Power Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties, such answer 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 penalties should not be imposed. In addition to protesting the civil penalties in whole or in part, such answer may request remission or mitigation of the penalties. In requesting mitigation of the proposed penalties, the five factors contained in Section IV(B) of 10 CFR Part 2, Appendix C 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 by specific reference (e.g., giving page and paragraph numbers) to avoid repetition. Iowa Electric Light and Power Company's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedures for imposing a civil penalty.

Upon failure to pay any civil penalties due, which have 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 penalties, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by  
A. Bert Davis

James G. Keppler  
Regional Administrator

Dated at Glen Ellyn, Illinois  
this 13<sup>th</sup> day of August 1982