

APPENDIX A
NOTICE OF VIOLATION

Northeast Nuclear Energy Company
Millstone Nuclear Power Station, Unit 3

Docket No. 50-423
License No. DPF-49

As a result of the inspection conducted on October 18 through November 5, 1993, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2 Appendix C (Enforcement Policy) (1993), the following violations were identified:

Part 50 of Title 10 of the *Code of Federal Regulations*, Appendix B, Criterion XVI, Corrective Action, requires, in part, that measures shall be established to assure that conditions adverse to quality, such as failures, malfunctions, deficiencies, deviations, defective material, and equipment and nonconformances are promptly identified and corrected.

Contrary to the above, conditions adverse to quality were not promptly identified and corrected, as evidenced by the following two examples:

1. On or before November 5, 1993, NUSCo failed to evaluate the capability of station battery 301B-1 to supply accident loads for the next refueling outage. The performance discharge test performed during the current refueling outage showed that the battery capacity had dropped by more than thirty percent during the preceding six years and only a 0.4 percent capacity margin was available for the subsequent operation cycle. A capacity drop in excess of ten percent during test periods is indicative of a potentially degraded battery.
2. On or before August 20, 1993, NUSCo failed to recognize and respond to three alarms indicating the failure of battery charger No. 4 to supply its loads and to maintain the associated battery in a fully charged state. The loss of the charger was not recognized until two days later, when the vital bus inverter shutdown on low supply voltage.

These items collectively constitute a Severity Level IV Violation (Supplement I)

Pursuant to the provisions of 10 CFR 2.201, the Northeast Nuclear Energy Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector within 30 days of the date of the letter transmitting this Notice of Violation. This reply should include:

(1) the reason for the violation, if admitted, or if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violation, 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 or a Demand for Information may be issued to show cause why the license should not be modified, suspended, 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.