

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Entergy Operations, Inc.
River Bend Station

Docket No. 50-458
License No. NPF-47
EA 94-010

During an NRC inspection conducted December 13-17, 1993, and January 10-11, 1994, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the Nuclear Regulatory Commission proposes to impose a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The particular violations and associated civil penalty are set forth below:

River Bend Station operating license NPF-47 states, in part, that "GSU [Entergy Operations, Inc.] shall comply with the requirements of the fire protection program as specified in Attachment 4." Attachment 4 to NPF-47 states, in part, that "GSU [Entergy Operations, Inc.] shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility through Amendment 22 and as approved in the SER dated May 1984 and Supplement 3 dated August 1985 . . ." Part 9B.2 of Appendix 9B, "Fire Protection Program Comparison With Appendix R to 10CFR50," to Section 9.5.1, "Fire Protection System," of the River Bend Updated Safety Analysis Report, part of the approved fire protection program described above, states in part that "RBS complies with these criteria as discussed in the remainder of this appendix."

Part 9B.4.7.1 of Appendix 9B requires, in part, that fire protection features shall be provided for systems and components important to safe shutdown. These features shall be capable of limiting fire damage so that one train of systems necessary to achieve and maintain hot shutdown conditions from either the control room or emergency control stations is free of fire damage.

Contrary to Part 9B.4.7.1 of Appendix 9B,

- 1) Associated circuits that shared common enclosures with the Division I emergency diesel generator controls and the Division I standby service water pumps, components necessary to achieve and maintain hot shutdown following a main control room fire, were not provided fire protection features, namely overcurrent protection, with the result that those components could have been unavailable in the event of a main control room fire.
- 2) Circuits for the Division I Standby Service Water Cooling Tower Fans, components necessary to achieve and maintain hot shutdown following a main control room fire, were not isolated from the main control room with the result that a main control room fire could have prevented local starting of these fans as required.
- 3) Fuses protecting the control circuits for 4160V and 480V circuit breakers were improperly sized and would not have protected the cables from short circuit damage. As a result, components,

including the Division I emergency diesel generator, necessary to achieve and maintain hot shutdown following a main control room fire could have been unavailable.

- 4) Conduit ICC0030C in fire area C-24 was not provided fire protection features with the result that a fire in fire area C-24 could have damaged control cables necessary to operate equipment, including the Division III emergency diesel generator output breaker required for operation of the emergency diesel generator, necessary to achieve and maintain hot shutdown.
- 5) Circuits associated with the reactor vessel level 8 trip and reactor feedwater pumps breaker control were not provided fire protection features with the result that a main control room fire could have led to steam line flooding and damage to valves necessary to achieve and maintain hot shutdown.

This is a Severity Level III problem (Supplement I).
Civil Penalty - \$100,000 (01013)

Pursuant to the provisions of 10 CFR 2.201, Entergy Operations, Inc. (Licensee) is hereby required to submit a written statement or explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice of Violation and Proposed Imposition of Civil Penalty (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each alleged violation: (1) admission or denial of the alleged violation, (2) the reasons for the violation if admitted, and if denied, the reasons why, (3) the corrective steps that have been taken and the results achieved, (4) the corrective steps that will be taken to avoid further violations, and (5) 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, or revoked or why such other action as may be proper should not be taken. 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, the Licensee may pay the civil penalty by letter addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, money order, or electronic transfer payable to the Treasurer of the United States in the amount of the civil penalty proposed above, or the cumulative amount of the civil penalties if more than one civil penalty is proposed, or may protest imposition of the civil penalty, in whole or in part, by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission. Should the Licensee fail to answer within the time specified, an order imposing the civil penalty will be issued. Should

the Licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation" and 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 penalty should not be imposed. In addition to protesting the civil penalty, in whole or in part, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the factors addressed in Section VI.B.2 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 of explanation in reply pursuant to 10 CFR 2.201, but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the Licensee is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing a civil penalty.

Upon failure to pay any civil penalty due which subsequently has been determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282c.

The response noted above (Reply to Notice of Violation, letter with payment of civil penalty, and Answer to a Notice of Violation) should be addressed to: James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011 and a copy to the NRC Resident Inspector at the River Bend Station facility.

Dated at Arlington, Texas
this 11th day of April 1994