



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

DEC 4 1990

Docket Nos. 50-445 and 50-446
License No. NPF-87
EA 90-169

TU Electric
ATTN: W. J. Cahill, Jr.
Executive Vice President,
Nuclear
Skyway Tower
400 North Olive Street, L.B. 81
Dallas, Texas 75201

Gentlemen:

SUBJECT: NOTICE OF VIOLATION (NRC INSPECTION REPORT NO. 90-33)

This refers to the September 24-28, 1990, inspection at Unit 1 of TU Electric's (TUE) Comanche Peak Steam Electric Station and to the October 31, 1990, enforcement conference in NRC Region IV's offices at which the results of this inspection were discussed with you and other TUE representatives. The inspection focused on a review of the circumstances surrounding the failure of the Unit 1 containment personnel air lock to pass an integrity test on August 22, 1990, and on TUE's discovery on September 26, 1990, that an equalizing valve in the personnel air lock had been left open following a minor industrial accident, thus compromising the integrity of the Unit 1 containment building while the plant was operating.

These events, which were discovered by your organization and promptly reported to NRC, were described in NRC's inspection report issued on October 9, 1990, and in Licensee Event Reports 90-032 and 90-033 sent by TUE to NRC on October 29, 1990, and October 26, 1990, respectively. NRC's inspection report described the equalizing valve event as an apparent violation of Comanche Peak Technical Specification (TS) 3.6.1.3 and described the issues surrounding the test failure as unresolved items. Based on the discussions during the enforcement conference, the unresolved items, both of which relate to the adequacy of the design of the personnel air lock hydraulic operating equipment, will be resolved separately and will be the subject of separate correspondence with TUE.

TUE's evaluation of the equalizing valve event indicates that this valve was opened during an entry into the personnel air lock on September 24, 1990, and remained open until discovered by an auxiliary operator during an entry into the personnel air lock on September 26, 1990, and that this valve was in the open position for about 50 hours, providing a pathway from the containment building to the air lock. With the outer air lock door open, a condition which existed for about 20 minutes during this period, a pathway from the containment building to the plant's safeguards building existed. In the unlikely event of a Loss of Coolant Accident coincident with the outer door being open, radioactive material could have entered the safeguards building and escaped to the atmosphere via the building ventilation system.

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DEC 4 1990

NRC commends TUE personnel for discovering this event, taking immediate corrective action and promptly informing NRC personnel of this discovery. Nonetheless, this event resulted in containment integrity being compromised, albeit for a short period, reducing the effectiveness of an important system designed to mitigate the consequences of an accident. In addition, based on the discussions during the enforcement conference, NRC believes that less than adequate controls were exercised during the entry into the personnel air lock on September 24 when the valve was left open. Although we recognize that there were extenuating circumstances that resulted in the failure to close the valve prior to the completion of the entry, the fact remains that positive controls over the status of valves and other plant equipment are essential.

Therefore, the violation of TS 3.6.1.3. in the enclosed Notice of Violation has been categorized at Severity Level III. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions (Enforcement Policy)," 10 CFR Part 2, Appendix C (1990), a civil penalty is considered for a Severity Level III violation. However, the NRC wants to encourage and support licensee initiative for self-identification and correction of problems. Therefore, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research, I have decided that a civil penalty will not be proposed in this case because you identified the problem, promptly reported it, and took prompt and extensive corrective action. Specifically, at the enforcement conference, you informed us of your corrective actions, which included both physical and procedural modifications in relation to the personnel air lock and a commitment to address the lessons learned from this event in continuing training conducted for licensed operators and system engineers. In addition, it is our understanding that you are in the process of reviewing all procedures that include containment isolation valves to identify any other valves that should have been classified as critical, i.e., requiring independent verification. The other base civil penalty adjustment factors were considered and were not deemed applicable in this case.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice of Violation (Notice) when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. In this case, you should specifically address your efforts to identify any additional critical valves that affect containment integrity that were misclassified. In addition, you should consider whether further guidance is needed to address the need to verify the status of activities interrupted by industrial accidents or other unforeseen occurrences. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

DEC 1 1990

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Sincerely,

Robert D. Martin
Robert D. Martin
Regional Administrator

Enclosure: Notice of Violation

cc w/enclosure:

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TU Electric

- 4 -

DEC 4 1990

cc's: (Con't)

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Texas Department of Labor & Standards

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Honorable George Crump

County Judge

Glen Rose, Texas 76043

Texas Radiation Control Program Director

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TU Electric