

Appendix

NOTICE OF VIOLATION

Iowa Electric Light and Power Company

Docket No. 50-331

As a result of the inspection conducted on February 8-12, March 8-10, and May 25-28, 1982, and in accordance with the NRC Enforcement Policy, 47 FR 9987 (March 9, 1982), the following violations were identified:

1. Technical Specification 6.5.2.8 requires that audits of facility activities be performed under the cognizance of the Safety Committee. These audits shall encompass:
 - "a. The conformance of facility operation to all provisions contained within the Technical Specifications and applicable license conditions at least once per 24 months.
 - b. The performance, training and qualifications of the entire facility staff at least once per 24 months.
 - c. The results of all actions to correct deficiencies occurring in facility equipment, structures, systems or method of operation that affect nuclear safety at least once per six months.
 - h. Design change request safety evaluations."

Technical Specification 6.5.2.7 requires that the Safety Committee review the following:

- "e. Violations of applicable statutes, codes, regulations, orders, technical specifications, license requirements, or of internal procedures or instructions having nuclear safety significance.
- h. All recognized indications of an unanticipated deficiency in some aspect of design or operation of safety related structures, systems, or components."

10 CFR 50, Appendix B, Criterion XVIII states in part, "Audit results shall be documented and reviewed by management having responsibility in the area audited."

Section D.7 of the Duane Arnold Energy Center (DAEC) Quality Assurance Program states in part, "This program is designed to meet the intent of 10 CFR 50, Appendix P as implemented by WASH 1284 (10/26/74), Guidance on Quality Assurance Requirements During the Operating Phase of Nuclear Power Plants."

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WASH 1284 lists as guidance Regulatory Guide 1.33 (formerly Safety Guide 33), which endorses the proposed standard ANS-3.2, Standard for Administrative Controls for Nuclear Power Plants, November 2, 1972. Section 4.4 of ANS-3.2-1972 states in part, "Written reports of safety committee audits shall be reviewed at a scheduled meeting of the independent review and audit group."

Contrary to the above, audits performed under the cognizance of the Safety Committee did not meet Technical Specification requirements; violations identified in routine QA audit reports were not reviewed by the Safety Committee; and audit results were not, in all cases, reviewed by management having responsibility in the areas audited as evidenced by the following examples:

- a. None of the audits performed under the cognizance of the Safety Committee during the period 1979-1981 addressed the audit requirements specified in Items a, b, c, and h of Technical Specification 6.5.2.8.
- b. Violations of ANSI N45.2.2-1972; 10 CFR 50, Appendix B, Criterion VIII; Section 6 of the Technical Specifications; Administrative Control Procedures; and Regulatory Guide 1.137 were not reviewed by the Safety Committee. All of the violations have nuclear safety significance and were identified in routine QA audit reports.
- c. QA audit reports, nonconformance reports, and corrective action reports were not reviewed by the Safety Committee; therefore, any indication of an unanticipated deficiency contained in these reports was not reviewed by the Safety Committee.
- d. A Fire Protection Audit conducted on August 25-27, 1980, was not reviewed by the Safety Committee.

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

2. Technical Specification 6.5.1.6.e states that the Operations Committee shall be responsible for:

"Investigation of all violations of the Technical Specifications including the preparation and forwarding of reports covering evaluation and recommendations to prevent recurrence to the Vice President-Generation and to the Chairman of the Safety Committee."

Contrary to the above, QA audit reports 79-3 and I-81-16 reported that Safety Committee audits were not being conducted in accordance with Technical Specification 6.5.2.8.c. This violation was not investigated by the Operations Committee.

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

3. Technical Specification 6.5.2.10 requires that records of Safety Committee activities shall be prepared, approved and distributed as indicated below:
 - "a. Minutes of each Safety Committee meeting shall be prepared, approved, and forwarded to the President within 14 days following each meeting.
 - b. Reports of reviews encompassed by Specification 6.5.2.7 above, shall be prepared, approved and forwarded to the President within 14 days following completion of the review.
 - c. Audit reports encompassed by Specification 6.5.2.8 above, shall be forwarded to the President and to the management positions responsible for the areas audited within 30 days after completion of the audit."

Contrary to the above:

- a. Minutes for Safety Committee meetings 263, 267 and 272 were forwarded to the President between 27 and 34 days after the meetings and the minutes of Safety Committee meetings after meeting 272 were forwarded to the Executive Vice President instead of the President.
- b. No reviews of Deviation Reports prepared under Technical Specification 6.5.2.7.h (reviews of indications of unanticipated deficiencies) were forwarded to the President.
- c. The Safety Committee also failed to ensure audit reports were forwarded to the President and to management positions responsible for the audit. For example:
 - (1) The July 1980 audit of an emergency plan drill performed to meet the requirements of Technical Specification 6.5.2.8.e was submitted to the President in February 1981, seven months after completion of the audit.
 - (2) The bi-annual Safety Committee audits were last performed between July 1979 and January 1980; however, the audit reports were not sent to the President until June 1980.
 - (3) The August 1980 audit of the Fire Protection Program, performed as required by Technical Specification 6.5.2.8.i, was not sent to the President but to the Executive Vice President and not until March 1981.

- (4) Interviews indicated that since May 1981, Safety Committee audit reports were submitted to the Executive Vice President in lieu of the President.

This is Severity Level V violation (Supplement I).

4. 10 CFR 50, Appendix B, Criterion XVIII states in part, "A comprehensive system of planned and periodic audits shall be carried out to verify compliance with all aspects of the quality assurance program and to determine the effectiveness of the program."

Section D.7 of the DAEC Quality Assurance Program states in part, "This program is designed to meet the intent of Appendix B to 10 CFR 50 as implemented by WASH 1284 (October 26, 1974), Guidance on Quality Assurance Requirements During the Operating Phase of Nuclear Power Plants."

WASH 1284 addressed ANSI N45.2.12, "Requirements for Auditing of Quality Assurance Programs for Nuclear Power Plants," which states in part:

"4.4 Reporting

An audit report, which shall be signed by the audit team leader, shall provide:

4.4.4 A Summary of audit results, including an evaluation statement regarding the effectiveness of the quality assurance program elements which were audited."

and;

"4.5 Followup

4.5.1 By Audited Organization. Management of the audited organization or activity shall review and investigate any adverse audit findings to determine and schedule appropriate corrective action including action to prevent recurrence and shall respond as requested by the audit report, giving results of the review and investigation. The response shall clearly state the corrective action taken or planned to prevent recurrence. In the event that corrective action cannot be completed within thirty days, the audited organization's response shall include a scheduled date for the corrective action."

Contrary to the above:

- a. Few of the 24 month Safety Committee audits conducted between July 1979 and January 1980 (such as audits of Instrumentation and Control, January 1980, and Plant Maintenance and Modification, July 1979) and none of the six QA audits sampled before November 1980 (audit numbers 79-3, 79-5, 79-20, 79-22, I-80-06, and I-80-27) contained summary statements as to the effectiveness of the QA program elements which were audited.
- b. The most recent group of 24 month Safety Committee audits were performed between July 1979 and January 1980. After Committee review in May 1980 the results which pertained to the Nuclear Generation Department were forwarded to that department for action with a request for response by August 1, 1980. Nuclear Generation Department submitted their response in July 1981.

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

5. 10 CFR 50, Appendix B, Criterion V states in part, "Activities affecting quality shall be prescribed by documented instructions, procedures, or drawings of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures or drawings."

Section D.7 of the DAEC Quality Assurance Program states in part, "Requirements of the Iowa Electric Light and Power Company Operating Quality Assurance Program are implemented and controlled by instructions, procedures and drawings."

QAP 1102.5, "Quality Control Personnel - Qualification and Training," required that the QC Supervisor develop and retain a Training Program Outline (Section 5.3.1) and that he complete and maintain a Training Program Status Log (Section 5.3.5).

The Training Programs Administrative Manual, Section 1.3.1 required that the Assistant Chief Engineer be responsible for evaluating the effectiveness of each (individual training) program.

Contrary to the above, prior to November 1981, the QC Supervisor had not developed a Training Program Outline for 1981, and had not completed and maintained a Training Program Status Log since 1979. Also, the Assistant Chief Engineer (Technical Support) had not evaluated the effectiveness of the non-licensed training programs.

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

6. 10 CFR 55, Appendix A requires that each licensed operator and senior operator "is cognizant of design changes, procedure changes, and facility license changes."

Contrary to the above, nine licensed operators or senior operators failed to complete required training on design and procedure changes which were issued for reading on November 1 and December 9, 1981; four licensed operators or senior operators failed to complete required training on design and procedure changes issued June 3, 1981; and two licensed operators or senior operators failed to complete required training on design and procedure changes issued July 15, 1981.

This is a Severity Level V 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. Consideration may be given to extending your response time for good cause shown.

OCT 5 1982

Dated _____

"Original Signed by C.E. Norelius"

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