

NOTICE OF VIOLATION

Centerior Service Company
Perry Nuclear Power Plant

Docket No. 50-440
License No. NPF-58

As a result of the inspection conducted on March 10 through April 21, 1994, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (Enforcement Policy) the following violations were identified:

1. 10 CFR Part 50, Appendix B, Criterion XVI, as implemented by the Cleveland Electric Illuminating Company, Quality Assurance Program, Section 17.2.16, "Corrective Action," requires that measures shall be established which ensure that conditions adverse to quality, such as malfunctions, deficiencies, deviations, defective material and equipment, and nonconformances be identified promptly and corrected. Criterion XVI also requires that the cause of the condition adverse to quality be determined and corrective action be taken to preclude repetition.

Contrary to the above:

- a. Adequate corrective actions were not taken for Condition Report No. CR 92-244, closed on January 24, 1994, regarding the hardened grease issue on ABB breakers. (50-440/94006-06A(DRS))
- b. From 1989 to April 8, 1994, conditions adverse to quality were not promptly identified and corrected to ensure that Appendix R related emergency lighting was available for safe shutdown of the plant. (50-440/94006-06B(DRS))

These are examples of a Severity Level IV violation (Supplement I).

2. 10 CFR Part 50, Appendix B, Criterion V, as implemented by the Cleveland Electric Illuminating Company Quality Assurance Program, Section 17.2.5, requires that activities covered under the program are prescribed by documented procedures, instructions and/or drawings and that those activities be accomplished through the implementation of these documents.

Contrary to the above, activities covered by the program were not accomplished through adequate implementation of documented procedures and instructions, as evidenced by the following examples:

- a. Technical Specification functional test procedure SVI-C11-T0245-A, contained a note requiring a 5-minute warmup time prior to taking data on the Rosemount readout assembly.

During the performance of this test, the warmup time was not met.
(50-440/94006-02A(DRS))

- b. Plant Administrative procedure PAP 1201, "Control of Measuring and Test Equipment" requires that the individual receiving M&TE verify that Traveler information is correct. PAP 1202, "Calibration of Measuring and Test Equipment" requires that the person completing the test equipment calibration complete and place a calibrated sticker on the test equipment. PAP 1201 also requires that under no circumstances is M&TE to be left unattended.

The above requirements of these procedures were not met as identified by the inspector and other licensee personnel as documented in Condition Reports 94-239, 94-282, and 94-322. (50440/94006-02B(DRS))

- c. Perry Administrative Procedure PAP-1912, "Burn Permits For Ignition Sources," Revision 4, requires that combustible material be removed or be covered with flame retardant material within a 35 foot radius of a work area.

On April 5, 1994, brazing activities were conducted in the turbine building without having all combustibles removed or covered within 35 feet of these activities. (50440/94006-02C(DRS))

These are examples of a Severity Level IV violation (Supplement I).

3. 10 CFR Part 50, Appendix E (IV.F.5), requires that exercise weaknesses that are identified be corrected, and further requires that all training, including exercises, shall provide for formal critiques in order to identify weak or deficient areas that need correction.

Contrary to the above:

- a. As of the time of this inspection, an exercise weakness concerning respiratory protection identified by Inspection Report No. 50-440/93013(DRSS) was not corrected. (50440/94006-01A(DRSS))
- b. At the time of this inspection, formal critiques were not always provided after annual requalification emergency preparedness training was conducted by the emergency preparedness trainer to identify any potential weak or deficient areas that would need correction. (50440/94006-01B(DRSS))

These are examples of a Severity Level IV violation (Supplement VIII)

4. 10 CFR Part 26, Appendix A, Subpart B, Section 2.2(d)(2) and (3), requires that specimen collection site personnel receive training and detailed, clearly-illustrated written instructions on specimen collection.

Contrary to the above, as of November 16, 1993, the written instructions and associated training were not detailed and clearly illustrative on specimen collection. The actions for processing of urine specimens that were not in the prescribed temperature range or of insufficient quantity were not described. (50-440/94006-10(DRSS))

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

5. 10 CFR Part 26, Appendix A, Paragraph 2.4.g.(14), requires that if the temperature of a urine specimen is outside the range of 32.5° to 37.7°C (90.5 and 99.8°F) another specimen shall be collected under direct observation of a same gender collection site person and both specimens shall be forwarded to the laboratory for testing.

10 CFR 26.24(b) requires that testing for drugs and alcohol must at a minimum conform to the Guidelines for Nuclear Power Plant Drug and Alcohol Testing Programs" issued by the NRC and appearing in Appendix A to this rule, but allows licensees to implement programs with more stringent standards which then become binding, i.e., all requirements would then apply to persons who fail a more stringent standard. By letter dated November 1, 1989, the licensee notified the Commission that they were setting more stringent cut-off levels in two areas including temperature. Specifically, the temperature range of the urine specimen was changed to 34.4 - 37.0°C (94.0 - 98.6°F).

Contrary to the above, between August 24, 1993, and November 16, 1993, there were 19 samples that were handled improperly:

- Six samples were measured out of temperature range and second samples were not taken.
- Five samples were measured out of temperature range but the second sample taken was not observed, and then combined with first sample.
- Two samples were measured out of temperature range and the second observed sample taken was combined with first sample.
- Three samples were measured out of temperature range and second sample was not observed
- The temperature of three samples was not recorded in permanent log book.

(50-440/94006-09(DRSS))

These are examples of a Severity Level IV violation (Supplement VII).

6. Technical Specification 6.11.1, in part, requires that procedures for personnel radiation protection be adhered to for all operations involving personnel radiation exposure. This requirement was not adequately implemented, as evidenced by the following examples:

- a. PAP-0123, "Control of Locked High Radiation Areas," Section 6.3.4.3 states that the requestor of a key for a locked high radiation area maintain possession of the key and not transfer it to another individual.

Contrary to the above, on March 19, 1994, a shift operator who was the key requestor for the key to the inclined fuel transfer system (IFTS) valve room, a locked high radiation area, failed to maintain possession of the key by transferring the key to a health physics technician. (50-440/94006-08A(DRSS))

- b. PAP-0123, "Control of Locked High Radiation Areas," Section 6.3.2.1.a states, in part, that the on-duty Health Physics Supervisor verify that the entry requirements of step 6.4.1 have been satisfied before issuing any keys to locked high radiation areas. Step 6.4.1.1 states, in part, that all members of the work party be authorized to perform work in accordance with an appropriate Radiation Work Permit (RWP).

Contrary to the above, on March 30, 1994, the on-duty Health Physics Supervisor did not verify that all members of a work party to perform surveys of the IFTS valve room were authorized to perform work in accordance with an appropriate RWP before issuing keys to the IFTS valve room which was controlled as a locked high radiation area. (50-440/94006-08B(DRSS))

- c. PAP-0512, "Radiation Work Permits," Section 6.4.3.2 states, in part, that radiation workers are required to signify their understanding and intent to comply with RWP requirements by performing the steps to log into the automated access control system.

Contrary to the above, on March 24, 1994, a contract foreman did not signify his understanding and intent to comply with the RWP requirements for entry into the RHR "A" Pump Room, a high radiation area, before entering the room. (50-440/94006-08C(DRSS))

These are examples of a Severity Level IV violation (Supplement IV).

Pursuant to the provisions of 10 CFR 2.201, Perry Nuclear Power Plant 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 U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois 60523, and a copy to the NRC Resident

Inspector at the Perry Nuclear Power Plant within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, 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 violations, 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 as to why the license should not be modified, suspended, or 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. Regarding violations 4 and 5, the inspection showed that steps had been taken to correct the identified violations and to prevent recurrence. Consequently, no reply to the violations is required and we have no further questions regarding these matters.

Dated at Lisle, Illinois
this 17th day of June 1994