

APPENDIX A

NOTICE OF VIOLATION

Entergy Operations, Inc.
Waterford Steam Electric Station, Unit 3

Docket: 50-382
License: NPF-38

During an NRC inspection conducted on February 14 through April 7, 1994, three violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below:

- A. Technical Specification 6.8.1 requires, in part, that written procedures be established, implemented, and maintained covering refueling operations.

Administrative Procedure UNT-008-030, "Control and Accountability of Special Nuclear Material," Revision 9, required licensee inspectors who were to perform fuel receipt inspections to be certified only after satisfactory completion of the reactor engineering and performance (RE&P) training program. Licensee assurance of fuel receipt inspector certification was required prior to assignment and scheduling of those inspectors to perform fuel receipt inspections.

Administrative Procedure UNT-007-006, "Housekeeping," Revision 6, was established to implement the housekeeping program.

Contrary to the above:

1. On January 28, 1994, a licensee inspector who had not received the required RE&P training, who was not certified, and who had not been placed on the fuel receipt inspection schedule, performed inspections of Fuel Bundle Serial Nos. LAJ-206, LAJ-207, LAJ-219, LAJ-220, and LAJ-223.
2. Licensee assurance of fuel receipt inspector training and certification prior to the assignment and scheduling of a licensee inspector to perform inspections was not obtained. This was evidenced on February 5, 1994, by the assignment and scheduling of a licensee inspector, who had not received the required RE&P training and certification, to a revised fuel receipt inspection schedule. (It was determined that even though the licensee inspector had been inappropriately placed on the revised schedule, the licensee inspector had not performed any fuel receipt inspections.)
3. Procedure UNT-007-006 was inadequate to preclude the introduction of foreign material into the spent fuel pool area. The procedure did not provide sufficient specificity with respect to responsibilities, performance and frequency of housekeeping inspections, foreign material examples, and program implementation. This was evidenced by March 16, March 17, and April 6, 1994, inspector observations of unattended foreign

material in the area that had the potential to cause detrimental effects if allowed to enter the spent fuel pool.

This is a Severity Level IV violation (Supplement 1) (482/9403-01)

- B. Criterion III of Appendix B to 10 CFR Part 50 requires, in part, that measures shall be established to assure that applicable regulatory requirements and design basis for certain structures, systems, and components are correctly translated into specifications, drawings, procedures, and instructions. Criterion 10 of Appendix A to 10 CFR Part 50, Reactor Design, requires that the reactor core shall be designed with appropriate margin to assure that specified acceptable fuel design limits are not exceeded during any condition of normal operation, including the effects of anticipated operational occurrences. For Cycle 4 and 5 core design and operation, the NRC-approved specified acceptable fuel design limits for the Waterford Steam Electric Station, Unit 3, were given (by reload safety analysis report reference) in the Combustion Engineering Generic Topical Report CENPD-269-P-A, Rev. 1-P-A, "Extended Burnup Operation of Combustion Engineering PWR Fuel." As given in CENPD-269-P-A, the specified acceptable fuel design limits were evaluated and approved by the NRC staff to a maximum rod average burnup of 52 GWD/T.

Contrary to the above, the measures established for assuring the design basis were inadequate, in that the NRC-approved burnup for the specified acceptable fuel design limits was exceeded in both Cycles 4 and 5 reactor core designs, as well as in their operational cycles. Specifically, the Cycle 4 reload safety analysis report (dated September 18, 1989), projected a maximum rod average burnup of 55.0 GWD/T, and the actual accrued end-of-cycle maximum rod average burnup was between 52 and 53 GWD/T. In addition, the Cycle 5 reload safety analysis report (dated December 31, 1990), projected a maximum rod average burnup of 56.3 GWD/T, and the actual accrued end-of-cycle maximum rod average burnup was 55.7 GWD/T.

This is a Severity Level IV violation (Supplement 1) (482/9403-02).

- C. Criterion V of Appendix B to 10 CFR 50 requires, in part, that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, or drawings.

Contrary to the above, during the period February 28 through March 4, 1994, NRC inspectors identified that:

1. Controls over the spent fuel handling machine activities were not prescribed by documented instructions or procedures. This lack of control was exemplified by the licensee's inability to ascertain who had manipulated the spent fuel handling machine when an

unauthorized movement of stored fuel was identified to have occurred.

- 2 Peer review, supervisory review, or independent verification activities to ensure that spent or stored fuel was secured and stored safely following fuel handling activities were not prescribed by documented instructions or procedures.

This is a Severity Level IV violation (Supplement 1) (382/9403-03).

Pursuant to the provisions of 10 CFR 2.201, Entergy Operations, Inc. 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 IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, 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 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. Where good cause is shown, consideration will be given to extending the response time.

Dated at Arlington, Texas
this 4th day of *May* 1994