

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Iowa Electric Light and Power Company
Duane Arnold Energy Center

Docket No. 50-331
License No. DPR-49
EA 84-96

A special inspection of activities was conducted at the Duane Arnold Energy Center (DAEC) during the period of July 18 through 26, 1984 to review the events associated with the personnel error that occurred on July 18, 1984 which rendered both trains of the Standby Liquid Control System inoperable. Our review of this error, and eight other personnel errors that have occurred since May 5, 1984, indicates that the licensee's control of work and ability to reduce the number and severity of personnel errors that have resulted in operational problems has not been effective.

To emphasize the importance the NRC places on proper management control to assure that safety-related components are manipulated by adequately trained and qualified personnel using appropriate procedures and that personnel errors and their potential for occurrence are minimized, the Nuclear Regulatory Commission proposes to impose a civil penalty in the amount of amount of Twenty-Five Thousand Dollars (\$25,000) for this matter. The base civil penalty for a Severity Level III event of this type is \$50,000. However, after considering the alertness of two operators who identified the mispositioned valve on July 18, 1984, as well as the licensee's prompt corrective action, the base civil penalty has been reduced by 50 percent.

In accordance with the NRC Enforcement Policy, 10 CFR Part 2, Appendix C, as revised, 49 FR 8583 (March 8, 1984), and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended ("Act"), 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205, the particular violation and associated civil penalty is set forth below:

Technical Specification 3.4.A.1 requires that during normal system availability the Standby Liquid Control System be operable. Technical Specification 6.8.1.6 states in part, "Detailed written procedures involving nuclear safety...including surveillance and testing requirements...shall be prepared. All procedures shall be adhered to."

Surveillance Test Procedure 44C001, "Standby Liquid Control System Boron Concentration Test," requires by Step 4.2 that Valve V-26-11 be unlocked and open. Operating Instruction No. 53, "Standby Liquid Control System," requires in Attachment 2, "System Valve Line Up", that Valve V-26-01 be locked in the open position during plant operation.

Contrary to the above, during the performance of Surveillance Test Procedure 44C001 on July 18, 1984, while the plant was operating, a chemistry technician unlocked and closed Valve V-26-01, rather than unlocking and opening Valve V-26-11 as required by the procedure. The closing of Valve V-26-01 rendered the Standby Liquid Control System inoperable for approximately five hours. The technician had no authorization and was not qualified to conduct the procedure.

This is a Severity Level III violation (Supplement I).
(Civil Penalty - \$25,000)

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Notice of Violation

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Pursuant to the provisions of 10 CFR 2.201, Iowa Electric Light and Power Company is hereby required to submit to the Deputy Director, Office of Inspection and Enforcement, U. S. Nuclear Regulatory Commission, Washington, D.C. 20555, and a copy to the Regional Administrator, U. S. Nuclear Regulatory Commission, Region III, 799 Roosevelt Road, Glen Ellyn, IL 60137, within 30 days of the date of this Notice, a written statement or explanation; including for the alleged violation: (1) admission or denial of the alleged violation; (2) the reasons for the violation, if admitted; (3) the corrective steps which have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. 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, Iowa Electric Light and Power Company may pay the civil penalty in the amount of \$25,000 or may protest imposition of the civil penalty, in whole or in part, by a written answer. Should Iowa Electric Light and Power Company fail to answer within the time specified, the Deputy Director, Office of Inspection and Enforcement, will issue an order imposing the civil penalty proposed above. Should Iowa Electric Light and Power Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, such answer may: (1) deny the violation 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 five factors contained in Section V(B) 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 or explanations in reply pursuant to 10 CFR 2.201, but may incorporate statements or explanations by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. Iowa Electric Light and Power Company's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedures for imposing a civil penalty.

Upon failure to pay any civil penalty due, which has been subsequently 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. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION


James G. Keppler
Regional Administrator

Dated at Glen Ellyn, Illinois
this 29th day of October 1984.