

Official

FEB 14 1992

Docket Nos. 50-413 and 50-414
License Nos. NPF-35 and NPF-52
EA 91-191

Duke Power Company
ATTN: Mr. M. S. Tuckman
Vice President
Catawba Nuclear Station
Post Office Box 256
Clover, South Carolina 29710

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY - \$15,000
(NRC INSPECTION REPORT NOS. 50-413/91-27 AND 50-414/91-27)

This refers to the Nuclear Regulatory Commission (NRC) inspection conducted by Mr. W. Orders on November 3 - December 10, 1991, at the Catawba Nuclear Station. The inspection included a review of the facts and circumstances related to five examples of failure to follow procedures, which were identified by your staff, associated with the control room ventilation system shared by both units, the Unit 2 safety injection system, and various Unit 2 containment penetrations. The report documenting this inspection was sent to you by letter dated December 31, 1991. As a result of this inspection, a violation of NRC requirements was identified and was considered to be a repeat violation involving configuration control. An enforcement conference was held on January 15, 1992, in the NRC Region II office to discuss the violation, and the adverse trend, the repetitive nature of these problems, the causes, and your corrective actions to preclude recurrence. A summary of this conference was sent to you by letter dated January 21, 1992.

The violation described in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) involved five examples of failure to adequately implement plant procedures. The first example involved an incorrect breaker alignment in the Control Room Ventilation (VC) system which resulted in both trains of the VC system being inoperable for approximately 90 minutes on September 13, 1991. The second example involved a valve misalignment during testing of the 2A Safety Injection Pump which resulted in the pump experiencing runout flow on startup for testing on November 17, 1991. The third example involved an inappropriate verification of the 2B steam generator pressure operated relief valve (PORV) drain line isolation valve on November 16, 1991, as being closed when it was actually open. The fourth example involved an inappropriate verification of a 2C steam generator outlet header drain block valve on November 18, 1991, as being closed when it was actually open. The fifth example involved the verification of the "inside" containment isolation lineup on November 18, 1991, when verification of the "outside" containment isolation was required to be verified. During the period these failures occurred, Unit 1 was at full power and Unit 2 was in a refueling outage. This

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violation with five examples has been categorized at Severity Level IV in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C (1991).

This current violation is similar to three previous violations identified since June 1991, involving configuration control and independent verification problems. The letter transmitting NRC Inspection Report Nos. 50-413/91-13 and 50-414/91-13 issued on June 26, 1991, discussed the NRC's concerns regarding continuing configuration control problems at the Catawba Nuclear Station and cautioned that more significant enforcement sanctions could result from your lack of effective corrective actions for configuration control problems. You were advised that an enforcement conference would not be conducted nor would a civil penalty be proposed for those violations. However, a management meeting was conducted in the Region II office on July 29, 1991, with you and your staff to discuss configuration control problems and the actions taken or proposed to correct those problems.

By letter dated July 30, 1991, NRC Inspection Report Nos. 50-413/91-15 and 50-414/91-15 was issued and it addressed a configuration control problem that occurred on June 4, 1991, involving the failure of control room operators to provide an adequate suction to an operating centrifugal charging pump. This was cited as a Severity Level IV violation and was included for discussion at the management meeting conducted on July 29, 1991.

By letter dated October 31, 1991, NRC Inspection Report Nos. 50-413/91-21 and 50-414/91-21 was issued and it addressed the NRC's concern regarding personnel failing to follow station procedures governing independent verification requirements when performing maintenance and surveillance activities. It was pointed out that repetitive examples of inadequate independent verification had been noted, and you were urged to apply additional management attention in that area.

In responding to these earlier violations both in correspondence and in your discussions at the July 29th management meeting, you outlined your proposed short-term and long-term corrective actions. Some short-term corrective actions focused on the individuals involved in the violations, and the long-term corrective actions included procedural and other administrative revisions, personnel training, communication enhancements, equipment improvements, and increased management involvement.

During the January 15, 1992 enforcement conference, you stated your belief that the broader problems with configuration control have been substantially improved, but acknowledged that a problem still exists with operator errors related to component positioning. You provided examples of your long-term corrective actions such as the Total Quality Management concept and The Journey To Excellence Program that are being implemented at the Catawba Nuclear Station. The NRC recognizes that some corrective actions, once implemented, will take considerable time to become fully effective and produce a permanent change. However, the trend of failure to establish adequate measures for plant configuration control is a significant and continuing concern to the NRC because of the number of occurrences of this violation in the recent past. A trend of recurring violations is of particular concern because the NRC expects licensees to learn from past failures and take corrective action to preclude recurrence.

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Although the NRC does not normally consider monetary civil penalties for Severity Level IV violations, the Enforcement Policy does provide for such penalties when it is evident that the licensee has not implemented effective corrective action for previous similar violations. The staff finds that such is the case in this situation and that a civil penalty is warranted.

To emphasize the importance of ensuring that developed and implemented corrective actions are effective in precluding the occurrence of similar violations, I have been authorized, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) in the amount of \$15,000 for the Severity Level IV violation. The base value of a civil penalty for a Severity Level IV violation is \$15,000.

The escalation and mitigation factors in the Enforcement Policy were considered. After considering the fact that you identified the violations, the fact that proposed long-term corrective actions are open-ended and have yet to be fully defined or scheduled for implementation, and the fact that you have had poor prior performance in this area, on balance, no adjustment to the base civil penalty has been deemed appropriate.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response should also address two additional examples of configuration control problems that are documented in NRC Inspection Report Nos. 50-413/91-28 and 50-414/91-28 which was sent to you by letter dated February 5, 1992, and involved the operation of the 2B Containment Spray pump with no suction source and an inadvertent main turbine roll which occurred during post-modification testing. In addition, your response should include a description and schedule for the procedural changes that will implement the improved Duke Power Company (DPC) guidance on independent verification that was discussed during the enforcement conference and actions being taken to emphasize to your staff the importance, from a safety perspective, of adhering to procedures, positive communications, and accurate records.

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.

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.

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Should you have any questions concerning this letter, please contact us.

Sincerely,

Original signed by
SDEbnetter

Stewart D. Ebnetter
Regional Administrator

Enclosure:
Notice of Violation and Proposed
Imposition of Civil Penalty

cc w/encl:
A. V. Carr, Esq.
Duke Power Company
422 South Church Street
Charlotte, NC 28242-0001

J. Michael McGarry, III, Esq.
Bishop, Cook, Purcell and Reynolds
1400 I Street, NW
Washington, D. C. 20005

North Carolina MPA-1
Suite 600
P. O. Box 29513
Raleigh, NC 27626-0513

Heyward G. Shealy, Chief
Bureau of Radiological Health
South Carolina Department of Health
and Environmental Control
2600 Bull Street
Columbia, SC 29201

Richard F. Wilson, Esq.
Assistant Attorney General
S. C. Attorney General's Office
P. O. Box 11549
Columbia, SC 29211

Michael Hirsch
Federal Emergency Management Agency
500 C Street, SW, Room 840
Washington, D. C. 20472

cc w/encl cont'd: (see next page)

Duke Power Company

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cc w/encl cont'd:
North Carolina Electric
Membership Corporation
P. O. Box 27306
Raleigh, NC 27511

Karen E. Long
Assistant Attorney General
N. C. Department of Justice
P. O. Box 629
Raleigh, NC 27602

Saluda River Electric
Cooperative, Inc.
P. O. Box 929
Laurens, SC 29360

Frank Modrak, Project Manager
Mid-South Area ESSD Projects
Westinghouse Electric Corporation
MNC West Tower - Bay 241
P. O. Box 355
Pittsburgh, PA 15230

County Manager of York County
York County Courthouse
York, SC 29745

Piedmont Municipal Power Agency
121 Village Drive
Greer, SC 29651

R. L. Gill
Nuclear Production Department
Duke Power Company
P. O. Box 1007
Charlotte, NC 28201-1007

R. C. Futrell
Compliance
Duke Power Company
P. O. Box 256
Clover, SC 29710

State of North Carolina

DISTRIBUTION:

PDR

SECY

CA

J. Sniezek, DEDR

S. Ebnetter, RII

J. Lieberman, OE

R. Pedersen, OE

J. Goldberg, OGC

Enforcement Coordinators

RI, RII, RIII, RIV, RV

B. Hayes, OI

D. Williams, OIG

E. Jordan, AEOD

R. E. Martin, NRR

J. Johnson, RII

W. Milier, RII

G. A. Eelisle, RII

A. R. Herdt, RII

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U.S. Nuclear Regulatory Commission

Route 2, Box 179-N

York, SC 29745

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SEbnetter

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JLieberman

1/ /92

*DEDR

JSniezek

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RREyes
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RII
[Signature]
CEvans
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RII
[Signature]
GRJenkins
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RII
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JLMithran
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J. Johnson, RII

W. Miller, RII

G. A. Belisle, RII

A. R. Herdt, RII

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NRC Resident Inspector

U.S. Nuclear Regulatory Commission

Route 2, Box 179-N

York, SC 29745

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RPedersen
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*B. Uryk
for S. Ebnetter
via
RII Telephone*
SEbnetter
2/3/92

[Signature]
OE/O
JL Lieberman
2/4/92

[Signature]
DND
J. Sniarek
2/7/92