

ENCLOSURE 1

NOTICE OF VIOLATION

Nebraska Public Power District
Cooper Nuclear Station

Docket: 50-298
License: DPR-46

During an NRC inspection conducted on October 23 through November 9, 1995, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (60 FR 34381, June 30, 1995), the violations are listed below:

- A. Paragraph (g)(3)(i) of 10 CFR 50.55a, in part, states that components classified as ASME Code Class 1, 2, and 3 shall meet the pre-service examination requirements set forth in Section XI of the ASME Boiler and Pressure Vessel Code and Addenda applied to the particular component.

ASME Code, Section XI, 1980 Edition, Winter 1981 Addenda, Mandatory Appendix III, Article III-4000, Paragraph III-4330, states, "[c]ircumferential welds in Class 1 and 2 piping requiring volumetric examination shall be marked [in reference to weld centerline] once before or during preoperational examination to establish a reference point."

Contrary to the above, ASME Code replacement welds were not marked in reference to weld centerline prior to 1991 (e.g., Weld RHB-CF-60), and there were no formal or procedural controls established as of November 9, 1995, to assure that circumferential welds in ASME Code Class 1 and 2 piping requiring volumetric examination would be permanently marked as required.

This is a Severity Level IV violation (Supplement I) (298/9515-01).

- B. Criterion V of Appendix B, 10 CFR Part 50, states, in part, that "[a]ctivities 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."

Administrative Procedure 0.5, "Condition Reporting," Revision 3, Step 4.11.1, requires that any individual aware of an undesirable or questionable condition at the facility is responsible for initiating a condition report. Step 8.1.1 specifies that any individual may initiate a condition report.

Contrary to the above, upon discovery on October 23, 1995, of a loss of control of calibration blocks, used to perform examinations prior to acceptance and release by engineering, the licensee inservice inspection personnel failed to initiate a condition report for undesirable or questionable conditions.

This is a Severity Level IV violation (Supplement I) (298/9515-02).

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Pursuant to the provisions of 10 CFR 2.201, Nebraska Public Power District 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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. 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.

Because the response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if it necessary to include such information, it should clearly indicate the specific information that should not be placed in the PDR, and provide the legal basis to support the request for withholding the information from the public.

Dated at Arlington, Texas
this day of 1995