

December 14, 1995

EA 95-135

Mr. Donald C. Shelton
Senior Vice President
Centerior Service Company
P. O. Box 97, A200
Perry, OH 44081

Dear Mr. Shelton:

This refers to the inspections conducted by D. [redacted] and others of this office on September 2 through October 20, 1995, [redacted] activities authorized for your Perry Nuclear Power Plant, Unit 1, facility. At the conclusion of the inspection, the findings were discussed with Mr. R. Brandt and other members of your staff.

Areas examined during the inspections are identified in the report. Within these areas, the inspections consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress. The purpose of the inspections was to determine whether activities authorized by your license were conducted safely and in accordance with NRC requirements.

You should note that this inspection report represents an integrated product of a number of diverse inspections that were conducted during the inspection period. The summary contained in the report provides an overview of our assessment of your performance in the four functional areas (Operations, Maintenance, Engineering, and Plant Support) in which inspections were performed.

Based on the results of these inspections, the NRC has determined that violations of NRC requirements occurred. These violations are cited in the Notice of Violation (Notice) and the circumstances surrounding them are described in detail in the subject inspection report. The violation related to the personnel errors is of concern because of the multiple personnel errors by reactor operators that resulted in a reactor scram and the weaknesses identified in the implementation of self-checking practices.

The second violation specified in the NOV is of concern because it involved deliberate misconduct by individuals performing safety-related work. The NRC took individual enforcement action against two individuals in this case. Despite the seriousness of the actions of the individuals involved, the NRC has decided to cite this as a severity level IV violation because the individual actions had no direct impact on plant safety and because of the prompt actions that you took. This included the promptness and thoroughness

210090

9512220164 951214
PDR ADOCK 05000440
Q PDR

of your investigation, the disciplinary actions you took, your prompt and continuing notification of the NRC resident staff, and your prompt and thorough corrective actions.

You are required to respond to this letter for the first violation 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 may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. 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.

With regard to the second violation, the NRC has concluded that information regarding the reason for the violation, the corrective actions taken, and planned to correct the violation and prevent recurrence is already adequately addressed in this report. Therefore, you are not required to respond to this letter for this violation unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

The response 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.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

Original Signed by R. D. Lanksbury

R. D. Lanksbury, Chief
Reactor Projects Branch 2

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

Enclosures: Notice of Violation
Inspection Report No. 50-440/95008(DRP)

See attached distribution

cc w/encl: R. W. Schrauder, Director, Nuclear Services Department
 J. D. Kloosterman, Manager, Regulatory Affairs
 K. R. Pech, Director, Perry Nuclear Assurance Department
 N. L. Bonner, Director, Perry Nuclear Engineering Dept.
 H. Ray Caldwell, General Superintendent Nuclear Operations
 R. D. Brandt, General Manager Operations
 Terry J. Lodge, Esq. State Liaison Officer, State of Ohio
 Robert E. Owen, Ohio Department of Health
 C. A. Glazer, State of Ohio, Public Utilities Commission

Distribution:

Docket File w/encl
 PUBLIC IE-01 w/encl
 OC/LFDCB w/encl
 Project Manager, NRR w/encl
 IPAS (E-Mail) w/encl
 Robert Jones, Chief, Reactor Systems Branch, NRR, OWFN, 8-E-23
 J. Lieberman, OE
 J. Goldberg, OGC
 R. Zimmerman, NRR

SRI Perry w/encl
 DRP w/encl
 RIII PRR w/encl
 RMB/FEES w/o encl

To receive a copy of this document, indicate in the box "C" = Copy without attach/encl "E" = Copy with attach/encl "N" = No copy

| | | | | | | | | |
|--------|--------------|---|--------------------|---|-------------------|---|----------------------|---|
| OFFICE | RIII | E | RIII | N | RIII | N | RIII | C |
| NAME | Tongue/Kurth | | Jacobson Sect. 3.0 | | Caniano Sect. 4.0 | | B. Burgess Sect. 2.0 | |
| DATE | 12/14/95 | | 12/14/95 | | 12/14/95 | | 12/14/95 | |
| OFFICE | RIII | N | | | | | | |
| NAME | Lanksbury | | | | | | | |
| DATE | 12/14/95 | | | | | | | |

OFFICIAL RECORD COPY