

Appendix

NOTICE OF VIOLATION

Toledo Edison Company

License No. NPF-3

As a result of the inspection conducted on June 11 through July 23, 1984, and in accordance with the General Policy and Procedures for NRC Enforcement Actions, (10 CFR Part 2, Appendix C), the following violations were identified:

1. Technical Specification Section 6.8.1.a requires written procedures to be established, implemented and maintained for the applicable procedures recommended in Appendix A of Regulatory Guide 1.33, November 1972. Procedures for Performing Maintenance are listed in Section 9 of Appendix A.

Maintenance Procedure, MP1410.63, Electrical Maintenance Guidelines, Section 7.1 requires equipment be maintained in accordance with drawing series M-269 for protection from actuation of the fire protection sprinkler system.

Contrary to the above, numerous electrical junction boxes were not maintained in accordance with drawing M-269AS in that these safety-related junction boxes were not protected from the fire protection sprinkler system.

This is a Severity Level V violation (Supplement I).

2. 10 CFR 21.21(a) states, in part: "Each individual, corporation, partnership, or entity subject to the regulations in this part shall adopt appropriate procedures to:
 - (1) Provide for: (a) Evaluating deviations or...
 - (2) Assure that a director or responsible officer is informed if the construction or operation of a facility, or activity, or basic component supplied for such facility or basic activity:
 - (i) Fails to comply..., or
 - (ii) Contains a defect."

Contrary to the above requirements, the following deficiencies were identified in the procedures adopted by Toledo Edison Company (TEDCo) pursuant to 10 CFR 21.21(a):

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- a. No assurance is provided that potential 10 CFR 21 reportable items identified by Toledo Edison Company personnel would be forwarded to Nuclear Facility Engineering (NFE) for evaluation, as required by the TEDCo QA Manual.
- b. Instructions provided by TEDCo procedure QAI 4150, QA Review of Nonconformance Reports, resulted in bypassing the programmatically required NFE evaluation of potential reportable deviations.
- c. Neither QAI 4150 nor NFE procedure FFE-007, Processing of NCRs, SDRs, and SDDR, provided for preparation and maintenance of records of the results of evaluations performed pursuant to 10 CFR 21. In addition, these procedures provided no detailed criteria upon which to base the evaluation.
- d. The instructions provided for notification of a responsible company officer appeared to leave the determination of reportability to that responsible company officer.

The instructions provided for notification of a responsible company officer did not provide assurance that the required notification was made and did not provide for the preparation and maintenance of records to assure compliance with the provisions of 10 CFR 21.21(a)(2).

- e. No documents reviewed by the inspector provided assurance that notifications made to the Commission pursuant to 10 CFR 21.21(a)(2) would meet the requirements of 10 CFR 21.21(b)(2) and (3).
- f. The posting provided pursuant to 10 CFR 21.6 stated, "Any employee, who at any time is aware of any defect which could cause a substantial safety hazard to the Davis-Besse Nuclear Power Station, has the right, and indeed the obligation, to notify the Quality Assurance Director of the defect. In lieu of this notification, the guidelines of Nuclear Practices and Procedures (NPP) Admin-10 may be followed to maintain confidentiality. NPP Admin-10 may be obtained from any Nuclear Mission Area Head."

Review of procedure NPP Admin-10 revealed that notification made in accordance with the above would not procedurally result in an evaluation of the condition by NFE for reportability in accordance with 10 CFR 21.21(a)(1) and thereby could result in a failure to report an identified reportable condition.

This is a Severity Level V violation (Supplement I).

Pursuant to the provisions of J CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

AUG 14 1984

Dated _____



W. D. Shafer, Chief
Projects Branch 2