

NOTICE OF VIOLATION

Mr. John D. Davis
HOME ADDRESS DELETED
UNDER 10 CFR 2.790

EA 92-089

During an NRC inspection conducted on January 26 - February 22, 1992, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (56 FR 40684, August 15, 1991), the violation is listed below:

10 CFR 50.5(a) prohibits any employee of an NRC licensee from (1) engaging in deliberate misconduct that causes or, but for detection, would have caused, a licensee to be in violation of any rule, regulation, or order, or any term, condition, or limitation of any license, issued by the Commission, or (2) deliberately submitting to a licensee information the employee knows to be incomplete or inaccurate in some respect material to the NRC. Deliberate misconduct by a person includes an intentional act or omission that the person knows constitutes a violation of a requirement, procedure, or instruction of a licensee.

Technical Specification 6.7.1a requires that written procedures be established, implemented, and maintained covering activities delineated in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978.

Regulatory Guide 1.33, Appendix A, "Typical Procedures for Pressurized Water Reactors and Boiling Water Reactors," paragraph 8.b provides, in part, that the licensee establish and follow written procedures for surveillance tests, inspections, and calibrations for reactor protection system tests and calibrations.

Vogtle Electric Generating Plant Procedure 24812-1, Delta T/T Avg Loop 3 Protection Channel III 1T-431 Analog Channel Operations Test and Channel Calibration, and the Analog Channel Operational Test (ACOT) section of the procedure, provides instructions for analog channel operational test and channel calibration of the Delta T/T Avg loop and is used to verify operability and settings in reactor protection system instrumentation for Overtemperature Delta T and Overpower Delta T, and Engineering Safety Features Actuation System instrumentation Low Reactor Coolant System T Avg Coincident With a Reactor Trip. The procedure requires disabling the process sensors from the field instrument and artificially inserting a test signal into the circuitry to verify the settings in the actuation circuitry are correct. Should the as-found settings be outside the allowable range, as given in a data sheet contained in the procedure, the procedure requires that an adjustment be accomplished by performing a calibration and completion of the calibration data sheet.

Contrary to the above, on January 28, 1992, Mr. John D. Davis, an Instrument and Control Technician, Vogtle Electric Generating Plant, while performing the procedure, observed that the as-found tolerances in the verification section of the ACOT procedure were outside the allowable range as listed in the data sheet contained in the procedure. Rather than follow the procedure, which required going back through the calibration process in the procedure, Mr. Davis deliberately made adjustments to the reactor

protection system using the ACOT configuration even though he knew that this method was not procedurally correct. Mr. Davis was also aware that a co-worker had created calibration data on the calibration data sheet, Data Sheet 37, that would give the false appearance that the procedure had been correctly completed. This information was material to the NRC because it related to calibration of the reactor protection system.

This is a Severity Level IV Violation (Supplement 1).

Dated at Atlanta, Georgia
this 28th day of May 1992