



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV

611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

JUL 23 1992

Docket Nos. 50-445 and 50-446  
License No. NPF-87  
Construction Permit No. CPPR-127  
EA 92-107

TU Electric  
ATTN: W. J. Cahill, Jr., Group Vice President  
Nuclear Engineering and Operations  
Skyway Tower  
400 North Olive Street, L.B. 81  
Dallas, Texas 75201

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL  
PENALTY - \$125,000  
(NRC INSPECTION REPORT NO. 50-445/92-20; 50-446/92-20)

This is in reference to the May 15-29, 1992, inspection in response to the discovery on May 12, 1992, that the spent fuel pool at Unit 1 of the Comanche Peak Steam Electric Station (CPSES) had gone without cooling for approximately 17 hours due to a component cooling water system misalignment. Compounding the errors that led to this event was a decision to utilize an unauthorized mechanism to restore spent fuel pool cooling, despite there being no urgency to do so. NRC's inspection findings were documented in a report issued on June 9, 1992, and were the subject of an enforcement conference with you and other TU Electric officials on June 22, 1992, in NRC's regional office in Arlington, Texas.

As NRC acknowledged both in the inspection report and at the enforcement conference, the specific fact that the spent fuel pool went without cooling for some 17 hours, and the subsequent decision to restore cooling using an unauthorized system lineup did not threaten plant safety or the public health and safety. What is of significant concern to NRC, however, is the fact that violations of requirements were found to have occurred in virtually every facet of the circumstances surrounding this event, indicating a breakdown in the control of licensed activities.

The events that led to NRC's special inspection are described in detail in the inspection report. In brief, NRC's senior resident inspector at CPSES questioned plant operators on May 12, 1992, about apparent discrepancies

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between control panel indications and log entries with regard to component cooling water flow through a spent fuel pool heat exchanger. In response to this inquiry, TU Electric personnel discovered that there was no cooling water flow through the heat exchanger, that there had been none for about 17 hours, and that the water in the spent fuel pool had heated up about 6 degrees during this period. Once plant operations personnel drew these conclusions, they took steps to cool the spent fuel pool by lining up the Unit 2 component cooling water system, opening normally locked valves in the process. While these actions did restore cooling, they were not permitted within the confines of the CPSES Unit 1 operating license without first conducting the necessary safety evaluations, which were not done.

The NRC's inspection found numerous violations related to this event. In summary, these violations involved: (1) a failure to incorporate component cooling water design changes into procedures; (2) a failure to train licensed reactor operators and auxiliary operators in the same design changes; (3) multiple failures on the part of operations personnel to comply with system operating procedures and administrative procedures; (4) failures to maintain adequate and accurate procedures; (5) failures to conduct safety evaluations of using a Unit 2 system to support Unit 1 activities and opening valves designated as locked closed valves; and (6) a failure to take prompt corrective action to repair safety-related equipment, i.e., a spent fuel pool cooling water pump.

In addition to the violations surrounding the spent fuel pool cooling event, the NRC is concerned about operator attentiveness to control board indications, the effectiveness of the shift turnover process, communications within the operations organization, and the effectiveness of corrective actions for similar previous concerns (e.g., EA 91-189, which involved similar weaknesses in personnel performance resulting in a misalignment of the residual heat removal system).

During the enforcement conference, TU Electric attributed this event and the violations surrounding the event to problems in three general areas: personnel performance, assessment of the impact of activities, and procedures. NRC agrees that each of these played a role in causing the events of May 11-13 and also agrees with your position at the enforcement conference that effective management oversight is necessary to ensure, that in the future, proper control is exercised over licensed activities.

The violations and concerns identified during this inspection, all of which were related to or contributed to the spent fuel pool cooling event, suggest an inattention to detail that crossed many functional areas at CPSES and which is below NRC's expectations of the level of attention to detail required in the operation of a nuclear power plant. Collectively, NRC considers these violations an indication of a breakdown in the control of licensed activities and an indication of a significant lack of attention to licensed requirements that could, under different circumstances, have resulted in a more significant effect on the safety of the plant.

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As indicated in a letter dated July 7, 1992 which transmitted Inspection Report 92-14, additional violations of procedural requirements were found which were unrelated to the spent fuel pool cooling event. While unrelated to the event, these violations also illustrate NRC's concern about attention to detail and compliance with procedures at CPSES. As indicated in that letter, NRC requests that TU Electric incorporate its response to those violations in its response to the enclosed Notice of Violation and Proposed Imposition of Civil Penalty.

NRC has reviewed the corrective actions that TU Electric outlined at the enforcement conference. TU Electric's corrective actions in response to the events of May 11-12 were numerous and were summarized in your handout, which was enclosed with our June 29, 1992 letter documenting the conference. While your immediate corrective action of placing the Unit 2 component cooling water system in service was a continuation of the errors associated with this event, your long-term actions appear to be comprehensive and directed at resolving both your concerns and those of NRC. NRC notes, however, that many of the errors involved in this event occurred because plant operators appeared to lack a sense of the meticulous attention to detail expected and required in the operation of a nuclear power plant. During the enforcement conference you noted that your review of the event identified a misplaced sense of urgency among plant operators with regard to accomplishing assigned tasks. Changes in attitudes may be required to resolve these concerns.

In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C, the violations are classified in the aggregate as a Severity Level III problem.

To emphasize the importance of controlling licensed activities including procedural compliance and attention to detail in all aspects of operating Comanche Peak, 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 \$125,000 for the Severity Level III problem described above and in the Notice.

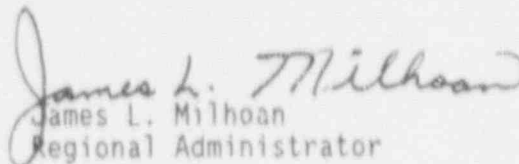
The base value of a civil penalty for a Severity Level III problem is \$50,000. In this case the civil penalty adjustment factors in the Enforcement Policy were considered as discussed below. The base civil penalty was escalated 50 percent based on NRC identification of the lack of spent fuel cooling. No adjustment to the base civil penalty was deemed appropriate for your corrective actions. While your long term corrective actions appear comprehensive, any mitigation based on those actions was offset by unsatisfactory immediate corrective actions such as the initial attempt to restore spent fuel pool cooling and the inadequate annunciator response procedure revision. The base civil penalty was escalated an additional 100 percent based on past licensee performance. Specifically, in addition to a related escalated enforcement action last year, the most recent SALP report notes a declining trend in plant operations due primarily to a number of

errors in system configuration control and personnel errors that have resulted in reactor trips. The remaining adjustment factors were considered and no further adjustment to the base civil penalty was found appropriate. Therefore, the base civil penalty has been escalated by a total of 150 percent resulting in a proposed civil penalty of \$125,000. Notwithstanding the application of the civil penalty adjustment factors, the NRC gave serious consideration to exercising its discretion and increasing the civil penalty further to emphasize the seriousness of the occurrence of so many violations during a single event. However, in recognition of your understanding of the programmatic implications of the numerous violations and your long term corrective actions, that discretion will not be exercised in this case.

TU Electric is 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. In addition, as discussed above, please include in your response to the enclosed Notice your response to the violations identified in Inspection Report 92-14 and included in a Notice of Violation attached to that report. After reviewing your response to these Notices, 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.

Sincerely,

  
James L. Milhoan  
Regional Administrator

Enclosure:  
Notice of Violation and Proposed Imposition  
of Civil Penalty

cc:  
TU Electric  
ATTN: Roger D. Walker, Manager  
Nuclear Licensing  
Skyway Tower  
400 North Olive Street, L.B. 81  
Dallas, Texas 75201

TU Electric

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Juanita Ellis  
President - CASE  
1426 South Polk Street  
Dallas, Texas 75224

GDS Associates, Inc.  
Suite 720  
1850 Parkway Place  
Marietta, Georgia 30067-8237

TU Electric  
Bethesda Licensing  
3 Metro Center, Suite 610  
Bethesda, Maryland 20814

Jorden, Schulte, and Burchette  
ATTN: William A. Burchette, Esq.  
Counsel for Tex-La Electric  
Cooperative of Texas  
1025 Thomas Jefferson St., N.W.  
Washington, D.C. 20007

Newman & Holtzinger, P.C.  
ATTN: Jack R. Newman, Esq.  
1615 L. Street, N.W.  
Suite 1000  
Washington, D.C. 20036

Texas Department of Labor & Standards  
ATTN: G. R. Bynog, Program Manager/  
Chief Inspector  
Boiler Division  
P.O. Box 12157, Capitol Station  
Austin, Texas 78711

Honorable Dale McPherson  
County Judge  
P.O. Box 851  
Glen Rose, Texas 76043

Texas Radiation Control Program Director  
1100 West 49th Street  
Austin, Texas 78756

Owen L. Thero, President  
Quality Technology Company  
Lakeview Mobile Home Park, Lot 35  
4793 E. Loop 820 South  
Fort Worth, Texas 76119

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