

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

American Electric Power
Service Corporation
Indiana and Michigan Electric Company
Donald C. Cook Nuclear Plant

Docket No. 50-315
Docket No. 50-316

EA 84-105

An inspection conducted during the period June 21 through August 30, 1984 at the Donald C. Cook Nuclear Plant identified a number of violations of NRC requirements. These violations relate to the licensee's inability to recognize and implement technical specifications requirements. The following examples demonstrate this inability.

On June 20, 1984, both trains of the Unit 1 Engineered Safety Features Equipment Ventilation Exhaust System were inoperable. While surveillance testing was being conducted on one train, the other train was rendered inoperable by switching the system fan to the "off" position. On August 8, 1984, both Motor Driven Auxiliary Feedwater Pumps were rendered inoperable when an operator placed the switches in an incorrect position, defeating two of four required auto-start signals. On August 9, it was discovered that the Turbine Driven Auxiliary Feedwater Pump, while in a standby condition, could not achieve rated speed and flow within the required response time to provide water to the steam generators if needed.

To emphasize the importance the NRC places on: (1) adequate surveillance procedures which ensure technical specification requirements are implemented, and (2) understanding technical specification requirements to ensure the correct application of operating procedures, the NRC proposes to impose a civil penalty in the cumulative amount of \$50,000. In accordance with the General Policy and Procedure for NRC Enforcement Actions, 10 CFR Part 2, Appendix C, as revised, 49 FR 8583 (March 8, 1984), and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended ("Act"), 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205, the particular violations and the associated civil penalty are set forth below.

- I. Unit 1 Technical Specification 3.7.6.1 states "two independent ESF ventilation system exhaust air filter trains shall be operable" in Modes 1, 2, and 3. Technical Specification 3.0.3 requires that when a Limiting Condition for Operation is not met, within one hour action shall be initiated to place the unit in a MODE in which the specification does not apply. When in HOT STANDBY (Mode 3) be in at least HOT SHUTDOWN (Mode 4) within the following six hours, and at least COLD SHUTDOWN within the subsequent 24 hours.

Contrary to the above, Unit 1 was in Mode 3 (Hot Standby) at 1941 hours on June 20, 1984 with both ESF exhaust fans inoperable and remained in this condition until 0737 hours on June 21, 1984 thereby exceeding the six hour time limit to be in Mode 4 (Hot Shutdown).

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- II. Unit 1 Technical Specification 3.7.1.2 requires that two motor driven auxiliary feedwater pumps be operable in Modes 1, 2, and 3.

Technical Specification 3.3.2.1 Engineered Safety Feature Actuation System Instrumentation, Table 3.3-3 Item 6 requires operability of the Motor Driven Auxiliary Feedwater Pump (MDAFP) automatic start feature for: steam generator low-low water level, 4kv bus loss of voltage, safety injection, and loss of Main Feedwater Pumps in Modes 1, 2, and 3.

Technical Specification 3.0.3 requires that when a Limiting Condition for Operation is not met, within one hour action shall be initiated to place the unit in a MODE in which the specification does not apply. When in HOT STANDBY (Mode 3) be in at least HOT SHUTDOWN (Mode 4) within the following six hours, and at least COLD SHUTDOWN within the subsequent 24 hours.

Contrary to the above, on August 8, 1984, with Unit 1 in Mode 3 (Hot Standby) both Unit 1 MDAFP control switches were found by the licensee in the "after-trip" position. This defeated the automatic start feature for steam generator water level low-low and loss of Main Feedwater Pumps. The licensee failed to recognize the technical specification limiting condition for operation and made no attempt within one hour to comply with the technical specification requirements. However, as there was a need to add water to maintain steam generator level, the switches were placed in the "auto" position in 5 hours 5 minutes for the East pump (0640 to 1145) and 4 hours 56 minutes (0658 to 1154) for the West pump thus removing the facility from the associated technical specification action requirements within the six hour period.

- III. Units 1 and 2 Technical Specifications 3.7.1.2 require that one steam driven auxiliary feedwater pump be operable in Modes 1, 2 and 3 for each unit.

Technical Specification 3.3.2.1 requires that the Engineered Safety Feature Actuation System instrumentation channels and interlocks be operable with response times as shown in Table 3.3-5. Table 3.3-5, Items 9b and 12a specify Turbine Driven Auxiliary Feedwater Pump (TDAFP) response time as less than or equal to sixty seconds.

Contrary to the above, the TDAFPs for Units 1 and 2 were not capable of achieving rated conditions (discharge pressure, flow and speed) within sixty seconds due to improper setting of the governor valve controls. The valve controls had been set incorrectly since August 1978, thereby defeating the automatic capability of the TDAFPs to provide a heat sink for the reactor, as required by the Technical Specification.

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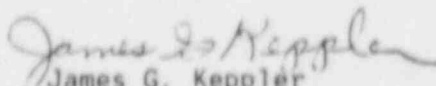
Collectively, the above three violations have been evaluated as a Severity Level III problem (Supplement I).
(Cumulative Civil Penalty \$50,000 assessed equally among the violations.)

Pursuant to the provisions of 10 CFR 2.201, Indiana & Michigan Electric is hereby required to submit to the Deputy Director, Office of Inspection and Enforcement, U. S. Nuclear Regulatory Commission, Washington, DC 20555 and a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region III, 799 Roosevelt Road, Glen Ellyn, IL 60137, within 30 days of the date of this Notice a written statement or explanation, including for each alleged violation; (1) admission or denial of the alleged violation; (2) the reasons for the violation, if admitted; (3) the corrective steps which have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, Indiana & Michigan Electric may pay the civil penalty in the amount of \$50,000 or may protest imposition of the civil penalty in whole or in part, by a written answer. Should Indiana & Michigan Electric fail to answer within the time specified, the Deputy Director, Office of Inspection and Enforcement will issue an order imposing the civil penalty proposed above. Should Indiana & Michigan Electric elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties such answer may: (1) deny the violation listed in the Notice, in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalties should not be imposed. In addition to protesting the civil penalties, in whole or in part, such answer may request remission or mitigation of the penalty. In requesting mitigation of the proposed penalties, the five factors contained in Section V(b) of 10 CFR Part 2, Appendix C should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate statements or explanations by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. Indiana & Michigan Electric's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedures for imposing a civil penalty.

Upon failure to pay any civil penalty due, which has been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION


James G. Keppler
Regional Administrator

Dated at Glen Ellyn, Illinois
this 21st day of November 1984