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Docket No. 50-346
EA 84-95

Toledo Edison Company
ATTN: Mr. John P. Williamson
Chairman and Chief Executive Officer
Edison Plaza
300 Madison Avenue
Toledo, OH 43652

Gentlemen:

This refers to the safety inspection conducted by Messrs. W. G. Rogers and D. C. Kosloff of the Region III staff during the period June 11 through July 27, 1984 of activities at the Davis-Besse Nuclear Power Station authorized by Operating License No. NPF-3. The results of the inspection were discussed on July 13, 1984 during an Enforcement Conference held in the Region III office between Mr. R. P. Crouse and others of your staff and Mr. C. E. Norelius and other members of the NRC staff and on October 2, 1984 during a meeting between Mr. W. A. Johnson and others of your staff and Messrs. R. C. DeYoung and J. G. Keppler of the NRC. The following violations were identified during the inspection.

On May 7, 1984, both Control Room Emergency Ventilation System (EVS) chiller control switches were discovered in the "off" position. This rendered both Control Room EVS trains inoperable. Your program failed to recognize the technical specification requirements for the operability of the equipment and your program failed to ensure that procedures were followed to verify the operability of the equipment.

On November 1, 1983, one of the two ventilation fans for the Number One Emergency Diesel Generator was removed from service. You failed to recognize that removal of this ventilation fan from service represented a change in the facility as described in the Updated Safety Analysis Report (USAR). This change affected the design basis requirements for equipment operability. In addition, the required review in accordance with 10 CFR 50.59 was not conducted.

On December 19, 1982, you initiated a Facility Change Request that was implemented on May 24, 1983 that changed the position of the suction valve to the startup feed pump to the open position instead of closed as required by the design basis analysis for flood protection. On May 14, 1984, you determined one auxiliary feedwater pump was inoperable as this valve was open contrary to USAR requirements. You immediately closed the suction valve and modified procedures to control the opening and closing of this valve. During recovery activities following a unit trip on June 25, 1984, the suction valve was routinely used for unit startup. On July 1, 1984, you again discovered the suction valve was open rather than

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closed. A review of these occurrences determined that an adequate 10 CFR 50.59 review was not conducted, that approved procedures for operating the system were not followed, and that operators failed to implement the corrective actions you initiated following the discovery of this problem on May 14, 1984. In addition, a recent Performance Appraisal Inspection identified additional deficiencies with regard to the conduct of reviews in accordance with the requirements of 10 CFR 50.59. This inspection also identified two examples when on March 8, 1984 and May 4, 1984, lead shielding was hung on decay heat piping and no safety evaluations in accordance with 10 CFR 50.59 were performed.

These events indicate the need for significant improvement in your ability: 1) to recognize the design basis and technical specification requirements for equipment operability and to ensure that these requirements are met when equipment is removed from service and 2) to ensure that procedures which define requirements for equipment operability are followed.

These events also indicate the need to ensure that adequate corrective actions are taken to preclude repetition of identified deficiencies. During the September 23, 1982, Systematic Assessment of Licensee Performance (SALP), we identified a weakness in your ability to recognize design basis requirements for equipment operability. The NRC Region III staff restated this concern during an Enforcement Conference on March 9, 1983 and again during the October 28, 1983 SALP. As a result of the March 9, 1983 Enforcement Conference, you committed to implement a Comprehensive Corrective Action Program to address these and other concerns. You also assured us that other administrative measures were being implemented to deal with these problems. However, your corrective actions have been ineffective as evidenced by your failures to recognize design basis requirements for safety-related equipment/systems.

To emphasize the need for the licensee: (1) to recognize the importance of design basis and technical specification requirements for equipment operability and to ensure that these requirements are met when equipment is removed from service, (2) to ensure that procedures which define the requirements for equipment operability are followed, (3) to ensure that appropriate reviews are conducted in accordance with the requirements of 10 CFR 50.59, and (4) to ensure that adequate corrective actions are taken to preclude repetition of identified problems, I have been authorized, after consultation with the Deputy Director, Office of Inspection and Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalties in the cumulative amount of Ninety Thousand Dollars (\$90,000) for the violations described in the enclosed Notice. The violations have been categorized in the aggregate as two Severity Level III problems in accordance with the General Policy and Procedure for Enforcement Actions, 10 CFR Part 2, Appendix C, and the Policy as revised, 49 FR 8583 (March 8, 1984).

The base civil penalty for Item I is \$50,000. The base civil penalty for Item II is \$40,000 because two of the violations identified occurred prior to the revisions to the recent Enforcement Policy.

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You are required to respond to the enclosed Notice and you should follow the instructions specified therein when preparing your response. Your response should specifically address the corrective actions you will take to increase management involvement and oversight and to reduce personnel errors. Your reply to this letter and the results of future inspections will be considered in determining whether further enforcement action is warranted.

In accordance with 10 CFR 2.790, "Rules of Practice," a copy of this letter and the enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedure of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,

Original signed by
James G. Keppler

James G. Keppler
Regional Administrator

Enclosures:

1. Notice of Violation and
Proposed Imposition of
Civil Penalties
2. Inspection Report No.
50-346/84-15(DRP)

cc w/encls:

T. D. Murray, Station
Superintendent
Harold W. Kohn, Ohio EPA
James W. Harris, State of Ohio
Robert H. Quillin, Ohio
Department of Health

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