

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Virginia Electric and Power Company	Docket Nos. 50-338, 50-339, 50-280, and 50-281
North Anna Units 1 and 2	License Nos. NPF-4, NPF-7, DPR-32, and DPR-37
Surry Units 1 and 2	EA 84-57

As a result of the resident inspections performed on March 6 through April 5, 1984 and documented in Inspection Reports Nos. 50-280/84-10, 50-281/84-10, 50-338/84-06, and 50-339/84-06, the Nuclear Regulatory Commission (NRC) has determined violations of its requirements have occurred. In accordance with the NRC Enforcement Policy in effect at the time of the violations, 10 CFR Part 2, Appendix C, 47 FR 9987 (March 9, 1982), and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205, the violations are set forth below:

1. The following examples are material false statements within the meaning of Section 186 of the Atomic Energy Act of 1954, as amended.
 - a. In an October 28, 1983 letter to NRC, Virginia Electric Power Company (VEPCO) made the following statement:

North Anna Unit Nos. 1 and 2 have complied with the rule by having the RCS [reactor coolant system] vents installed and operational by the first outage of sufficient duration beginning after July 1, 1982. The RCS vents have been functionally tested but currently are electrically disconnected. In the event of an emergency, the RCS vents could be energized and they could be used with the guidance of the generic procedures.

Contrary to the above, the RCS vents could not be energized and used with the guidance of the generic procedure at North Anna Unit 2 because the manual isolation valve for the reactor head vent was closed; thus remote operation was not possible. The statement is false because the reactor head vent could not have been remotely operated. It is material because it caused the NRC staff to believe that the reactor head vent system could have been used if an accident requiring its use had occurred.

- b. In a November 4, 1983 letter to NRC, VEPCO made the following statement: "Maintenance and testing procedures for the Reactor Protection System contain the latest vendor information received by the stations."

Contrary to the above, the North Anna Electrical Maintenance Procedure EMP-P-EP-7, Reactor Trip Breakers, did not include the requirements recommended in Westinghouse Technical Bulletin NSD-TB-83-02. The statement is false because the Westinghouse Technical Bulletin contained vendor information and had been in the licensee's possession during a previous March 6 to April 5, 1983 inspection, over seven months before

the statement was made. It is material because had the NRC known that the licensee had not incorporated the vendor's revised recommended lubrication procedures for the reactor trip breakers, the NRC would have required that they be immediately incorporated.

These examples constitute a Severity Level III violation (Supplement VII).

2. 10 CFR 50.44(c)(3)(iii) requires that RCS vents be operable (remotely) from the control room by the completion of the first scheduled outage of sufficient duration after July 1, 1982.

Contrary to the above, the NRC Resident Inspectors discovered the Reactor Vessel Head Vent system on North Anna Unit 2 was not operable (remotely) following the spring 1983 Unit 2 fifty-five day outage that commenced on April 2, 1983. Also, the Reactor Vessel Head Vent system for Surry Units 1 and 2 were not operable (remotely) following the Unit 1 and Unit 2 refueling outages on June 30, 1983 and February 8, 1983, respectively.

This is a Severity Level III violation (Supplement I). This violation applies to North Anna Unit 2 and Surry Units 1 and 2. (Civil Penalty \$40,000).

3. 10 CFR 50.54(a)(1) requires the licensee to implement the quality assurance program described or referenced in its safety analysis report. Section 17.2.2 of the licensee quality assurance program which endorses 10 CFR Part 50, Appendix B requires that adequate procedures be implemented and followed and that the procedures include criteria for determining that important activities have been satisfactorily accomplished.

Contrary to the above, the licensee did not provide adequate instructions to control valve lineups in that during valve lineups conducted on November 25, 1980, May 14, 1982, and May 19, 1983 the licensee examined a number of valves in the auxiliary feedwater pump room, determined that all were closed, and indicated that all valves on the checklist were closed. As a result, valve FW-327 was improperly indicated as being shut when the valve did not exist.

This is a Severity Level IV violation (Supplement 1). This violation applies to North Anna Units 1 and 2.

4. Technical Specification 3.1.B.1 requires that the Unit 2 reactor coolant system temperature cooldown rate shall not exceed 50°F per hour below 440°F.

Contrary to the above, on March 16, 1984, the Unit 2 reactor coolant system temperature was decreased by 55°F in one hour from about 440°F to 350°F during cooldown.

This is a Severity Level V violation (Supplement I). This violation applies to Surry Unit 2.

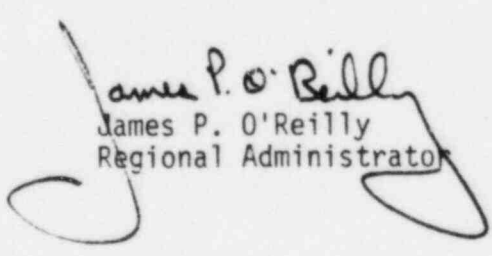
Pursuant to the provisions of 10 CFR 2.201, Virginia Electric and Power Company is hereby required to submit to the Director, Office of Inspection and Enforcement,

USNRC, Washington, D.C. 20555, with a copy to the Regional Administrator, USNRC Region II, 101 Marietta Street, Suite 2900, Atlanta, Georgia 30323, 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. Where good cause is shown, consideration will be given to extending the response time. 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, Virginia Electric and Power Company may pay the civil penalty in the amount of \$40,000 or may protest imposition of the civil penalty in whole or in part by a written answer. Should Virginia Electric and Power Company fail to answer within the time specified, the Director, Office of Inspection and Enforcement, will issue an order imposing the civil penalty in the amount proposed above. Should Virginia Electric and Power Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, such answer may: (1) deny the violations 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 penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request remission or mitigation of the penalty. In requesting mitigation of the proposed penalty, the five factors contained in section V.B of 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 by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of Virginia Electric and Power Company is directed to the other provisions of 10 CFR 2.205 regarding the procedure 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 P. O'Reilly
Regional Administrator

Dated at Atlanta, Georgia
this 1st day of February 1985