

NOTICE OF VIOLATION

Centerior Service Company
c/o The Cleveland Electric Illuminating
Company
Perry Nuclear Power Plant

Docket No. 50-440
License No. NPR-58

During an NRC inspection conducted on March 26 - June 23, 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 (1992), the violation is listed below:

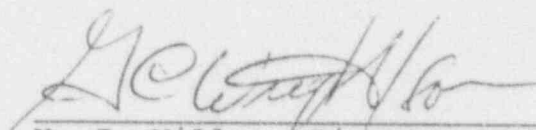
10 CFR Part 50, Appendix B, Criteria XVI requires in part, that in the case of significant conditions adverse to quality, measures shall be taken to assure that the cause of the condition is determined and corrective action taken to preclude repetition. 10 CFR Part 50, Appendix B, Criterion II requires, in part, that the licensee implement a quality assurance program through plant life. For the Perry Nuclear Power Plant, this program is specified in the USAR Chapter 17.2 Quality Assurance Program Description (QAPD). Section 17.2.2.2.f of the QAPD commits the licensee to comply with Regulatory Guide 1.33 dated February 1978. This regulatory guide requires, in part, that the licensee comply with ANSI Standard 18.7-1976. Exceptions to ANSI 18.7-1976 are noted in Table 1.8-2 of the USAR. Paragraph 5.2.8 of this ANSI standard requires that a surveillance test program be prescribed to ensure that safety related components will operate to keep parameters within normal bounds or act to place the plant in a safe condition. Paragraph 5.2.19(3) requires that the surveillance test program provide assurance that failures or substandard performance do not remain undetected and that the reliability of safety-related systems be maintained. Paragraph 5.2.7.1 requires that a maintenance program be developed to maintain safety-related components at the quality required for them to perform their intended function. It also requires that experience with malfunctioning equipment be reviewed and evaluated to determine whether a replacement component of the same type can be expected to perform its function reliably.

Contrary to the above, as of March 31, 1992, the licensee's corrective measures had not been adequate to assure that the causes of excessively leaking main steam line penetrations boundary valves had been determined and that corrective action had been taken to preclude repetition. In addition, the licensee's surveillance test and maintenance programs have not provided assurance throughout an entire fuel cycle that: (1) the MSL penetration valves will perform their safety function reliably by keeping leakage out of containment within the allowable limit, and, (2) the substandard performance of the MSL penetration valves does not remain undetected.

This is a repeat Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Centerior Service Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington D.C. 20555 with a copy to the U. S. Nuclear Regulatory Commission, Region III, 799 Roosevelt Road, Glen Ellyn, Illinois, 60137, and a copy to the NRC Resident Inspector at the Perry Nuclear Power Plant within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a demand for information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at Glen Ellyn, Illinois
this 9th day of July, 1992


H. J. Miller, Director
Division of Reactor Safety