

DMB

Docket No. 50-298
License No. DPR-46
EA 84-132

FEB 13 1985

Nebraska Public Power District
ATTN: J. M. Pilant, Manager, Technical
Staff-Nuclear Power Group
P. O. Box 499
Columbus, Nebraska 68601

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
(NRC INSPECTION REPORT NO. 50-298/84-26)

As a result of some of the findings of the October - November 1984 Performance Appraisal Team inspection of the Cooper Nuclear Station, a special inspection of activities authorized by NRC Operating License No. DPR-46 was conducted by this office during the period November 13-16, 1984. The inspection included a review of the conduct of surveillance tests. I have determined from the inspection results that violations of Nuclear Regulatory Commission requirements have occurred in that the surveillance tests for the unit batteries were not conducted in a manner that demonstrated system operability in accordance with technical specifications. These apparent violations were discussed at the inspection exit meeting held at the Cooper site on November 16, 1984, and at an enforcement conference held at the site on the same day.

The violations associated with this failure to demonstrate system operability of the unit batteries resulted from several causes. Technical specification surveillance requirements to insure battery operability include a rated load discharge test once each operating cycle, quarterly measurements of specific gravity on all cells and temperature measurements of every sixth cell, and weekly measurements of the specific gravity and temperature of pilot cells. The tests and measurements are designed to show that the batteries have full capacity capability and that they are in a fully charged state. The inspection found that the rated load discharge tests were not properly conducted; thus, battery operability was not established. The inspection also found that there was neither a written charging procedure nor a record of battery charges conducted; thus, the return to operability after discharge testing was not documented. Additionally, the inspection found no record that specific gravities were ever corrected for temperatures or electrolyte levels; thus, the recorded values could not be meaningfully compared to the acceptance test values, which define the full charge condition. These inadequacies in performance of surveillance tests also indicate that there was a poor understanding of battery technology in preparing procedures and in establishing record requirements for the batteries.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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The failure to demonstrate operability of the battery system which could be needed under certain emergency conditions indicates a breakdown in the control of surveillance testing and brings into question the technical adequacy of the surveillance test program at Cooper Nuclear Station.

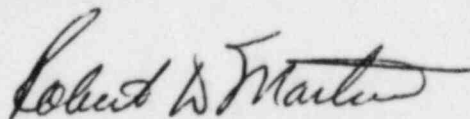
In accordance with the General Statement of Policy and Procedure for NRC Enforcement Actions, 10 CFR Part 2, Appendix C, as revised, 49 FR 8583 (March 8, 1984), the violations have been categorized in the aggregate as a Severity Level III problem. To emphasize the need for technically adequate surveillance procedures, the NRC proposes to impose a civil penalty. A civil penalty of \$50,000 could be proposed for the violations. However, the NRC Enforcement Policy allows recognition of prior good performance in a general area of concern. The Cooper Nuclear Station Systematic Assessment of Licensee Performance (SALP) evaluations in surveillance have been good. I have considered this and the fact that the causes of the violations appear to be errors in the technical sufficiency of the testing performed and not the omission of required testing. Therefore, after consultation with the Director, Office of Inspection and Enforcement, I have determined that the civil penalty should be mitigated 50% and I have been authorized to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Twenty-five Thousand Dollars (\$25,000) for the violations described in the enclosed Notice.

You are required to respond to this letter and should follow the instructions specified in the attached Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. You should also include information on your program to assure that other areas of surveillance tests are conducted according to procedures which are technically adequate to demonstrate operability.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosure will be placed in the NRC's Public Document Room.

The response 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, PL 96-511.

Sincerely,



Robert D. Martin
Regional Administrator, Region IV

Enclosure:
Notice of Violation and
Proposed Imposition of Civil Penalty

Nebraska Public Power District

CC:
Paul V. Thomason, Division Manager
of Nuclear Operations
Cooper Nuclear Station
P. O. Box 98
Brownville, Nebraska 68321

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