

JUL 9 1975

W. P. Ellis, Enforcement Coordinator
Office of Inspection and Enforcement, HQ

JCP&L (OYSTER CREEK) -
PROPOSED CIVIL PENALTY

Enclosed are a proposed letter to the licensee and proposed Notice of Violation. Both have been revised in accordance with the comments in our July 3 memo.

We have again shown a cc distribution as was done on our original proposal, dated April 25, 1975. JCP&L is another licensee for which NRC has committed to provide A. Z. Roisman with correspondence. (For your information there are six licensees with operating reactors in this category.)

A revised Notice of Proposed Imposition of Civil Penalties is not included. The only change necessary is to correct the dollar amount to \$31,000.

Eldon J. Brunner, Chief
Reactor Operations Branch

Enclosures:
As Stated

cc: F. A. Dreher

bcc: E. Brunner
D. Caphton
E. Greenman
E. McCabe
G. Snyder
R. Glasscock

B1792

W.P. Ellis
Brunner:my
7/8/75
7/9

Greenman
EJG
7/9

Caphton
CJC
7/9

McCabe
7/8

O'Reilly

DRAFT

Docket No. 50-219

Jersey Central Power and Light Company
Attention: Dr. S. Bartnoff
President
Madison Avenue at Punch Bowl Road
Morristown, New Jersey 07960

Gentlemen:

This refers to the inspection conducted on March 10-14, 1975 by Messrs. Ruhlman, Greenman, Glasscock and Smith of our Region I office in King of Prussia, Pennsylvania, at your Oyster Creek Nuclear Generating Station, of activities authorized by NRC License No. DPR-16, and to the discussions of our findings held by Mr. Brunner and other members of the Region I office with Mr. Finfrock and other members of your staff at the conclusion of the inspection.

Based on the results of this inspection it appears that certain of your activities were not conducted in full compliance with NRC requirements as set forth in the Notice of Violation, enclosed herewith as Appendix A. The Items of Noncompliance identified in Appendix A are the result of failure to implement the Operational Quality Assurance Plan (FSAR Amendment 71) submitted to the NRC as your means of meeting Appendix B, 10 CFR 50 requirements by your letter dated March 22, 1973, as supplemented and revised by submittal of FSAR Amendment 71, Revision 1, dated December 19, 1973 and FSAR Amendment 71, Revision 2, dated October 1, 1974.

During this inspection, apparent items of noncompliance with 10 CFR 50, Appendix B, Criteria II, V, VI, VIII, and XVI were identified, with several of these also being contrary to the Oyster Creek Technical Specifications. These, when viewed collectively, show a breakdown in management and procedural controls with respect to quality assurance implementation. Specifically, in the Notice of Violation, failure to comply with Criterion II is demonstrated by Items 5 and 10. Failure to conform to Criterion III, Design Control, is documented in Item 9. Failure to comply with Criterion V is apparent by inadequate administrative controls over plant operations, maintenance, and record control as demonstrated in Items 6, 7, 11 and 12. Failure to implement the Document Control requirements of Criterion VI is demonstrated in Items 1, 2 and 3. Failure to identify and control materials in accordance with Criterion VIII is demonstrated by Item 13. Failure to implement

the Test Control requirements of Criterion XI is shown by Item 4. Failure to comply with nonconformance requirements of Criterion XV is documented in Item 8. Failure to implement personnel training and classification requirements is demonstrated by Item 14.

With respect to Item 1 in the Notice of Violation (Appendix A), PORC review of eight examples of surveillance procedures was completed prior to the end of the inspection on March 12, 1975. Also, prior to completion of the inspection, the licensee's Procedure 102, which is referenced in Item 15 of Appendix A, was acceptably revised to indicate existing training practices. The licensed operators/senior operators referred to in Item 14 of Appendix A received and successfully passed the annual examinations prior to the completion of the inspection. Consequently, you need not reply to these specific citations in your response to this letter. However, please discuss, in your reply, the actions taken with respect to the above matters to assure future compliance with the regulatory requirements.

Additional infractions, identified through your internal audit program are set out in the Report Details. No additional information is required on these items at this time.

As you are aware from "Criteria for Determining Enforcement Action," which was provided to you by a letter dated December 31, 1974, the enforcement actions available to the Commission in the exercise of its regulatory responsibilities include administrative actions in the form of written notices of violations, civil monetary penalties, and orders pertaining to the modification, suspension or revocation of a license. After careful evaluation of the items of noncompliance identified in Appendix A and the results of our inspection, this office proposes to impose civil penalties pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (4 USC 2282) and 10 CFR 2.205, in the cumulative amount of Thirty-one Thousand Dollars (\$31,000) as set forth in the "Notice of Proposed Imposition of Civil Penalties" enclosed herewith as Appendix B.

In addition to the corrective actions regarding the specific items listed in Appendix A, we are concerned about the implementation of your Operational Quality Assurance Program with respect to adherence to WASH 1283, Revision 1, WASH 1284 and WASH 1309 in accordance with pages 24 and 24a of your Operational Quality Assurance Plan (PSAR Amendment 71). Consequently, in your reply, you should describe, in particular, these actions taken or planned to completely implement these standards, including a schedule for accomplishing the activities.

Excerpts of correspondence concerning the development of a Quality Assurance program are enclosed as Appendix C and the history of inspection findings is enclosed as Appendix D.

Your reply to this letter will be considered in determining whether any further enforcement action, such as modification, suspension, or revocation of the license, is appropriate.

Sincerely,

Donald F. Knuth, Director
Office of Inspection
and Enforcement

Enclosures:

1. Appendix A, Notice of Violation
2. Appendix B, Notice of Proposed
Imposition of Civil Penalties
3. Appendix C
4. Appendix D, History of Inspection Findings

cc: I. R. Finfrock, Jr., Vice President-Generation
A. Z. Roisman, Counsel for Citizens Committee for Protection
of the Environment

DRAFT

APPENDIX A

Jersey Central Power and Light Company
Attention: Dr. S. Bartnoff
President
Madison Avenue at Punch Bowl Road
Morristown, New Jersey 07960

Docket No. 50-219
License No. DPR-16

NOTICE OF VIOLATION

Gentlemen:

Based on the results of an NRC inspection conducted on March 10-14, 1975, it appears that certain of your activities were not in full compliance with NRC regulations and the conditions of your license as indicated below. Each item is based on requirements of the Oyster Creek Operational Quality Assurance Plan (OQAP) which you submitted to the NRC as implementation of 10 CFR 50, Appendix B - Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants. Items 1 through 8 are classified as Infractions with items 11 through 15 classified as Deficiencies.

1. Criterion VI, Appendix B, 10 CFR 50 requires that safety-related documents be reviewed for adequacy and approved for release by authorized personnel. Technical Specification Sections 6.1.C.1.d, 6.2.D and 6.2.E require Plant Operations Review Committee (PORC) review and Station Superintendent approval of nuclear safety-related plant procedures prior to implementation. The OQAP, Section V, Revision 0, dated December 14, 1973, makes the Oyster Creek Superintendent responsible for ensuring that operation, maintenance, calibration, and testing procedures are prepared, reviewed, approved, and implemented in accordance with the Quality Assurance Plan.

Contrary to the above, procedure review and approval requirements were not met at the site: in that the procedure used on March 12, 1975 to obtain an Air Ejector radioactive Off-Gas sample had not received PORC review and Station Superintendent approval; and in that eight (8) of twenty-five (25) surveillance test procedures sampled were not reviewed by PORC prior to their implementation.

Civil Penalty - \$4,000

2. Criterion VI, Appendix B, 10 CFR 50 requires that safety-related document changes be reviewed and approved by the same organizations that performed the original review and approval unless the applicant designates another responsible organization. Technical Specification 6.2.F provides that temporary procedure changes which do not change the intent of the original procedure may be made under specific circumstances which include subsequent review by PORC and approval by the Station Superintendent. The OQAP, Section VI, Revision 0, dated December 14, 1973, requires the Oyster Creek Superintendent to provide for the required reviews and approvals of document changes.

Contrary to the above, a temporary change made on January 24, 1974 to Procedure 609, relating to nitrogen pressure requirements for operating containment isolation components, was not subsequently reviewed by PORC and approved by the Station Superintendent.

Civil Penalty - \$3,000

3. Criterion VI, Appendix B, 10 CFR 50 requires that safety-related documents be distributed to and used at the location where the prescribed activity is performed. The OQAP, Revision 0 of December 14, 1973, Section VI states that a standard Generation Department procedure for document control includes basic generic controls to be incorporated by each manager, that the Generation Department document control procedure further requires measures to insure documents are available when required, and that the Oyster Creek Superintendent is responsible for the implementation of the document control system for documents received or prepared at the generating station for use in administering, operating, testing, maintaining and modifying nuclear safety-related structures, components, and systems.

Contrary to the above, document control was not provided: in that Generation Department Document Control Procedure 2004, Revision 0, of July 15, 1974, was not provided until at least three months after the April 1974 date by which the licensee stated, in OQAP Appendix C, that the QA Program implementing procedures should be completed; in that OQAP Appendix C listed Oyster Creek site Document Control Procedure or an equivalent control over as-built drawings and site issued documents was not provided as of March 12, 1975; and in that a set of as-built engineering drawings was not distributed to the licensee's Morristown Plaza Offices where Generation Engineering Department personnel are regularly engaged in decision making engineering work.

Civil Penalty - \$3,000

4. Criterion XI, Appendix B, 10 CFR 50 requires establishment of a test program to assure that all testing, including operational testing, required to demonstrate that structures, systems, and components will perform satisfactorily in service is identified and performed in accordance with written test procedures which incorporate the requirements and acceptance limits contained in applicable design documents. The OQAP, Section XI, assigns the Oyster Creek Superintendent responsibility: for the operation and maintenance test programs; for correct and timely performance of required tests utilizing written and approved procedures; and for requiring that results of tests for which he is responsible are documented, reviewed, and approved. The OQAP, Section XIV, requires: that maintenance testing be conducted in accordance with specifications, maintenance procedures, etc.; that the work performance procedures require sign-off to assure that required inspections and tests are performed; that the procedures be prepared and approved by the responsible organization; and that the procedures be reviewed and audited by Operational Quality Assurance.

Contrary to the above, written and approved procedures defining the tests required, the individuals responsible for procedure and test review, and the required test documentation were not provided for routine post-maintenance testing where step-by-step procedures are not provided.

Civil Penalty - \$3,000

5. Criterion II, Appendix B, 10 CFR 50 requires: that the quality assurance program shall be documented by written policies, procedures, or instructions and shall be carried out throughout plant life in accordance with those policies, procedures, or instructions; and that the program shall provide for indoctrination and training of personnel performing activities affecting quality as necessary to assure that suitable proficiency is achieved and maintained. The OQAP, Revision 1, dated September 30, 1974, Section II, states that the licensee will utilize the guidance in ANSI N45.2.6-1973. Articles 3 and 5 of ANSI N45.2.6-1973 require qualification and certification of Level I, Level II, and Level III Inspection, Examination, and Testing Personnel.

Contrary to the above, site personnel engaged in maintenance testing, examination, and inspection activities did not have the required certification defining levels of capability with the exception of QA auditors and welding and NDE personnel, in that

persons performing testing following maintenance were not certified as Level I or II, nor were persons interpreting test data certified as Level II as specified by Section 3 of ANSI N45.2.6-1973.

Civil Penalty - \$3,000

6. Criterion V, Appendix B, 10 CFR 50 requires that activities affecting quality be accomplished in accordance with instructions, procedures, or drawings. The OQAP, Section IV requires that procurement documents prepared by or for the Generation Department be approved in accordance with the Generation Department Procedure, Generation Department Procedure 2001, Administration of Procurement, Revision 1, dated October 4, 1974, Section 3.2.2 requires Operational Quality Assurance review of and concurrence with procurement documents.

Contrary to the above, procurement documents for chemicals had not received Operational Quality Assurance review.

Civil Penalty - \$3,000

7. Criterion V, Appendix B, 10 CFR 50 requires that activities affecting quality be prescribed by and accomplished in accordance with instructions, procedures, or drawings which include appropriate acceptance criteria for accomplishment of important activities. Instruction SQA-1-74-G-004 dated October 31, 1974 makes the QA Specialist responsible for review of daily Job Orders at the start of each shift, for discussing planned activities on QA related jobs, and for logging QA related jobs in the inspection log, including the name of the job or system, the present plans and nature of the work to be done. The OQAP, Section V, states that the Oyster Creek Superintendent is responsible for ensuring that instructions and procedures are implemented in accordance with the OQAP, and that the Quality Assurance Supervisor is responsible for implementing site quality assurance/control procedures.

Contrary to the above, twelve safety-related Job Orders issued in February 1975 were not logged as required, and there was no alternate system established to assure that the required QA review of daily Job Orders was accomplished.

Civil Penalty - \$3,000

8. Criterion XV, Appendix B, 10 CFR 50 requires establishment of measures to control materials, parts, or components which do not conform to requirements in order to prevent their inadvertent use or installation. The OQAP, Section XV, requires that nonconforming items found during maintenance or repair work be clearly identified and documented so that appropriate corrective action can be taken, and that the QA Supervisor notify the Manager-Operational Quality Assurance and the Oyster Creek Superintendent in the event prompt corrective action is not taken. Criterion XVI, Appendix B, 10 CFR 50 requires establishment of measures to assure that nonconformances are promptly corrected. The OQAP, Section XVI, states that corrective action procedures include provisions for determination of suitable corrective action and responsibility for timely disposition and follow-up, and that the Oyster Creek Superintendent is responsible for ensuring that nonconformances are corrected for plant activities involving operation, maintenance and repair.

Contrary to the above, the Condensate Transfer System, identified in the OQAP, Appendix A, Section III f, as a system required to mitigate the consequences of postulated accidents, was returned to service with unresolved nonconformances: in that Nonconformance Report #74-052 dated October 25, 1974 on piping joint backing rings had been evaluated as having unacceptable corrective action and remained unresolved as of March 12, 1975; in that Nonconformance Report #74-053 dated October 24, 1974 concerning an unauthorized joint and weld requirement remained unresolved as of March 12, 1975; and in that Nonconformance Report #75-006 dated March 8, 1975 documented return of the system to service without work completion, without QA release or approval, and without the required hydrostatic test.

Civil Penalty - \$3,000

9. Criterion III, Appendix B, 10 CFR 50 requires establishment of measures: to assure that the design basis, as defined in 10 CFR 50.2, is correctly translated into specifications, drawings, procedures, and instructions; and for the identification and control of design interfaces and for coordination among participating design organizations. The OQAP, Section III, Revision 0, dated December 14, 1973 states that design control is implemented by Generation Engineering Procedures which include design review requirements, internal and external interface control considerations, and appropriate design bases.

Contrary to the above, inclusion of design bases, control of design interfaces, and coordination among participating design organizations has not been provided for modifications: in that Procedure 6003, "Modifications, Non-Routine Maintenance, and Repair," Revision 0, dated March 7, 1975, had not been implemented as of March 12, 1975, more than 10 months after the April 1974 date given in the OQAP, Appendix C, for the completion of the QA implementing procedures; and in that Procedure 6003 does not provide for inclusion of the design bases or coordination among participating design organizations in design review requirements.

Civil Penalty - \$1,000

10. Criterion II, Appendix B, 10 CFR 50 requires that the quality assurance program provide control over activities affecting quality to an extent consistent with their importance to safety. Criterion V, Appendix B, 10 CFR 50 requires that activities affecting quality be accomplished in accordance with prescribed instructions, procedures, or drawings. Procedure 105, Maintenance, Repair and Modification Control, Revision 0, dated October 15, 1974, Paragraph 4.1 requires that items which fall under the cognizance of the QA Plan shall be segregated and handled in accordance with Procedure 105.

Contrary to the above, control over safety-related maintenance was not established: in that maintenance job orders were not identified, categorized, segregated, or logged as being safety-related, thereby providing no categorization of the safety aspects of the job orders to personnel performing or reviewing maintenance; and in that specific procedural controls to accomplish the required segregation and handling were not established.

Civil Penalty - \$1,000

11. Criterion V, Appendix B, 10 CFR 50 requires that activities affecting quality be prescribed by and accomplished in accordance with documented instructions, procedures, or drawings. The OQAP, Revision 0, dated December 14, 1973, provides, in Section III, for a System Boundary and Classification Book for expanding the Quality Assurance Systems List (QASL) into categories of safety classes using Regulatory Guides 1.26 and 1.29 for guidance and specifying the basic codes, standards and regulatory requirements for each category. The OQAP, Appendix C, Revision 0, dated December 14, 1973, Preliminary List of Procedures Implementing the Quality Assurance Program, lists, as one of the procedures which should be ready and issued by April 1974, the System Boundary and Classification Book.

Contrary to the above, required definition of equipment and component safety classification has not been accomplished: in that the System Boundary and Classification Book was not provided as of March 12, 1975.

Civil Penalty - \$1,000

12. Criterion V, Appendix B, 10 CFR 50 requires that activities affecting quality be prescribed by and accomplished in accordance with documented instructions, procedures or drawings. The OQAP, Section V, states that the Oyster Creek Superintendent is responsible for ensuring that instructions and procedures associated with operational testing are prepared, reviewed, approved, and implemented in accordance with the Quality Assurance Plan. Technical Specification 6.2.C requires adherence to procedures for maintenance, normal startup, operation and shutdown of all plant systems and components involving nuclear safety.

Contrary to the above, the diesel fuel inventory log entries which serve to document maintenance of minimum fuel levels were not made as required by Operating Procedure 301 for the period January 6 - February 3, 1975; Station Battery "B" discharge test log entries required by Operating Procedure 601 were not made on December 18-20, 1974; and Control Rod Drive System testing log entries required by Operating Procedure 603.3 were not made on January 27, 1975. Such records of test results are also a requirement of 10 CFR 50, Appendix B, Criterion XI.

Civil Penalty - \$1,000

13. Criterion VIII, Appendix B, 10 CFR 50 requires establishment of measures for identification and control of materials, parts and components to assure that identification of the item is maintained throughout installation and use. The OQAP, Section VIII, states that the Oyster Creek Superintendent is responsible for maintaining identification and control of materials, parts, or components received, stored, installed and used at the plant site. Procedure 3005, Site Material Identification and Control, Revision 0, dated July 15, 1974 requires, in Section 5, that items be classified and tagged as "Released for Use" prior to their installation or use, and that the "Released for Use" tags be removed and returned to Quality Assurance for recording this fact on the Material Identification and Control Sheet and destruction of the tag.

Contrary to the above, identification and control was not maintained over two of seven safety-related job orders examined, in that "Released for Use" tags for Job Orders 8648, Core Spray System, and 8626, Fuel Pool Filter, were not on the equipment, not recorded on the Material Identification and Control Sheet, and not available to the inspector.

Civil Penalty - \$1,000

14. Section 4, Appendix A, 10 CFR 55 requires annual written examinations of licensed operators. The licensee's operator requalification program, approved by Reactor Licensing letter dated November 13, 1974, states that December 17, 1973 is the starting date for the annual cycle of the requalification program. 10 CFR 50.54(i-1) requires Commission approval of requalification program changes which decrease the frequency of conduct of parts of the program.

Contrary to the above, written examinations of licensed operators were not given when required: in that none of the twenty licensed operators were given written examinations prior to December 17, 1974. (All licensed operators were subsequently successfully tested between January 10 and March 13, 1975.)

Civil Penalty - \$1,000

15. Criterion V, Appendix B, 10 CFR 50 requires that activities affecting quality be prescribed by and accomplished in accordance with documented instructions, procedures or drawings. The OQAP, Section V, states that the Oyster Creek Superintendent is responsible for ensuring that instructions and procedures are implemented. Procedure 102, Training of Nuclear Generating Station Personnel, Revision 0, dated July 18, 1974, states that site training is conducted in accordance with detailed procedures specified in the Oyster Creek Training Manual.

Contrary to the above, detailed procedures specified in the Oyster Creek Training Manual were not being used to train non-licensed technicians and repair personnel: in that non-licensed technicians and repair personnel training was being conducted to Job Qualification Review Sheets prepared on each individual. This noncompliance was acceptably resolved prior the end of the inspection by modification of Procedure 102 to permit use of the Job Qualification Review Sheets.

Civil Penalty - None

Other Infractions identified through your internal audit program, and being corrected in a timely manner, are set out in the attached inspection report. No additional information is needed for these items at this time.

This notice is sent to you pursuant to the provision of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Section 2.201 requires you to submit to this office within twenty (20) days of your receipt of this notice, a written statement or explanation in reply including: (1) corrective steps which have been taken by you, and the results achieved; (2) corrective steps which will be taken to avoid further items of noncompliance; and (3) the date when full compliance will be achieved.

FOR THE NUCLE'R REGULATORY COMMISSION

Donald F. Knuth, Director
Office of Inspection and Enforcement