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UNITED STATES  
**ATOMIC ENERGY COMMISSION**  
 DIRECTORATE OF REGULATORY OPERATIONS  
 REGION I  
 631 PARK AVENUE  
 KING OF PRUSSIA, PENNSYLVANIA 19406

JUN 19 1975

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

**JCP&L (OSTER 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 June 6 memo which was sent to you by machine on June 6, except that additionally, there are minor word changes in citations 2 and 4.

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 admitted 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 from \$41,000 to \$34,000.

Gary L. Snyder  
 Acting Assistant to the  
 Director

Enclosures:  
 As Stated

cc: F. A. Dreher

bcc: E. Brunner  
 D. Capton  
 E. Greenman  
 E. McCabe  
 G. Snyder

B/803

OFFICE ▶	W. P. Ellis	Greenman	Capton	McCabe	Brunner	O'Reilly
SURNAME ▶	Snyder	Greenman	Capton	McCabe	Brunner	O'Reilly
DATE ▶	6/19/75	6/19/75	6/19/75	6/19/75	6/19/75	6/19/75

Form AEC-518 (Rev. 9-55) AECM 0340

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(DRAFT)

Requet No. 50-219

**Jersey Central Power and Light Company**

**Attention: Dr. B. Bartmoff**

**President**

**Nation Avenue at Patchoul Road**

**Harristown, New Jersey 07802**

**Gentlemen:**

This refers to the inspection conducted on March 10-14, 1973, by Messrs. Hubman, Grossman, 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. NPS-10, and to the discussions of our findings held by Mr. Brunner and other members of the Region I office with Mr. Finrock 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) transmitted to the Division of Reactor Licensing 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 and, when viewed collectively, show a breakdown in management and procedural controls with respect to quality assurance implementation. Specifically, in the Notice of Violation, examples of failure to comply with Criterion II are demonstrated by Items 5 and 10. 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, 8 and 11, failure to implement personnel training and classification requirements as demonstrated by Items 9 and 10, and failure to meet engineering and QA worker requirements as demonstrated by Items 12 through 15. Failure to implement document control requirements of Criterion VI is demonstrated in Items 1 through 4, failure to identify and control materials in accordance with Criterion VIII is demonstrated by Item 16 and failure to take corrective action as required by Criterion XVI is demonstrated by Item 17.

With respect to Item 2 in the Notice of Violation (Appendix A), NRC review of eight examples of surveillance procedures was completed prior to the end of the suspension on March 13, 1973. Also, prior to completion of the inspection, the licensee's Procedure 102, which is referenced in Item 9 of Appendix A, was found to indicate existing training practices. The licensed operators/shift operators referred to in Item 18 of Appendix A received and satisfactorily passed the annual examinations prior to the completion of the inspection.

In your reply to this letter, however, please discuss the actions taken with respect to the above matters to ensure future compliance with the regulatory requirements.

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-four Thousand Dollars (\$34,000) 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 NASH 1283, Revision 1, NASH 1284 and NASH 1309 in accordance with pages 24 and 24a of your Operational Quality Assurance Plan (PEAR Amendment 71). Consequently, in your reply, you should describe, in particular, those 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 Suspension Hearings**

cc: **K. E. Finrock, Jr., Vice President-Operations**  
**A. E. Reisman, Council for Citizens Committee for Protection  
the Environment**



(DRAFT)

APPENDIX A

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

Docket No. 90-219  
License No. NPS-36

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:

1. Contrary to Technical Specification 6.2.D. and 6.2.E., and PSAR Amendment 71, the Oyster Creek Operational Quality Assurance Plan (OQAP), Section V., PSRC review and Station Superintendent approval was not accomplished before a draft procedure was used on March 12, 1975, for the purpose of obtaining a radioactive Air Ejector Off Gas Sample. Also, 10 CFR 50, Appendix B, Criterion VI, requires review and approval of procedures affecting quality.

(Civil Penalty \$3,000)

This item is an infraction.

2. Contrary to Technical Specification 6.1.C.1.d., and the OQAP, Section V, a PSRC review of surveillance procedures was not conducted for eight (8) of twenty-five (25) procedures sampled on March 12, 1975; or 32 percent of facility surveillance procedures sampled were not reviewed by PSRC before they were placed in use. Also, 10 CFR 50, Appendix B, Criterion VI, requires review and approval of procedures affecting quality.

(Civil Penalty \$3,000)

This item is an infraction.

3. Contrary to Technical Specification 6.2.V. and the OQAP, Section V, a temporary change to Procedure 609, made on January 24, 1974, and relating to nitrogen pressure requirements for operating containment isolation components, was not subsequently reviewed by PRC and approved by the Station Superintendent. Also, 10 CFR 30, Appendix B, Criterion VI, requires review and approval of procedures affecting quality.

(Civil Penalty \$1,000)

This item is a deficiency.

4. Contrary to Criterion VI and the provisions of the OQAP, Section V, engineering drawings for safety-related equipment were not provided to or used at the Corporate Engineering Offices as of May 13, 1975, where activities performed included reviews and day-to-day engineering decisions and changes, including the maintenance of "as-built drawings in a current status."

(Civil Penalty \$3,000)

This item is an infraction.

5. Contrary to 10 CFR 50, Appendix B, Criterion II, "Quality Assurance Program," activities affecting quality were not controlled in all instances in that safety-related maintenance activities were not controlled; in fact, job orders were not identified, categorized and segregated, or logged as safety-related in accordance with Procedure 105.

(Civil Penalty \$1,000)

This item is a deficiency.

6. Contrary to 10 CFR 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings," and the Implementing OQAP, Section VII, activities affecting quality were not prescribed by documented instructions, procedures, or drawings; or were not accomplished in accordance with such instruction, procedures or drawings in that a System Boundary and Classification Book was not prepared and used to expand the quality assurance list into categories of safety classes for defining system parts and components which are related to safety.

(Civil Penalty \$1,000)

This item is a deficiency.

7. Contrary to the requirements of 10 CFR 50, Appendix B, Criterion XI and the provisions of OQAP, Section III, written and approved procedures were not developed for certain post-maintenance testing or equipment, or for the documentation, review and approval of such test results. Also, procedures for activities affecting quality are required by 10 CFR 50 Appendix B, Criterion V.

(Civil Penalty \$3,000)

This item is an infraction.

8. Contrary to the requirements of Technical Specification 6.2.c., 10 CFR 50, Appendix B, Criterion V, and the provisions of the OQAP, Section V, the diesel fuel inventory log entries which serve to document maintenance of minimum fuel levels were not made as required by Procedure 301 for the period January 6-February 3, 1975; Station Battery "B" discharge test log entries required by Procedure 601 were not made on December 18-20, 1974; and Control Rod Drive System testing log entries required by 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)

This item is a deficiency.

9. Contrary to 10 CFR 50, Appendix B, Criterion V, the implementing provisions in the OQAP, Section V, and Procedure 102, the Maintenance Department training activities were not accomplished in accordance with the provisions of these documents in that the detailed procedures in the Oyster Creek Manual were not being used.

(Civil Penalty - None)

This item is a deficiency.

10. Contrary to 10 CFR 50, Appendix B, Criteria II and V, the implementing provisions of the OQAP, Section II, and ANSI N45.2.6-1973, Sections 2.2 and 3.1, which are referenced by the OQAP, site personnel engaged in maintenance testing, examination, and certification activities did not have the required certification of definition of capability levels, with the exception of QA auditors and visiting and ERM 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 defined in Section 3.1 of ANSI N45.2.6-1973.

(Civil Penalty \$3,000)

This item is an infraction.

11. Contrary to 10 CFR 50, Appendix B, Criterion V, the provisions of the OQAP, Section II (referencing ANSI N45.2.9-1974), vessel storage facilities did not meet the physical requirements in that they did not provide protection of contents from fire, flooding, and possible degradation as required by Section 5.6 of ANSI N45.2.9-1974.

(Civil Penalty \$1,000)

This item is a deficiency.

12. Contrary to 10 CFR 50, Appendix B, Criterion III and V, the OQAP, Section V, procedural controls or measures were not established to assure that Design Reviews consider the Design Bases defined in 10 CFR 50.2(a) for facility equipment, or for assuring required drawing control, design interface identification and control, coordination between participating design organizations, and verification of design adequacy.

(Civil Penalty \$3,000)

This item is an infraction.

13. Contrary to 10 CFR 50, Appendix B, Criterion V, and the provisions of OQAP, Section V, procedural controls did not establish the responsibility for making 10 CFR 50.59 safety evaluations for modifications, tests, and experiments, nor did procedures provide for the processing of such items to assure that Technical Specification 6.1.C.1.d(2) and (4) and 6.1.C.1.e(4) requiring committee review are accomplished.

(Civil Penalty \$3,000)

This item is an infraction.

14. Contrary to 10 CFR 50, Appendix B, Criterion V, the provisions of the OQAP, Section V, and Sanitation Department Procedure 2001, procedural controls were not established to assure the required Quality Assurance review of proposed drawings.

(Civil Penalty \$3,000)

This item is an infraction.



15. Contrary to 10 CFR 50, Appendix B, Criterion V, the provisions of the OQAP, Section V, and Instruction 204-1-74-0-004, a QA review was not made of twelve (12) safety-related job orders processed during February 1975.

(Civil Penalty \$3,000)

This item is an infraction.

16. Contrary to 10 CFR 50, Appendix B, Criterion VIII, "Identification and Control of Materials, Parts and Components," and the OQAP, Section VIII, identification and control was not maintained over materials used in two (2) of seven (7) safety-related job orders. Specifically, job orders identified without material control were 8648, Core Spray System, and 8626, Fuel Pool Filter.

(Civil Penalty \$1,000)

This item is a deficiency.

17. Contrary to 10 CFR 50, Appendix B, Criterion XVI, "Corrective Action," and the OQAP, the Condensate Transfer System, which is defined in Appendix A as safety-related, was returned to service following work on October 23, 1974, when three (3) identified items of nonconformance were unresolved.

(Civil Penalty \$3,000)

This item is an infraction.

18. Contrary to 10 CFR 55, Appendix A, Item 4a to 10 CFR 50.54(1-1); and to the Oyster Creek Operator Requalification Program, none of the twenty (20) licensed operators/senior operators received an annual examination prior to December 17, 1974, as required.

(Civil Penalty \$1,000)

This item is a deficiency.

This notice is sent to you pursuant to the provisions of Section 5.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal

Regulations. Section 2.591 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 instances of noncompliance, and (3) the date when full compliance will be achieved.

FOR THE NUCLEAR REGULATORY COMMISSION

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Donald F. Knuth, Director  
Office of Inspection and Enforcement