

ENCLOSURE 1

NOTICE OF VIOLATION

Public Service Company of Colorado
Fort St. Vrain (FSV) Nuclear Generating Station
Denver, Colorado 80201-0840

Docket: 50-267
License: DPR-34

During an NRC inspection conducted on March 18-21, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

License Condition 2.0 for License DPR-34, states, in part, that the license shall be deemed to contain and is subject to 10 CFR 50.54(a)(1), which requires the licensee to implement a quality assurance program as described in the Safety Analysis Report [Decommissioning Plan] and in accordance with 10 CFR Part 50, Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Facilities."

The Decommissioning Plan, Section 7.0, states, in part, that project procedures shall provide for compliance with appropriate regulatory, statutory, and license requirements. The Quality Assurance Plan (QAP) is applicable to and is structured to assure that regulatory requirements as identified in the Decommissioning Plan, Decommissioning Technical Specifications, radiation protection program, and the final survey program are conducted in a controlled manner.

Section 7.0 states further that the QAP shall be carried out throughout the decommissioning project in accordance with those procedures.

Contrary to the above, as evidenced by the following examples, the licensee did not follow QAP procedures:

- (1) As of March 21, 1996, Scientific Ecology Group Incorporated (SEG) Quality Assurance (QA) had not attached QA Acceptance Tags to items that passed inspection as required by Section 5.5.3 of Licensee Procedure SEG/QA-10.1, "Inspection."
- (2) Licensee Procedure SEG/QA-15.1, "Nonconformance Reporting," was not implemented as follows:
 - From July 1994 to December 1995, QA did not enter Probable Cause Codes on six completed nonconformance report (NCR) forms per the instructions provided in Enclosure 7.3, entitled, "Instructions for Completing the NCR Form."
 - From January 1994 to September 1995, QA did not perform trend analysis of FSV NCRs as required by Section 5.12.11.

- (3) Licensee Procedure SEG/QA-16.1, "Corrective Action," was not implemented as follows:
- As of March 21, 1996, the Corrective Action Report (CAR) Log was not updated to indicate the status of CARs as required by Section 5.8.2. Consequently, the CAR Log incorrectly indicated that CAR 95-002 was closed on February 7, 1996.
 - On February 7, 1996, the Vice President, QA closed CAR 95-002 without verifying the acceptable implementation of the corrective actions as required by Section 5.7.2.
- (4) Licensee Procedure SEG/QA-18.1, "Audit Program," was not implemented as follows:
- The audit schedule for SEG Audit 96-06 did not include, as required by Section 5.1.1, all aspects of the quality assurance program being implemented such as the licensee's organization, procedures and instructions, and corrective actions.
 - The SEG QA Audit 95-06 conducted on April 24, 1995, did not examine objective evidence, as required by Section 5.4.2, to determine the effectiveness of the licensee's inspection and nonconformance programs. Specifically, SEG QA auditors did not examine FSV's inspection records and nonconformance reports.

This is a Severity Level IV Violation (Supplement IV).

Pursuant to the provisions of 10 CFR 2.201, Public Service Company of Colorado 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 Regional Administrator, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, 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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. 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.

Because the response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if it is necessary to include such information, it should clearly indicate the specific information that should not be placed in the PDR, and provide the legal basis to support the request for withholding the information from the public.

Dated at Arlington, Texas
this 29th day of April , 1996