

**ENCLOSURE 1
NOTICE OF VIOLATION**

Northeast Nuclear Energy Company Docket Nos.: 50-245; 50-336; 50-423
Millstone Nuclear Power Station License Nos: DPR-21; DPR-65; NFP-49
Units 1, 2, and 3

During an NRC inspection conducted on November 5, 1995 through December 26, 1995, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below:

- A. 10 CFR 50 Appendix B, Criterion III, "Design Control" requires that measures shall be established to assure that applicable design bases for systems are correctly translated into procedures.

Unit 1 Updated Final Safety Evaluation Report (UFSAR), Section 5.2.2, "Overpressure Protection" states that a parametric study was conducted to determine the required steam flow capacity of the safety relief valves under operating conditions of vessel steam dome pressure less than or equal to 1035 psig.

Unit 1 UFSAR, Chapter 15, Table 15.1-1, "Input Parameters and Initial Conditions for Transients," and the Unit 1 Supplemental Reload Licensing Report for Reload 14, Cycle 15; Appendix A, "Analysis Conditions," list vessel steam dome pressure as 1035 psig.

Contrary to the above, as of December 26, 1995, measures were not established at Unit 1 to assure that the applicable design basis for reactor pressure were correctly translated into procedures. Specifically, procedures were not established to assure that vessel steam dome pressure was maintained within the assumptions of the applicable analysis. Consequently, the reactor was operated at a pressure of 1037 psig on October 30, 1995.

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

- B. Unit 1 Technical Specification 3.5.F.7, "Minimum Core and Containment Cooling System Availability," requires that when irradiated fuel is in the reactor vessel and the reactor is in the REFUEL CONDITION, fuel removal and replacement may be conducted provided that certain conditions are satisfied, including: (J) During fuel movement, no work is being done which has the potential for draining the vessel.

Contrary to the above, on November 14 through November 15, 1995, when irradiated fuel was in the reactor vessel and the reactor was in the REFUEL CONDITION; fuel removal was conducted without meeting the provision that no work was being done which had the potential for draining the vessel. Specifically, with fuel movement in progress, recirculation discharge valve RR-2A was repacked without adequate isolation to prevent the potential to drain the vessel.

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

- C. 10 CFR 50 Appendix B, Criterion XVI, "Corrective Action," states that measures shall be established to assure that conditions adverse to quality, such as deficiencies, deviations, and nonconformances are promptly identified and corrected.

Unit 2 Final Safety Analysis Report (FSAR), Section 9.9.14.2.1, states that the design basis high temperature for the intake structure is 115°F.

Contrary to the above, the licensee's established measures did not assure that the identified departure from the Unit 2 intake structure high temperature design basis was promptly corrected. Specifically, the licensee identified on January 30, 1995 that the intake structure temperature would exceed its FSAR design basis temperature on loss of the non-vital ventilation exhaust fans. As of December 26, 1995, the licensee had not either modified the intake structure to assure that the design basis could be met, or prepared a safety evaluation to change the design basis to support the existing system configuration.

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

- D. 10 CFR 50 Appendix B, Criterion XVI, "Corrective Action," requires measures to be established to assure that the cause of significant conditions adverse to quality is determined and corrective actions are taken to preclude repetition.

Contrary to the above, corrective actions taken at Unit 3 to preclude significant conditions adverse to quality were inadequate, as evidenced by the following examples.

1. Since December 1993, four unplanned reactivity transients have occurred at Unit 3 due to operator error and procedural inadequacies with regard to operation of the chemical and volume control system. The most recent event, which occurred on November 10, 1995, due to a combination of inadequate procedures and personnel error when a demineralizer was placed in service, was not prevented by the corrective actions from the prior events.
2. Since December 1990, repetitive failures of seal injection filter O-rings have occurred due to inadequate pressure control of the seal injection filters. The most recent failure, which occurred on December 4, 1995, due to inadequate procedures used to control the "B" seal injection filter flow path was not prevented by the corrective actions from prior events. The event resulted in a loss of approximately 500 gallons of RCS inventory because previously identified problems with

the filter isolation valve remote operators had also not been corrected.

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

Pursuant to the provisions of 10 CFR 2.201, Northeast Nuclear Energy Company is hereby required to submit a written statement or explanation within 30 days of receipt of the letter transmitting this Notice of Violation (Notice) to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, and if applicable, a copy to the NRC Resident Inspector at the facility that is the subject of this 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 required 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 revoke, 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 King of Prussia, Pennsylvania
this 6th day of February, 1996