

Docket No. 50-285
License No. DPR-40
EA 84-63

MAR 08 1985

Omaha Public Power District
ATTN: R. L. Andrews, Division Manager-
Nuclear Production
1623 Harney Street
Omaha, Nebraska 68102

Gentlemen:

This refers to the inspection conducted by Messrs. T. O. Martin and J. P. Kearney of the NRC Office of Inspection and Enforcement during the period May 7-11, 1984, and a subsequent investigation conducted by the Office of Investigations during the period June 25 through July 24, 1984, of the activities authorized by NRC Operating License DPR-40 for the Fort Calhoun Station (FCS). The purpose of the inspection was to review the maintenance program implemented at FCS. The purpose of the investigation was to follow up on an apparent material false statement made to the NRC by Omaha Public Power District (OPPD) in response to NRC IE Bulletin No. 82-02 and identified during the inspection. The results of the investigation were discussed on December 20, 1984, during an Enforcement Conference held in the NRC Region IV office between Mr. W. C. Jones and other members of the OPPD staff, and Mr. P. S. Check and other members of the NRC Region IV staff.

The NRC inspection (NRC Inspection Report No. 50-285/84-12) revealed that the August 2, 1982, OPPD response to NRC IE Bulletin No. 82-02, "Degradation of Threaded Fasteners in Reactor Coolant Pressure Boundaries of PWR Plants," was not accurate. The OPPD response stated, in part, that "The Fort Calhoun Station approved maintenance procedures call for the use of NEVERSIEZE (sic) (Pure Nickel #65) on all threaded fasteners." The NRC Investigation confirmed that the OPPD response to the NRC was false in that "Super-Moly" (molybdenum disulfide) was used on the reactor vessel and reactor coolant pump studs and that a mixture of 50% oil and 50% graphite was designated for use on manway studs. The false statement was material in that one of the purposes of IE Bulletin 82-02 was to find out which licensees used "Super-Moly" (molybdenum disulfide) as a fastener lubricant and what plant experience the licensee had with stress-corrosion cracking of fasteners using molybdenum disulfide lubricants. At the time IE Bulletin 82-02 was issued, the NRC thought that molybdenum disulfide might have a pronounced tendency to decompose in the presence of high temperature and moisture conditions to release sulfide, a known promoter of stress-corroding cracking. Although the NRC subsequently found molybdenum disulfide lubricant to be acceptable, this fact was not known when the licensee submitted its response.

RIV
RMartin

IE:ES
GHoiler

ELD
JLieberman

ES:D
JAAxelrad

IE:D
JMTaylor

RPB2 *Out*
DFHunter
1/22/85

DRS&P *RL*
RPDenise
1/24/85

RC *X*
WLBrown
1/24/85

EO *X*
TFWesterman
1/23/85

RA *X*
RDMartin
1/23/85

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PDR ADCK 05000285
Q PDR

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The submission of the false statement occurred due to failures on the part of OPPD including inadequate review of documentation, failure to adequately coordinate and discuss the matter with knowledgeable personnel in the specific area of concern, failure of upper management to assign the response to an experienced OPPD employee, and the failure of upper management to identify the false statement during the OPPD required procedural review of all the responses to the NRC. The NRC review of the OPPD submittal and of the circumstances associated with the preparation of the response to the NRC indicated a specific lack of emphasis and attention to detail by a number of levels of management and supervision within the OPPD organization.

In accordance with the General Statement of Policy and Procedure for NRC Enforcement Actions in effect at the time of the violation, 10 CFR Part 2, Appendix C, 47 FR 9987 (March 9, 1982), the violation has been categorized at Severity Level III. A civil penalty of \$40,000 could be proposed for the violation. However, the NRC Enforcement Policy allows recognition of prior good performance in a general area of concern and of prompt and extensive licensee corrective action. I have considered the fact that this is the first violation of this type for the Fort Calhoun Station and that the inaccurate information was promptly corrected once it was discovered. The circumstances of the violation were discussed at the enforcement conference and the corrective measures initiated at Fort Calhoun Station, including a review of the qualifications of those responsible for preparing NRC responses for the past two years, revisions to the training program for new employees, and establishment of a checking system for reviewing NRC responses, were promptly initiated and specifically address what appears to have been the cause of the violation. Therefore, after consultation with the Director, Office of Inspection and Enforcement, I have determined that the civil penalty should be fully mitigated and I have been authorized to issue the enclosed Notice of Violation.

You are required to respond to this letter and should follow the instructions 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. Your reply to this letter and the results of future inspections will be considered in determining whether further action is warranted.

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 its enclosure will be placed in the NRC Public Document Room.

The responses 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,
Original signed by
Robert D. Martin

Robert D. Martin
Regional Administrator

Enclosure: Notice of Violation

cc:

Omaha Public Power District
W. G. Gates, Manager
Fort Calhoun Station
P. O. Box 399
Fort Calhoun, Nebraska 68023

Harry H. Voigt, Esq.
LeBoeuf, Lamb, Leiby & MacRae
1333 New Hampshire Avenue, NW
Washington, DC 20036

bcc to DMB (IE14)

bcc distrib. by RIV:

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