

Official

MAY 02 1992

Docket No. 50-328
License No. DPR-79
EA 92-092

Tennessee Valley Authority
ATTN: Dr. Mark O. Medford
Vice President, Nuclear
Assurance, Licensing & Fuels
3B Lookout Place
1101 Market Street
Chattanooga, Tennessee 37402-2801

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL
PENALTY \$75,000
(NRC INSPECTION REPORT NOS. 50-327/92-17 AND
50-328/92-17)

This refers to the Nuclear Regulatory Commission (NRC; inspection conducted by Mr. W. Holland on May 8 - 13, 1992, at the Sequoyah Nuclear Plant. The inspection included a review of the facts and circumstances related to a Unit 2 event involving entry into MODE 4 with an inoperable containment spray system on May 7, 1992, which was identified by the plant staff on May 8, 1992 and subsequently reported pursuant to 10 CFR 50.72 and 50.73. The inspection report documenting this inspection was sent to you by letter dated May 15, 1992. An enforcement conference was held on June 2, 1992, in the NRC Region II office to discuss the apparent violation of the Unit 2 Technical Specifications (TS) which occurred when the unit made the mode change, its cause, and your corrective actions to preclude recurrence. A summary of the enforcement conference was sent to you by letter dated June 16, 1992.

The violation in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) involved train "A" and "B" containment spray pump suction isolation valves, 2-FCV-72-22 and 2-FCV-72-21 respectively, from the refueling water storage tank being shut on Unit 2 when the unit was taken from MODE 5 to MODE 4 on May 7, 1992. Unit 2 TS Limiting Condition for Operation (LCO) 3.0.4 requires that entry into an operational mode shall not be made unless LCOs are met. TS 3.6.2.1 LCO requires that in MODE 4, two independent containment spray subsystems shall be operable with each system comprised of an operable containment spray pump flow path capable of taking suction from the refueling water storage tank. This path was not available for either subsystem with valves 2-FCV-72-22 and -21 shut.

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A review of the chronology of operator actions taken with respect to these particular valves during the period April 27 - May 8, 1992, indicated a pattern of valve manipulations that was outside the bounds of acceptable configuration control practices. For example, after configuration control for the valves was established on May 2, 1992, and continuing throughout the week prior to MODE 4 entry, operators routinely closed the valves and only logged them in their system status checklists without using the plant's configuration control log. Moreover, there were no procedures or other documentation which would have caused the valves to be shut. As discussed at the enforcement conference, operators were apparently shutting the valves, following evolutions which required that they be open.

This practice by plant operators raises a significant concern regarding adherence to procedures, operational protocol and questioning attitudes. Previous events have also highlighted examples of similar operator deficiencies, identified by both your staff and the NRC inspectors, which in turn raise questions about the adequacy of management oversight of licensed activities. Therefore, in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C (57 FR 5791, February 18, 1992), this violation has been categorized at Severity Level III.

The NRC staff recognizes that immediate corrective action was taken when the violation was identified, particularly the action to stop all work until the proper plant configuration was verified.

To emphasize the importance of operational plant configuration controls, particularly those related to compliance with Technical Specifications, I have been authorized, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$75,000 for the Severity Level III violation. The base value of a civil penalty for a Severity Level III violation is \$50,000.

The escalation and mitigation factors in the Enforcement Policy were considered. Mitigation of 50 percent was warranted for identification because the violation was identified by plant staff. Mitigation of 50 percent was warranted for your prompt and comprehensive corrective actions that included stopping all work and verifying the proper configuration of the plant as well as longer term actions such as meetings with the licensed operators and issuance of additional written guidance. Escalation of 100 percent was warranted for licensee performance because of your past poor performance in the areas of

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configuration control and conduct of operations. For example, since January 1992, there have been a number of examples of this poor performance such as those documented in Inspection Report Nos. 50-327 and 328/92-02, 03, 06 and 11. Escalation of 50 percent was warranted for prior opportunity to identify the valve control issue. Over several shift turnovers during May 5-7, 1992, control room operators failed to identify the fact that the valves were being improperly left shut despite the fact that such evolutions were being logged. Additionally, once the mode change was made there was at least one other shift turnover which presented an opportunity to discover that the containment spray system was unavailable in a mode in which it was required. In recognition of the fact that only a limited number of opportunities were missed once the mode change was made and consequently less than one day after that mode change the problem was discovered, full escalation under this factor was not assessed. The other adjustment factors in the Enforcement Policy were considered, and no further adjustment to the base civil penalty is considered appropriate. Therefore, based on the above, the base civil penalty has been increased by 50 percent.

The violation discussed in paragraph 2.c. of the referenced inspection report involved the failure to make a timely 10 CFR 50.72 notification to the NRC regarding the discovery of the shut valves. This violation is not being cited because it was identified by your staff, appropriate corrective actions were taken, and the required report was made even though it was late.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. As discussed above, your corrective actions appear comprehensive; however, previous corrective actions for violations in the areas of configuration control and procedural adherence have not been fully effective. Therefore, you should also address how you will assure that the corrective actions for this event will have a lasting effect. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

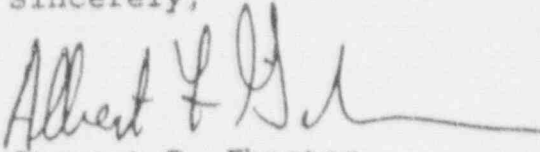
In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

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, Pub. L. No. 96-511.

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Should you have any questions concerning this letter, please contact us.

Sincerely,


for Stewart D. Ebnetter
Regional Administrator

Enclosure:
Notice of Violation and
Proposed Imposition of
Civil Penalty

cc w/encl:
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County Judge
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State of Tennessee

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