

## NOTICE OF VIOLATION

Toledo Edison Company  
Davis-Besse NPS

Docket No. 50-346  
License No. NPF-3

During an NRC inspection conducted on March 3 through April 14, 1997, 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:

Technical Specification (TS) 3.3.2.1 specified, in part, that "the safety features actuation system (SFAS) functional units shown in Table 3.3-3 shall be operable with their trip setpoints set consistent with the values shown in the trip setpoint column of Table 3.3-4 . . ."

TS Table 3.3-4, required as part of item b under *sequence logic channels* that the allowable trip values for relays associated with the *diesel generator start and loadshed on essential bus (59%)* function, be verified during channel functional testing.

TS 4.3.2.1.1 specified that "each SFAS functional unit shall be demonstrated operable by the performance of the channel check, channel calibration and channel functional test. . . at the frequencies shown in Table 4.3-2."

TS Table 4.3-2, item 4, *sequence logic channels*, required that channel functional testing be performed monthly.

TS Table 3.3-3, Item 4.c, for the *sequence logic channels for diesel generator start and loadshed on essential bus (59%)* function, stipulated that with two less than the minimum required functional units operable (2/bus), action requirement 15 was to be applied.

TS Table 3.3-3, action requirement 15, specified, in part, that "with the number of operable units two less than the minimum units operable per bus, declare inoperable the emergency diesel generator associated with the functional units not meeting the required minimum units operable. . ."

Contrary to the above, the NRC identified that as of March 31, 1997, verification of the allowable trip values for relays providing the *diesel generator start and loadshed on essential bus (59%)* function was not being performed monthly during channel functional testing for both emergency diesel generators (EDGs). Although the required testing had not been performed monthly as required for an extended period of time, neither of the EDGs had been declared inoperable prior to March 31, 1997.

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

The NRC has concluded that the information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in the attached inspection report. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose

to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region III, 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).

Dated at Lisle, Illinois  
this 9th day of May 1997