

NOTICE OF VIOLATION

Detroit Edison Company
Fermi 2 Power Plant

Docket No. 50-341
License No. NPF-43

During an NRC inspection conducted between September 16 through 24, and October 18 through November 4, 1993, two 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 Part 50, Appendix B, Criterion XVI, states, in part, "Measures shall be established to assure that conditions adverse to quality, such as failures, malfunctions, deficiencies, deviations, defective material and equipment, and nonconformances are promptly identified and corrected."

Contrary to the above, as of the inspection conducted September 24, 1993, training required by FIP-TQI-16-SQ, Revision 2, to certify lead test personnel to ANSI/ASME N510 requirements for HEPA filter testing had not been provided to three (3) lead test personnel. The failure to provide training constituted a condition adverse to quality identified in 1991 which was not promptly corrected.

This is a Severity Level IV violation.

- B. 10 CFR Part 50, Appendix B, Criterion V, states, in part, "Activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, of a type appropriate to circumstances and shall be accomplished in accordance with these instructions, procedures, or drawings."

Contrary to the above, personnel signing off as the lead test person for the tests conducted in 1991 on Division 1 and Division 2 Standby Gas Treatment Filters, and Control Room Emergency Filter were not certified to ANSI N45.2.6 as required by test procedures 43.505.001, 43.404.002, and 43.413.001.

This is a Severity Level IV violation.

The inspection showed that steps had been taken to correct the identified violations and to prevent recurrence. Consequently, no reply to the violations is required and we have no further questions regarding this matter.

EXECUTIVE SUMMARY

Enrico Fermi, Unit 2
NRC Inspection Report 50-341/93020

This inspection included a review of the quality assurance (QA) program. It was an announced inspection conducted by a regional reactor inspector.

The objective of this inspection was to examine portions of the licensee's QA program. The inspector interviewed staff, reviewed documents and made observations to accomplish this objective. This inspection focused on QA activities performed during 1989 through 1991. Two violations of NRC requirements were identified in this inspection for events that occurred in that period. One violation was for not meeting the procedural requirements and the other was for inadequate corrective actions.

The following changes were made to the report:

- The following statements from the original report were determined to be inaccurate and were removed:

In the Notice of Violation, the reference to the Enforcement Policy was corrected.

In (original) Section 3.1 "Evaluation of ANSI/ASME N510 Qualification and Certification for Testing Personnel":

1. The last sentence of the first paragraph reading "Based on observations of documentation, NRC determined that HEPA filter surveillance tests, conducted in 1989 and 1991, were performed under the supervision of certified inspectors." Further evaluation identified that the tests under question were performed in 1991 and that, while certified inspectors were onsite, and had conducted on-the-job training on filter testing, the surveillance tests were not entirely performed under the supervision of certified inspectors.
2. The first sentence in the fourth paragraph reading "The NRC inspector evaluated test documentation and determined that the tests were technically adequate based on the presence of a certified contractor and another corporate office certified inspector" and the third sentence in the same paragraph reading "Quality Assurance management used the security log as evidence that the certified inspectors were present and monitored the three conducted tests." Following identification that the certified individuals were not in the test vicinity throughout the test, the NRC inspectors reevaluated the test results and determined that they were technically adequate based upon comparable results achieved during more recent testing. Review of written statements determined that the Quality Assurance management had not stated that the security logs confirmed certified individuals were present and monitored the tests, but rather stated that certified individuals were onsite throughout the testing period and provided oversight of the tests.
3. The beginning of the sixth sentence in the fourth paragraph reading "The licensee has implemented training for ANSI/ASME N510" and the third

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Based on these changes, the inspectors concluded that:

- The corrections being made herein to Inspection Report (IR) 93020 did not affect the previous technical conclusions or any previous decisions regarding equipment operability or adherence to regulatory requirements.
- Problems with the DER process continued to occur, following issuance of IR 93020. These problems included identification of issues, thoroughness of root cause determinations, and adequacy of corrective actions to prevent recurrence. During the Systematic Assessment of Licensee Performance (SALP) public meeting in March 1996, the issue of problem identification and resolution was discussed by both the NRC and the licensee.

I. Maintenance

M2 Maintenance Support of Facilities and Equipment

M2.1 Maintenance and Test Equipment (M&TE) Control (Formerly Section 3.6)

In 1993, the NRC inspector evaluated only the retrieval and storage of M&TE records from the vault. This evaluation also included review of selected records and interview with responsible individuals. The inspector concluded that there were no significant concerns or findings in this area and noted the overall control of M&TE records had been previously inspected by the NRC. NRC concerns regarding retrieval and storage of M&TE records had been addressed by the licensee. In 1995, because of continuing concerns with the M&TE program, the NRC performed a more thorough review of the entire M&TE program, as documented in IR 95008. Retrieval and storage of M&TE records were verified as part of this wider inspection and no problems were found during that portion of the inspection. The 1995 inspection identified several problems with the M&TE program, as well as a violation associated with a Quality Assurance (QA) audit of the program in 1993. The inspection report also noted that some problems identified by QA in 1991 had been corrected, such as control of leak rate test and motor-operated valve testing equipment.

M4 Maintenance Staff Knowledge and Performance

M4.1 Certification and Qualification of QA Inspectors and Auditors (Formerly part of Section 3.1)

a. Scope

The NRC inspector examined the certification and qualification requirements/ records for QA inspectors and auditors. This examination generally covered the overall certification process.

b. Observations and Findings

In 1993, the inspector determined that selective examinations of certification records for inspectors and auditors did not identify regulatory deficiencies. The

issue of QA inspector certification was again reviewed in IR 95012. As described in that report, several deficiencies with the QA inspector certification process were identified in QA audits in 1989 and 1991. Further review of the audit reports and discussion with audit personnel revealed that minimal corrective actions were taken following the 1989 audit findings. However, when the same problems were discovered during the 1991 audit, the QA auditors correctly escalated the issue and the certification process was corrected, including bringing in an outside consultant to recertify the inspectors in question. The inspectors also identified a concern with the certification and technical ability of one inspector. This was addressed in IR 96002. The qualifications and training of lead auditors were reviewed by NRC in IRs 93002, 94015, and 95002. In all cases, the auditors were found to have the appropriate training and background prior to being assigned as lead auditors for the audits reviewed.

c. Conclusions

Based upon the inspections listed above, the inspectors concluded that the QA inspectors and auditors were properly trained and certified. While problems with QA inspector certifications existed in 1989 and 1991, the licensee's QA auditors correctly escalated the finding and the licensee took appropriate corrective action solve it.

M4.2 Evaluation of ANSI/ASME N510 Qualification and Certification of Testing Personnel (Formerly Section 3.1)

a. Scope

The inspectors reviewed the qualifications and training on ANSI/ASME N510 "Testing of Nuclear Air-Cleaning Systems," for personnel testing high energy particulate (HEPA) filters.

b. Observations and Findings

Three test procedures, 43.404.001, "Division 1 Standby Gas Treatment Filter Performance Test," 43.404.002, "Division 2 Standby Gas Treatment Filter Test," and 43.413.001, "Control Room Emergency Filter Test," required certification to ANSI N45.2.6, "Qualification of Inspection, Examination and Testing Personnel for Nuclear Power Plants," for the lead person conducting the tests. Each test procedure had a signature line for verification that the lead test person was certified to the above standard.

When the three filter tests above were conducted in 1991, the lead test person signature line was signed by two individuals who were not ANSI N45.2.6 certified. This was identified during a QA Audit, 91-0143. The licensee stated that the tests were performed under the auspices of a certified contractor, as well as a certified inspector from the corporate office. However, the QA audit noted that the signature lines for the above three tests were neither initialed nor signed by either of the certified individuals. Because the test procedures specifically required ANSI N45.2.6 certification and the lead persons were not certified, the licensee's procedural requirements were not met. 10 CFR Part 50, Appendix B, Criterion V

"Instructions, Procedures, and Drawings" requires that activities affecting quality be accomplished in accordance with the documented instructions, procedures, or drawings. Failure to comply with the HEPA filter testing procedural requirements, ensuring that the lead test person was certified to ANSI N45.2.6, is a violation of Criterion V (50-341/93020-01(DRS)).

Quality Assurance management reviewed the security logs and determined that the certified inspectors were on site, although not necessarily in the test area, during the majority of the time when testing was being performed. The licensee also obtained a letter from the contractor describing the ANSI/ASME N510 on-the-job training conducted for the individuals. Subsequent HEPA filter tests were satisfactorily conducted by the same two individuals, indicating an adequate knowledge level for performing HEPA filter testing. The licensee removed qualification to ANSI N45.2.6 as a requirement for HEPA filter testing, following confirmation from the ASME code committee that qualification to ANSI N45.2.6 was not required. Therefore the corrective action to the violation was considered adequate and no response is required.

Although certification to ANSI N45.2.6 was not required, qualification to ANSI/ASME N510-1980 was necessary. Section 4.3 of ANSI/ASME N510-1980, Page C-4, stated, "Tests shall be made only by persons who have demonstrated their competence to satisfactorily make the specific tests in question, as evidenced by experience and training." The two individuals who signed off as lead test personnel for the 1989 HEPA filter tests had not received training on ANSI/ASME N510. This was also identified by the licensee's QA auditors in audit 91-0143. DER 91-0589 was generated which identified the lack of training and certification of the lead test personnel.

As part of the corrective action to DER 91-0589, the licensee developed a training course for ANSI/ASME N510. However, the licensee exempted three lead test personnel, including the two who had signed off on the 1991 tests, principally because they participated in subsequent HEPA filter testing. The inspectors also noted that, as of December 1996, the licensee had not taught the course. Furthermore, the waivers made no reference to training conducted for these individuals. According to Fermi Interfacing Procedure FIP-TQI-16-SQ Revision 2, requests for waivers "shall be supported by certified or authenticated documents such as official transcripts, verifiable certificates of completion, etc." No such documentation was identified to justify waiving the training requirement. 10 CFR Part 50 Appendix B, Criterion XVI "Corrective Action" requires that significant conditions adverse to quality are promptly and adequately corrected. Therefore, waiving the training requirement in response to the DER appeared to constitute an inadequate corrective action. This is considered a violation (50-341/93020-02(DRS)).

The licensee presented the inspectors with plant records, including a statement from the certified contractor indicating the on-the-job training performed prior to and during the 1991 testing. Based on these records, the inspectors determined that, although the three lead test personnel did not receive formal training on ANSI/ASME N510, the on-the-job training appeared to be adequate. The licensee reviewed the procedure addressing waivers and determined it to be adequate to

preclude future waivers without sufficient basis. Because the subsequent actions appeared adequate, no response to the violation was required. Subsequently, it was brought to the licensee's attention that no training was ever performed on ANSI/ASME N510, and that, despite the review and approval by the lead QA auditor, the closure package for 91-0589 was inadequate. A new DER, 94-0281, was opened to correct the deficiencies of the original package.

The NRC inspectors reviewed the issue of the test signatures to determine if there was any intent to falsify the records. To this end, the inspectors interviewed the personnel involved & the responsible QA auditors, reviewed the security logs, and evaluated the test documentation, including HEPA filter test results from subsequent years. Based on this review, the inspectors determined that the individuals and their management were aware that the individuals did not have ANSI N45.2.6 certification at the time they signed the HEPA filter test documents. However, to the best of the inspector's ability to determine, there was no intent to deceive anyone regarding performance of the test. The individuals' readily acknowledged they were not certified, the licensee's QA organization identified the discrepancy; and the line management reviewed the issue and took actions to prevent it from recurring. Therefore, the inspectors determined that the issue centered upon the licensee not reviewing the appropriate procedures prior to use to ensure that all requirements were adequately met.

c. Conclusions

NRC determined that the HEPA filter surveillance tests, conducted in 1991, were performed adequately, although the licensee's procedural requirements were not followed. The violations issued in 1993 appropriately characterized the issues and no further corrective actions are necessary on the licensee's part.

M4.3 Adequacy of Inspectors Knowledge Concerning Selection Criteria About Installation of Snubbers (Formerly Section 3.4)

During the inspection and after review of documentation and interviews with plant personnel, the NRC inspector investigated the role of the QA inspectors in the removal of snubbers and installation of struts. The QA inspectors were tasked with verifying the proper snubbers were removed and that struts were correctly installed. During QA surveillance 92-0149, an auditor observed that the QA inspectors did not appear to understand all the acceptance criteria and yellow line requirements. The auditor requested that the engineering department provide written clarification of the yellow line requirements to ensure an adequate QA verification of the modification was performed. This clarification was provided by memo dated March 16, 1993. The inspectors verified that QA had no further problems with this modification.