

NOTICES OF VIOLATION

GPU Nuclear Corporation
Three Mile Island Nuclear Station

Docket No. 50-289
License No. DPR-50

During an NRC inspection conducted on May 12 through May 15, 1997, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

- A. 10 CFR 50.54(q) requires, in part, "A licensee authorized to possess and operate a nuclear power reactor shall follow and maintain in effect emergency plans which meet the standards in 50.47(b) and the requirements in Appendix E of this part."

10 CFR 50.47(b)(9) requires adequate methods for assessing actual or potential offsite consequences of a radiological emergency condition as part of the licensee offsite emergency response plans. The licensee's Technical Specifications, Section 6.8.1 states, in part "Written procedures shall be established, implemented and maintained covering the items referenced below: ...f. Emergency Plan Implementation."

Contrary to the above, from April, 1995 to May 15, 1997, the licensee had no documentation for the continuous on-line assessment and quick calculation computer codes used for dose projection calculations, nor written procedures to perform those calculations.

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

- B. 10 CFR 50.54(q) requires, in part, "A licensee authorized to possess and operate a nuclear power reactor shall follow and maintain in effect emergency plans which meet the standards in 50.47(b) and the requirements in Appendix E of this part."

10 CFR 50.47(b)(15) requires, in part, "Emergency response plans for nuclear power reactors must meet the following standard: Radiological emergency response training is provided to those who may be called on to assist in an emergency."

The licensee's Emergency Plan, Section 8.2.1, "Training," states "GPU Nuclear station and station support organization personnel assigned to the emergency organization with specific Emergency Plan duties and responsibilities are required to attend specific EP training. The training is designed to prepare these essential personnel to perform their assigned duties in accordance with the E-Plan and Implementing Documents." It also states "essential personnel reverify their assigned emergency preparedness training preferable every 12 months but at least every 15 months."

Procedure TEP-ADM-1300.02, Emergency Preparedness Training," Section 4.0, Exhibit 1, states, in part, "On-Shift Emergency Organization, initial Response Emergency Organization and Emergency Support Organization must..... satisfactorily complete and maintain EP training program requirements for the position assigned.....For personnel responding onsite.....must satisfactorily maintain respirator qualifications and General Employee Radiation Worker Training (Category II) and must be active in the dosimetry system."

Contrary to the above, from about September, 1994 to May 15, 1997 the licensee repeatedly had unqualified individuals listed on the response roster as part of their emergency response organization. The licensee's audit reports indicated that in 1994 a number of ERO personnel on duty had allowed their qualifications to lapse; in 1995, nine personnel allowed their qualifications to lapse, of which four were on duty; and in 1996, 10 personnel allowed their qualifications to lapse, of which three were on duty. Specifically, individuals did not complete required respirator training or whole body counts necessary to be active in the dosimetry system.

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

- C. 10 CFR 50.54(t) states, in part, a nuclear power reactor licensee "shall provide for a review of its emergency preparedness program at least every 12 months by persons who have no direct responsibility for implementation of the emergency preparedness program."

The licensee's Technical Specifications, Section 6.5.3.1.e, states that audits of the Emergency Plan and Implementing Procedures shall be performed in accordance with the TMI-1 Operational Quality Assurance Plan. The GPU Nuclear Operational Quality Assurance Plan, section 9.1, states in part, "a comprehensive and documented audit system shall be established, implemented and maintained to ensure that.....corrective action systems and management reviews provide for timely completion of requisite action for identified deficiencies....and effective identification and prevention of recurrent and/or significant program nonconformances." Section 2.4.3 states, "for audits, the program requirements of ANSI N45.2.12 shall be satisfied." ANSI/ASME N45.2.12-1977 Standard, Section 4.3.2.4, states "when a nonconformance or quality assurance program deficiency is identified as a result of an audit, further investigation shall be conducted by the audited organization in an effort to identify the cause and effect and to determine the extent of the corrective action required."

A quality deficiency is defined in Procedure 1000-ADM-7215.02, "GPUN Quality Deficiency Reports" as "a deficiency in characteristic, documentation, or procedure which renders the quality of an activity unacceptable or indeterminate" and a quality deficiency is documented in a quality deficiency report. Section 4.4.2 of said procedure, states, in part, "the corrective action response shall address the following areas: The cause(s) and extent of the deficient condition(s); actions that will be taken to correct the deficient condition; and action which will prevent the deficient

condition from recurring." Section 4.5 states "upon receipt of the corrective action response, NSA shall review the response to ensure that the root cause of the problem has been determined and appropriate actions to correct and prevent recurrence of the problem have been established."

Contrary to the above, from September, 1994 to September 13, 1996 the licensee did not: 1) provide effective prevention of the recurring lapses in ERO qualifications identified during the 1994, 1995 and 1996 audits; 2) trend deficiencies to be able to monitor recurrence, such as outdated procedures or E-Plan changes found in the emergency facilities during the 1995 and 1996 audits; 3) perform a review in order to determine the adequacy of the corrective actions. Additionally, the characterization of findings was negotiated with the EP staff, obviating the independence of the findings.

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

Pursuant to the provisions of 10 CFR 2.201, GPU Nuclear is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (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 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 revoked, 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.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without reduction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at King of Prussia, PA
this 27th day of June, 1997