



Power Generation Group

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United States Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555

Perry Nuclear Power Plant  
Docket No. 50-440  
Reply to a Notice of Violation

Ladies and Gentlemen:

Enclosed is the reply to the Notice of Violation contained in NRC Inspection Report 50-440/97006 for the Perry Nuclear Power Plant (PNPP), which was transmitted by letter dated June 3, 1997. The Notice of Violation addressed two surveillance instructions that were performed prior to correcting erroneous information in the instructions.

Non-intent conditional procedure/instruction changes were initiated to correct the erroneous information, but were not reviewed and approved prior to performance of the surveillance instructions. PNPP personnel determined the intent of the procedure was being met and incorrectly concluded that the procedure could be performed as written since the erroneous information was only used as a reference value to confirm a relay contact position.

If you have questions or require additional information, please contact Mr. Henry L. Hegrat, Manager - Regulatory Affairs, at (216) 280-5606.

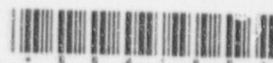
Very truly yours,

Enclosure

cc: NRC Region III Administrator  
NRC Resident Inspector  
NRC Project Manager

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## REPLY TO A NOTICE OF VIOLATION

VIOLATION 97006-01

### Restatement of the Violation

During an NRC inspection conducted on April 21 through 24, 1997, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, the violation is listed below:

10 CFR 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings," requires, in part, that activities affecting quality shall be prescribed by instructions, procedures, or drawings of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, or drawings.

Perry Administrative Procedure (PAP)-0522, Revision 7, "Instruction Changes," states, in part, that non-intent conditional changes receive approval from two members of plant management staff knowledgeable in the affected area, at least one of whom is either the Shift Supervisor (SS) or the Unit Supervisor (US); and that the change is assigned an effective date and is implemented in the respective instruction.

Contrary to the above, on December 8, 1995, the licensee performed surveillance instructions SVI-E32-T5400-E, "MSIV Leakage Control System - Steamline B Bleedoff Flow Channel Calibration for IE32-N053E," and SVI-E32-T5400-J, "MSIV Leakage Control System - Steamline C Bleedoff Flow Channel Calibration for IE32-N053J," before issuing non-intent conditional procedure/instruction changes (PICs) that changed the expected relay contact reference voltage from 0 Vac to 120 Vac. The PICs were subsequently approved on January 9, 1996.

This is a Severity Level IV violation (Supplement 1).

### Issue

In NRC Inspection Report No. 50-440/97006, it was identified that Perry Nuclear Power Plant (PNPP) personnel performed two surveillance instructions (SVIs) with erroneous information in the procedure. Non-intent conditional procedure/instruction changes (PICs) were initiated to correct the erroneous information, but were not reviewed and approved prior to performance of the SVIs. The NRC expressed concern that the instrumentation and control (I&C) supervisor and the Unit Supervisor (US) did not follow the PIC procedure (Plant Administrative Procedure (PAP)-0522, "Changes to Procedures and Instructions") prior to performing the two SVIs.

The NRC concluded that the performance of the two SVIs before completing the PICs had minimal safety consequences since the expected reference voltage had been independently confirmed to be 120 Vac and had been discussed with the US. However, the NRC was concerned that the I&C supervisor used a "window of opportunity" to accomplish safety-related testing and time was spent trying to find a way to perform the SVIs before completing the PIC process. In addition, the US had the opportunity to implement the PICs before performing the SVIs. In accordance with PAP-0522, the US's signature and date would have documented approval of the PICs for use with the instructions.

### Background

On December 7, 1995, an I&C technician stopped the performance of an SVI at an instruction step to verify that relay contacts were closed. The expected voltage as parenthetically referenced in the instruction step was 0 Vac. However, the I&C technician obtained a voltage of approximately 124 Vac and terminated the performance of the SVI assuming the procedure was in error. The I&C supervisor independently reviewed the electrical schematic and concluded that the expected voltage was 120 Vac. A review of three similar instructions found the reference to be identical. The I&C technician initiated an I&C Temporary Change Request for the four SVIs on December 7, 1995, to change the expected reference voltage to 120 Vac. Additionally, a Potential Issue Form (PIF) was written to document these conditions.

On December 8, 1995, the I&C supervisor determined that an opportunity existed to complete SVIs before issuing the PIC. Since the expected voltage was referenced in parenthesis (parenthetical expected values found in SVIs provide reference points and are not intended to be actual data values) and the intent of the step was to verify the contact was closed, the I&C supervisor concluded the SVIs could be completed as written. The I&C supervisor determined that PAP-1105, "Surveillance Test Control," provided sufficient latitude to complete the SVIs before issuing the PIC. The procedure stated, in part, that test instructions are followed in a step-by-step sequence unless deviation is specifically allowed, such as working with inadequate instructions. The I&C supervisor described to the US that the procedure step could be met although the expected voltage was different from indicated. The US agreed that the two SVIs could be performed before PIC approval. The two SVIs were subsequently completed. The PICs were later approved on January 9, 1996.

During a recent NRC inspection, PNPP personnel recognized that a potential conflict existed between PAP-0522 and PAP-1105. On April 24, 1997, a PIF was initiated to investigate Technical Specifications (TS) and Updated Safety Analysis Report (USAR) requirements associated with the PIC process<sup>1</sup>.

### Reason for the Violation

The I&C supervisor and US did not follow the PIC procedure before performing two SVIs. A "window of opportunity" was used to complete safety-related testing before completing the PIC process. The cause of the violation was that the I&C supervisor and US exercised poor judgment by interpreting PAP-1105 to allow procedure deviation with US approval without first completing a PIC per PAP-0522. This decision conflicted with management expectations.

Perry Unit 1 TS 6.8.3 "Temporary Changes," which was in effect at the time<sup>2</sup>, was implemented by procedure PAP-0522, Revision 7. The procedure stated, in part, that non-intent conditional changes receive approval from two members of plant management staff knowledgeable in the affected area, at least one of whom is either the Shift Supervisor (SS) or US; and that the change is assigned an effective date and is implemented in the respective instruction. Although I&C management and the US agreed that the 120 Vac

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<sup>1</sup> The focus of the PIF was whether existing procedures, specifically PAP-1105, conflict with the intent of USAR Section 17.2.5 and PAP-0522. The statements in PAP-1105 regarding unexpected results based on inadequate instructions, and the implied acceptability to use inadequate instructions after discussion with the US, conflict with PAP-0522.

<sup>2</sup> Previous TS 6.8.3 has been relocated to USAR Section 17.2.5 as a result of the implementation of Improved TS. The implementing procedure for temporary changes remains PAP-0522, which describes in detail the requirements for conditional instruction changes. These requirements are a direct interpretation of USAR Section 17.2.5. PAP-0522 Section 5.4 describes mechanisms to implement conditional non-intent changes which are equivalent to "Temporary Changes" as described in USAR Section 17.2.5.

reference value would confirm that the relay contact was closed, their decision to perform the two SVIs before PIC approval bypassed specific temporary change procedure and TS requirements.

#### Corrective Steps Taken and Results Achieved

The current PNPP work culture and management expectations do not allow work to proceed using inadequate instructions. Additionally, the circumstances of this event were reviewed and discussed with the I&C supervisors and technicians to reinforce management's expectations.

PNPP management reemphasizes their expectation that no inadequate procedure or instruction will be used in a monthly newsletter, *Procedure Adherence: The Foundation of our Success*. Strict compliance with correct procedures and instructions is the standard at the PNPP. Incorrect procedures or instructions must be modified through the PIC process before continuing. Furthermore, a site wide communication from the Senior Management Team was issued in parallel with this violation response.

#### Corrective Steps that Will be Taken to Avoid Further Violations

PAP-1105 will be revised to reference PAP-0522 to correct inadequate procedures or instructions prior to proceeding with any surveillance or periodic test instruction. The procedure change will be completed prior to the next refueling outage, which is currently scheduled to begin on September 12, 1997.

#### Date When Full Compliance Will Be Achieved

Full compliance was achieved when the PICs were approved on January 9, 1996.

The following table identifies those actions which are considered to be regulatory commitments. Any other actions discussed in this document represent intended or planned actions, are described for the NRC's information, and are not regulatory commitments. Please notify the Manager - Regulatory Affairs at the Perry Nuclear Power Plant of any questions regarding this document or any associated regulatory commitments.

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#### COMMITMENTS

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PAP-1105 will be revised to reference PAP-0522 to correct inadequate procedures or instructions prior to proceeding with surveillance or periodic test instruction performance. The procedure change will be completed prior to the next refueling outage, which is currently scheduled to begin on September 12, 1997.

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