

NOTICE OF VIOLATION

Toledo Edison Company
Davis-Besse NPS

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

During an NRC inspection conducted on June 3, 1994, through July 22, 1994, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1994), the violation is listed below:

10 CFR Part 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings," states, in part, that "Activities affecting quality shall be prescribed by documented instructions, procedures, or drawings ... and shall be accomplished in accordance with these instructions, procedures, or drawings."

- a. Administrative procedure DB-MN-00005, Foreign Material Exclusion (FME), defines an exclusion zone 3 as an area requiring access control over personnel and materials. Controls to do this include ropes/tape barriers, and signs around the work area. Material accountability (log), and personnel accountability (log) are required. DB-MN-00005 specifies the spent fuel pool (SFP) as an exclusion zone 3 area.

Contrary to the above, from June 21 to June 30, 1994, FME was not adequate for the spent fuel pool area in that the FME access barrier on the west side of the pool had been removed. In addition, the material accountability log was inaccurate, in that several items had not been logged in/out of the exclusion area (346/94006-01a(DRP)).

- b. Administrative procedure DB-MS-01637, Scaffolding Erection and Removal Guidelines, requires that scaffolding be constructed such that the gap between scaffold and equipment be at least 1 inch, and prohibits tying off the scaffolding to conduit or unistrut conduit supports.

Contrary to the above, on July 12, 1994, a scaffold in the #1 low voltage switchgear room was not erected in accordance with DB-MS-01637 in that a horizontal cross member was in contact with a louvre of a safety related ventilation damper, and the scaffold was braced with wire to two 3-inch safety related conduits and a safety related unistrut conduit support (346/94006-01b(DRP)).

- c. Procedure DB-OP-0006, Night Order/Standing Order Log, note 6.1 states that "Night orders shall not provide instructions which conflict with or substitute for approved procedures."

Contrary to the above, the night order log sheet issued to the operating crews on January 13, 1994, contained instructions that conflicted with approved procedure DB-OP-06331, Freeze Protection and Electrical Heat Trace, in that Section 3.2 of the procedure required work requests to be initiated for heat trace or freeze

protection problems causing alarm conditions on the control room DORIC recorder. However, the night order stated that when a heat trace or freeze protection problem was noted, the electrical shop personnel were to be notified. If they were unable to review or solve the problem, submittal of the work request would then be allowed. As a result of the conflicting guidance, work requests were not initiated for all heat trace and freeze protection problems (346/94006-01c(DRP)).

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

Pursuant to the provisions of 10 CFR 2.201, Toledo Edison 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 U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois 60532-4351, and a copy to the NRC Resident Inspector at Davis-Besse within 30 days of the date of the letter transmitting this Notice of Violation. 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. 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.

Dated at Lisle, Illinois
this 2nd day of August 1994