

NOTICE OF VIOLATION

Virginia Electric and Power Company
North Anna 1 and 2

Docket Nos.: 50-338, 50-339
License Nos.: NPF-4, NPF-7
EA 96-322

During an NRC inspection conducted on September 22 through November 2, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

- A. 10 CFR 61.56 (a)(3) requires that solid waste containing liquid for land disposal shall contain as little free standing and noncorrosive liquid as is reasonably achievable, but in no case shall the liquid exceed one percent of the volume.

Contrary to the above, Radioactive Waste Shipment No. 0596-5939 (96-0004), classified as, "Radioactive Material, LSA, n.o.s., 7," described as, "solid oxides deposited on spent resin," and packaged in a poly High Integrity Container was shipped to the Low-Level Radioactive Waste Disposal facility at Barnwell, South Carolina, on May 14, 1996, containing liquid in excess of one percent of the total waste volume. The excess liquid was identified by a Chem-Nuclear Systems, Inc. operator on May 17, 1996. (01014)

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

- B. 10 CFR 50.65(a)(1) requires, in part, that licensees shall monitor the performance or condition of Structures, Systems, or Components (SSCs) against licensee-established goals, in a manner sufficient to provide reasonable assurance that such SSCs within the scope of the rule are capable of fulfilling their intended functions. When the performance or condition of an SSC does not meet established goals, appropriate corrective action shall be taken. 10 CFR 50.65(a)(2) requires, in part, that monitoring as specified in paragraph (a)(1) is not required where it has been demonstrated that the performance or condition of an SSC is being effectively controlled through the performance of appropriate preventive maintenance, such that the SSC remains capable of performing its intended function. Virginia Power Administrative Procedure VPAP-0815, Maintenance Rule Program, Revision 2, Section 6.1.4.a, implements these 10 CFR 50.65 requirements and states, in part, monitoring performance will be performed by evaluating SSCs against established criteria and performing a Category 1 or 2 Root Cause Evaluation (RCE) if functional failures are identified.

Contrary to the above requirements, as of October 8, 1996, an RCE had not been completed for several pump 1-CH-P-1A seal failures which

ENCLOSURE 1

occurred between February 11 and July 18, 1996. Additionally, a failure of the instrument air system on August 1, 1996, was determined to be a maintenance rule functional failure but no RCE was completed. Finally, corrective actions for an unmonitored release from the boron recovery system on September 10, 1996, failed to identify that plant level monitoring criteria had been exceeded. As a result, no RCE was performed following the release.

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

Pursuant to the provisions of 10 CFR 2.201, Virginia Electric and Power Company 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 II, and a copy to the NRC Resident Inspector at North Anna, 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 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 redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Atlanta, Georgia
this 2 day of December, 1996