

NOTICE OF VIOLATION  
AND  
PROPOSED IMPOSITION OF CIVIL PENALTY

Virginia Electric and Power Company  
North Anna Unit 2

Docket No. 50-339  
License No. NPF-7  
EA 87-246

During the Nuclear Regulatory Commission (NRC) inspection conducted from November 20 through December 18, 1987 violations of NRC requirements were identified. In accordance with "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1987), the Nuclear Regulatory Commission proposes to impose a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The particular violations and associated civil penalty are set forth below:

I. Violation Assessed A Civil Penalty

Technical Specification 3.3.1.1, Table 3.3-1, requires that two Reactor Trip System steam flow channels per loop shall be operable when the Unit is in Modes 1 and 2. When only one channel is operable, startup and power operation may proceed until performance of the next required channel functional test provided the inoperable channel is placed in the tripped condition within one hour.

Technical Specification 3.3.2.1, Table 3.3-3, requires that two Engineered Safety Feature Actuation System steam flow instrumentation channels per steam line shall be operable when the unit is in Modes 1, 2, and 3. When only one channel per steam line is operable, operation may proceed until performance of the next required channel functional test, provided the inoperable channel is placed in the tripped condition within one hour.

Contrary to the above, on November 4, 1987, Unit 2 was operated in Modes 1-3 with an inoperable steam flow channel in both A and B steam flow lines. These steam flow channels, "A" steam generator Steam Flow Channel III (FI-2474) and "B" Steam Flow Channel IV (FI-2485), were identified as indicating zero steam flow with the other four channels indicating positive steam flow. The difference in flow between the two channels indicating no flow and the other channels for the respective loops which were indicating flow was greater than the channel check acceptance criteria thereby, indicating the two channels were inoperable. The channels were not declared inoperable and the appropriate Technical Specification action of placing the inoperable channels in trip within one hour was not taken.

This is a Severity Level III violation (Supplement I). (Applies to Unit 2 only)

(Civil Penalty - \$100,000)

II. Violations not Assessed a Civil Penalty

- A. 10 CFR Part 50, Appendix B, Criterion V, as implemented by the licensee's Quality Assurance Topical Report VEP 1-5A, and ADM-5.0, Instructions, Procedures and Drawings, requires in part, that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, and drawings.

Engineering Work Request (EWR) 87-206 stated that following completion of Raychem splice installation, performance testing of the modified component be accomplished per approved station test procedure.

Contrary to the above, following performance of the Raychem splice installation specified in EWR 87-206, the licensee failed to perform a post-maintenance test to verify the operability of the steam flow instrument, FI-2474.

This is a Severity Level IV violation (Supplement I). (Unit 2 only)

- B. Technical Specification 6.6.1.a requires that the Commission shall be notified and a report submitted pursuant to the requirements of 10 CFR 50.73.

10 CFR 50.73 requires that the licensee report any operation or condition prohibited by the plant's Technical Specifications, and include in the report the cause of each component or system failure or personnel error, the dates and approximate time of occurrences, the method of discovery of each component or system failure, and operator actions that affected the course of the event.

Contrary to the above, Licensee Event Report No. (LER) 87-015, issued by the licensee on December 4, 1987, to describe the violation of Technical Specifications associated with inoperable steam flow instruments FI-2474 and FI-2485 was inadequate for the following reasons:

- (1) LER 87-015 failed to identify that the "B" steam generator Steam Flow Channel IV (FI-2485) had been inoperable since the unit entered Mode 3 and consequently the LER did not identify any cause for the failure or any corrective actions.
- (2) LER 87-015 failed to identify the lack of a proper post maintenance test and testing documentation for "A" steam generator Steam Flow Channel III (FI-2474) following maintenance performed during the refueling outage. The lack of a post maintenance test was not identified as a cause for the steam flow channel being inoperable and in violation of Technical Specifications.

- (3) LER 87-015 failed to identify that the operators violated the Technical Specification 4.3.1.1.1 and 4.3.2.1.1 channel check criteria and the licensee's operation standard concerning channel checks in that the operators logged that both Steam Flow Channels FI-2474 and FI-2485 were outside the licensee's established channel check criteria but did not declare the instruments inoperable and take the actions required by Technical Specification.
- (4) By failing to document specific times of discovery LER 87-015 did not make it clear that the operators had identified problems with Steam Flow Channels FI-2474 and FI-2485 as early as 10 hours prior to declaring them inoperable. The LER also did not state that the unit operated at approximately 25 percent reactor power for approximately four hours with both Steam Flow Channels FI-2474 and FI-2485 indicating zero steam flow (e.g., failed low) before declaring the channels inoperable and taking the required Technical Specification actions.
- (5) LER 87-015 did not state that the condition with inadequate steam flow indication at low steam flow and the action taken by the operators which was in violation of Technical Specification channel check surveillance criteria was known and condoned by licensee management, nor was this listed as a cause and discussed under corrective action.

This is a Severity Level IV violation (Supplement I). (Unit 2 only)

Pursuant to the provisions of 10 CFR 2.201, Virginia Electric and Power Company (licensee) is hereby required to submit a written statement or explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) admission or denial of the violation, (2) the reasons for the violation if admitted, (3) the corrective steps that have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, the licensee may pay the civil penalty by letter addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, or money order payable to the Treasurer of the United States in the amount of the civil penalty proposed above, or may protest imposition of

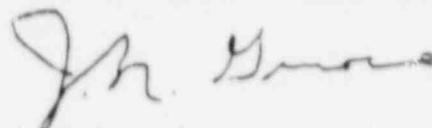
the civil penalty in whole or in part by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission. Should the licensee fail to answer within the time specified, an order imposing the civil penalty will be issued. Should the licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation" and may: (1) deny the violations listed in this Notice in whole or in part, (2) demonstrate extenuating circumstances, (3) show error in this Notice, or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the five factors addressed in Section V.B of 10 CFR Part 2, Appendix C (1987), should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201 but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the licensee is directed to the other provisions of 10 CFR 2.205 regarding the procedure for imposing a civil penalty.

Upon failure to pay the penalty due, which has been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282c.

The responses to the Director, Office of Enforcement, noted above (Reply to a Notice of Violation, letter with payment of civil penalty, and Answer to a Notice of Violation) should be addressed to: Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, Region II and a copy to the NRC Resident Inspector, North Anna Power Station.

FOR THE NUCLEAR REGULATORY COMMISSION



J. Nelson Grace  
Regional Administrator

Dated at Atlanta, Georgia  
this 8<sup>th</sup> day of March 1988