

Furthermore, some leak rate tests were not always accomplished in accordance with SP 1303-1.1, Revision 7. Based upon the analysis of plant data for the period April 1, 1978 through March 21, 1979, inventory changes were made during RCS leak rate tests. Of 645 test records reviewed, approximately 5% indicated results that were questionable because of water additions, hydrogen gas additions, and feed and bleed operations which occurred during the leak rate tests. The water additions and feed and bleed operations were not properly incorporated into the RCS leak rate test calculations as required by SP 1301-1.1, Revision 7. Hydrogen additions to the makeup tanks similarly could offset the leak rate test results by causing an apparent increase in water inventory.

The second leak rate test violation involves the failure of the licensee to maintain sufficient records required for leak rate surveillance testing. NRC investigators determined that prior to March 1979, it was common practice at TMI-1 to discard RCS leakage rate tests deemed to be invalid upon completion of a valid test. Neither the discarding nor the reasons for discarding the results of the tests were noted in the applicable plant and test records.

The third leak rate test violation involves the failure of the licensee to correct deficiencies or malfunctions once they were identified. The NRC investigators determined that the licensee failed to establish measures that would identify and correct conditions adverse to quality in that at least five maintenance work requests generated between April 28, 1978 and September 12, 1979 identified malfunctions and deficiencies in makeup tank equipment configuration that were not understood by licensee representatives until an "as-built" inspection and walkdown to verify that a loop seal existed in the dry leg of the makeup tank level instrumentation was performed by NRC Region I on July 11, 1983.

In accordance with the Enforcement Policy, the leak rate violations have been evaluated in the aggregate and have been categorized as a Severity Level III problem. Collectively, they represent violations of technical specification requirements and may have been violations of technical specification limiting conditions for operation. This Severity Level reflects the significance which the Commission places on leak rate tests. However, no civil penalty is being proposed for these violations for the following reasons. In NUREG-0680, Supplement 5, the staff concluded that "the preponderance of evidence does not support a finding that leak rate tests were intentionally manipulated at TMI-1." Criminal action has already been taken against Metropolitan Edison Company for falsifying leak rate tests at TMI-2. Given those circumstances, the age of the violations, and the fact that acceptable corrective action has been completed, the NRC has concluded that no civil penalty should be proposed.

Since your corrective actions for these violations have already been examined and accepted by the NRC, no response to the Notice is required. If you choose to respond to this letter, you should follow the instructions specified in the enclosed Notice when preparing your response.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

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