

## NOTICE OF VIOLATION

GPU Nuclear Corporation  
Three Mile Island Nuclear Station

Docket No. 50-289  
License No. DPR-50  
EA No. 98-456

During an NRC inspection conducted between August 10 and 27, 1998, a violation of NRC requirement was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR 50.59 states, in part, that changes to the facility as described in the safety analysis report may be made without prior NRC approval, unless the proposed change involves a change in the technical specifications incorporated in the license or an unreviewed safety question. A change shall be deemed to involve an unreviewed safety question if a possibility for malfunction of a different type than any evaluated previously in the safety analysis report may be created.

Contrary to the above, in October 1997, a change to the facility as described in Section 6.1, Emergency Core Cooling systems, of the TMI-1 Updated Final Safety Analysis Report (UFSAR), involving an unreviewed safety question, was made without prior Commission approval. The change, which involved cross connecting the previously separate suction lines of the three high pressure injection pumps by opening valves MU-V69A and MU-V69B, created the possibility for a malfunction of a different type than any previously evaluated in the UFSAR in that a new potential for failure of the "C" makeup pump due to gas entrainment from the makeup tank was created.

This is a Severity Level IV violation (Supplement 1)

Pursuant to the provisions of 10 CFR 2.201, GPU Nuclear Corporation 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 I, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, 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 or severity level, (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 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.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Because your response will be placed in the NRC Public Document Room (FDR), 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 King of Prussia, Pennsylvania  
this 15th day of October, 1998