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Docket No. 50-461  
License No. NPF-62  
EA 88-90

Illinois Power Company  
ATTN: Mr. W. C. Gerstner  
Executive Vice President  
500 South 27th Street  
Decatur, IL 62525

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY  
(NRC INSPECTION REPORTS NO. 50-461/87026(DRS) AND NO. 50-461/88010(DRS))

This refers to the special safety inspections conducted during the periods of August 17 through October 13, 1987 and February 25 through March 31, 1988, of activities at the Clinton Nuclear Station authorized by NRC License No. NPF-62. These inspections reviewed implementation of the requirements for assuring environmental qualification (EQ) of electrical equipment. As a result of these inspections, certain of your activities appear to be in violation of NRC requirements. Two of these examples were identified as Potentially Enforceable/Unresolved Items in NRC Inspection Report No. 50-461/87026(DRS) sent to you by letter dated November 6, 1987. A third example was licensee identified and discussed in NRC Inspection Report No. 50-461/88010(DRS) sent to you by letter dated April 20, 1988. An enforcement conference was held in the Region III office on March 31, 1988 between you and other members of your staff, and Dr. C. J. Paperiello and other members of the NRC staff during which the violations, their root causes and your corrective actions were discussed.

The violation described in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) concerns the failure on the part of the engineering staff to appropriately translate the design specifications for electrical equipment important to safety into installation directions and to ensure that the installed configuration was the same as the tested configuration. These failures caused equipment to be installed which differed from the tested (qualified) configuration. The unqualified junction boxes, AMP KYNAR butt splices and Thomas and Betts nylon wire caps had been installed since the beginning of plant operations and represented significant equipment problems which could have led to equipment failures during postulated accident conditions in numerous systems important to safety.

Your nonconformance report (issued September 16, 1986) and NRC violation 50-461/87026-036(DRS) (issued November 6, 1987) relating to corrosion due to the absence of drainage openings in one electrical equipment junction box should have alerted you for a potential generic problem. Your failure to take prompt and effective corrective actions is of regulatory concern. We request that your response describe your actions to preclude similar corrective action failures.

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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During the enforcement conference, you stated that your methodology for testing butt splices and wire caps was consistent with industry practice. IE Information Notice No. 85-39, "Auditability of Electrical Equipment Qualification Records at Licensee's Facilities," states, in part, that an EQ test report, in and of itself, does not completely support a determination that equipment is qualified and that similarity of the tested configuration to that installed configuration in the plant must be established. Additional information such as an evaluation of the adequacy of the test conditions may be needed. For example, 10 CFR 50.49(k) endorses NUREG-0588, which requires meeting IEEE Standard 323-1974, "IEEE Standard for Qualifying Class IE Equipment for Nuclear Power Generating Stations," that provides that equipment specifications and test plans should include, as applicable, the mounting and connection method and configuration. As such, equipment should be mounted, positioned, and connected in a manner that simulates its expected installation unless an analysis can be performed and justified to show the equipment's performance would not be altered by other means of mounting and connection. Analytical data should contain the specific features, postulated failure modes or the failure effects to be analyzed. Standard 323-1974 supports our position that the equipment should be tested under the most adverse conditions it would experience throughout its expected life. The installed configuration for the wire caps and butt splices did not prevent them from being in contact with each other or surrounding grounded metal. Therefore, these devices should have been tested in contact with ground since that is a possible configuration and failure mode.

To emphasize the importance of adequate engineering control of installation instructions to ensure qualification of electrical equipment important to safety, I have been authorized, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Regional Operations, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Seventy-Five Thousand Dollars (\$75,000) for the violation described in the enclosed Notice. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR, Part 2, Appendix C (1988) (Enforcement Policy), the violation described in the enclosed Notice has been categorized at a Severity Level III. The escalation and mitigation factors in the Enforcement Policy were considered and the base civil penalty amount has been increased by 50%. Your prompt and extensive corrective action once the problem was identified to you is offset by the prior notices you have had concerning the junction boxes in the form of IE Information Notice 84-57, a previous NRC violation (50-461/87026-03(b)) and your own Nonconforming Material Report written on September 16, 1986 and the multiple examples found for each violation involving numerous safety-related systems.

The enforcement action being taken in this case is based on the normal enforcement policy of 10 CFR Part 2, Appendix C (1988). Because Clinton Nuclear Station was granted an operating license after the November 30, 1985 EQ deadline, the enforcement policy for EQ violations for operating reactors, provided in Generic Letter 88-07, was not considered applicable.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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 enclosures will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Sincerely,

Original signed by  
~~A. Bert Davis~~

A. Bert Davis  
 Regional Administrator

Enclosures:

1. Notice of Violation and Proposed Imposition of Civil Penalty
2. Inspection Reports  
 No. 50-461/87026(DRS);  
 No. 50-461/88010(DRS)

cc w/enclosures:

Licensing Fee Management Branch  
 Resident Inspector, RIII  
 Roy Wight, Manager  
 Nuclear Facility Safety  
 Mark Jason, Assistant  
 Attorney General,  
 Environmental Control Division  
 Richard Hubbard  
 J. W. McCaffrey, Chief, Public  
 Utilities Division  
 H. S. Taylor, Quality Assurance  
 Division

OE ~~AS~~  
 JStafano  
 5/20/88

~~RIII~~  
~~ABDavis~~  
~~5/1/88~~

OGE ~~AM~~  
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 CAnderson  
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Enforcement Coordinators,

RI, RII, RIV, and RV