

NOTICE OF VIOLATION  
AND  
PROPOSED IMPOSITION OF CIVIL PENALTY

Tennessee Valley Authority  
Sequoyah Unit 2

Docket No. 50-328  
License No. DPR-79  
EA 88-86

During the Nuclear Regulatory Commission (NRC) inspection conducted from February 26, 1988 to March 18, 1988, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), 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. Violations Assessed a Civil Penalty

- A. Technical Specification 3.5.2 requires for MODES 1, 2, and 3, a minimum of two independent emergency core cooling system (ECCS) subsystems shall be operable with each subsystem comprised of, among other equipment, one operable centrifugal charging pump.

Technical Specification 3.0.3, which contains the ACTION requirements when two ECCS subsystems are inoperable, requires, in part, that within one hour, action shall be initiated to place the unit in a MODE in which the Specification does not apply.

Contrary to the above, on March 9, 1988, with the unit in MODE 3, two ECCS subsystems were inoperable for one hour and twenty-four minutes and action was not initiated to place the unit in a MODE in which the Specification does not apply. Both centrifugal charging pumps were in the pull-to-lock position and would not have operated automatically upon receipt of a safety injection signal.

- B. 10 CFR 50.72.b.2.iii requires the reporting to the NRC Operations Center via the Emergency Notification System (Red Phone) within four hours of occurrence, any event or condition that alone could have prevented the fulfillment of the safety function of structures or systems that are needed to shut down the reactor and maintain it in a safe shutdown condition, remove residual heat, control the release of radioactive material, or mitigate the consequences of an accident.

Contrary to the above, on March 9, 1988, the inoperability of the centrifugal charging pumps was not reported to the NRC Operations Center within the required four hours after it was identified.

Collectively, these violations have been categorized in the aggregate as a Severity Level III problem (Supplement I).

Cumulative Civil Penalty - \$50,000 (assessed equally between the violations).

II. Violations Not Assessed a Civil Penalty

- A. Technical Specification 6.8.1 requires that written procedures be established, implemented, and maintained covering the applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978. Appendix A of Regulatory Guide 1.33 requires that procedures be established and implemented to control system operations and administrative activities.

Contrary to the above, the licensee failed to adequately establish and implement procedures in the following instances:

1. On March 5, 1988, a Technical Specification Interpretation was established and used that conflicted with the plant Technical Specifications. Technical Specification Interpretation 8 allowed operation of the facility, with Technical Specification 3.0.5 invoked, with one alternate motor driven auxiliary feedwater train operable and the capability to supply at least three steam generators from the turbine driven auxiliary feedwater pump. In some circumstances, this allowed operation of the facility with flow paths to only three steam generators. However, Technical Specification 3.7.1.2 requires that flow paths to all four steam generators be operable.
2. On March 9, 1988, the improper implementation of the AI-5 Lead Operator Checklist resulted in the improper documentation of the 2A-A CCP control room handswitch position. The checklist indicated that the handswitch was in the proper position (i.e. A-Auto), whereas the actual position was pull-to-lock (PTL).

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

- B. TS 4.5.1.1.1.6 requires that each cold leg accumulator be demonstrated operable by verifying the boron concentration within six hours after each solution volume increase of greater than or equal to 1% of the tank volume.

Contrary to the above, on March 6, 1988, the #3 cold leg accumulator boron concentration was not verified within 6 hours after a solution volume increase of greater than 1% of tank volume due to inleakage.

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

Pursuant to the provisions of 10 CFR 2.201, Tennessee Valley Authority 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 the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each alleged violation: (1) admission or denial of the alleged violation, (2) the reasons for the violation if admitted, (3) the corrective steps which 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. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

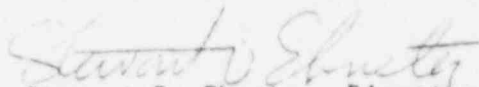
Within the same time as provided for the response required above under 10 CFR 2.201, the licensee may pay the civil penalty by letter to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, or money order payable to the Treasurer of the United States in the amount 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 violation 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 in whole or in part, 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 (1988), 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 any civil penalty due which subsequently has been 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, D.C. 20555 with a copy to the Director, Office of Special Projects, U.S. Nuclear Regulatory Commission and a copy to the NRC Resident Inspector, at Sequoyah Unit 2.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Stewart D. Ebnetter, Director  
Office of Special Projects

Dated this *3rd* day of June 1988

Tennessee Valley Authority

JUN 03 1988

bcc w/enclosures:

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