

**OPPD**

**Omaha Public Power District**  
1623 Harney Omaha, Nebraska 68102-2247  
402/536-4000

May 27, 1988  
LIC-88-378

U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555

References: 1. Docket No. 50-285  
2. Letter from NRC (L. J. Callan) to OPPD (R. L. Andrews) dated  
April 29, 1988

Gentlemen:

SUBJECT: Response to Notice of Violation and Deviation  
NRC Inspection Report 50-285/88-11

Omaha Public Power District (OPPD) recently received Reference 2, Notice of Violation and Deviation, issued as a result of Inspection 50-285/88-11. This report identified two violations and one deviation. The violations involved the failure to make a 4-hour report for an automatic ESF actuation that was not part of a preplanned sequence during testing and the submittal of a violation response which contained inaccurate information. The deviation consisted of the erection and use of scaffolding without a safety review being performed.

Pursuant to the provisions of 10 CFR Part 2.201, please find attached, OPPD's response to the violations and deviation. If you have any questions concerning this matter, please do not hesitate to contact us.

Sincerely,

*for* *R. L. Andrews*  
R. L. Andrews  
Division Manager  
Nuclear Production

RLA/me

cc: LeBoeuf, Lamb, Leiby & MacRae  
R. D. Martin, NRC Regional Administrator  
A. Bournia, NRC Project Manager  
P. H. Harrell, NRC Senior Resident Inspector

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## RESPONSE TO NOTICE OF VIOLATION

During an NRC inspection conducted on March 1-31, 1988, violations of NRC requirements were identified. The violations involved the failure to provide correct and accurate information in response to an NRC-identified violation and failure to make a 4-hour report as required by 10 CFR Part 50.72. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), the violations are listed below:

- A. Section 50.72(b)(2) of 10 CFR Part 50 states, in part, that a 4-hour report shall be made whenever any event or condition that results in automatic actuation of any engineered safety feature (ESF). The actuation of ESF that results from and is part of the preplanned sequence during testing need not be reported.

Contrary to the above, the licensee failed to make a 4-hour report for an automatic ESF actuation that was not part of a preplanned sequence during testing, in that, during the testing of Emergency Diesel Generator 1 on March 23, 1988, operator error caused the unplanned actuation of Emergency Diesel Generator 2, an engineered safety feature.

This is a Severity Level V violation. (Supplement I) (285/8811-03)

### OPPD'S Response

#### Reason for the Violation if Admitted

During the performance of surveillance test ST-ESF-6 F.2 Appendix C on March 23, 1988, Diesel Generator 2 tripped, resulting in the auto-start of Diesel Generator 1. Immediately after the event, Plant Management evaluated the potential reportability of the auto-start of Diesel Generator 1 under the requirements of 10 CFR 50.72. The event was determined to be nonreportable because the diesel generators are not listed in Section 6 of the Updated Safety Analysis Report (USAR), Engineered Safeguards Features, and because the auto-start of Diesel Generator 1 was not initiated by a safeguards actuation signal. Based on the above, it was deemed not to be reportable.

#### Corrective Steps Which Have Been Taken and the Results Achieved

Discussions were held between Plant Management and the Senior Resident Inspector concerning reportability. Based on the results of those discussions, a memo was issued to Shift Technical Advisors (STAs) stating that any non-scheduled start of a diesel generator was to be reported as an actuation of an Engineered Safeguards Feature. STAs were issued the above-mentioned memo because they perform the first-level review of operating incident reports to determine reportability. This has served to notify plant personnel of proper reporting requirements for a non-scheduled diesel generator actuation. This event has also been documented in LER-88-007.

ATTACHMENT (Continued)

Corrective Steps Which Will be Taken to Avoid Further Violations

Corrective steps to preclude further violations of this nature were described in LER-88-007. These actions are believed sufficient to prevent recurrence. Additionally, a review is currently underway to determine if other like events of this nature require reportability. This review should be completed by July 31, 1988.

Date When Full Compliance Will be Achieved

OPPD is currently in full compliance.

ATTACHMENT (Continued)

- B. Section 50.9 of 10 CFR Part 50 states, in part, that information provided to the Commission by a licensee shall be complete and accurate in all material aspects.

Contrary to the above, the licensee submitted a response to Violation 285/8724-04, dated February 24, 1988, that contained inaccurate information, in that the response stated that no instances of the failure to control gas cylinders had been noted since September 1987. The NRC inspector had noted and discussed with licensee personnel, an instance of the failure to control gas cylinders in December 1987.

This is a Severity Level V violation. (Supplement VII) (285/8811-04)

OPPD'S RESPONSE

The Reason for the Violation if Admitted

OPPD admits the violation occurred. Several factors led to the inclusion of the incorrect statement. These included an initial incorrect assignment of the responsibility to prepare the draft violation response, a time delay in determining this incorrect assignment had been made, and a resulting lack of adequate time to do a complete review and investigation prior to the response being submitted to the NRC. Upon identification of the incorrect assignment, a reassignment was made to the appropriate supervisor, who acknowledged the item to be his responsibility. A proposed response was transmitted informally and was not accompanied by supporting documentation and paperwork because of the short time frame.

Corrective Steps That Have Been Taken and Results Achieved

Upon notification of the violation, a revision to the response was immediately issued to eliminate the inaccurate statement. An investigation was conducted and the results were included as a follow-up to Inspection 87-24 dated March 18, 1988 (letter LIC-88-195).

An administrative process was developed and is currently being utilized whereby assignments of responsibility for the preparation of draft responses to NRC violations are made after each NRC exit meeting. These assignments are then included on the Integrated Regulatory Requirements Log to assure tracking of these items until such time as the official inspection report is received. This will help ensure that the individual responsible will have sufficient time to prepare a draft response and allow it to be subjected to a thorough review. A procedure change was made to Nuclear Production Division Procedure G-2, "Regulatory Requirements Log" to include a Form FC-1077, Certification of Accuracy, with draft responses. This requires the author to document items discussed in the submittal and allows easier verification during the review cycle. This change was in the process of being implemented at the time of the violation. These efforts have provided additional assurance that individuals responsible for each violation response not only has adequate time but that they provide accurate information.

Attachment (Continued)

Corrective Actions That Will Be Taken

OPPD believes the actions noted above will preclude further violations of this nature. No additional corrective actions are planned at this time.

Date When Full Compliance Will Be Achieved

OPPD is currently in full compliance.

## RESPONSE TO NOTICE OF DEVIATION

Based on the results of an NRC inspection conducted on March 1-31, 1988, a deviation of a commitment made to the NRC was identified. The deviation consisted of erection and use of scaffolding without a safety review being performed. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), the deviation is listed below:

In a letter, dated February 24, 1988, the licensee submitted a response to Violation 285/8724-05. In the response, the licensee stated that a review would be performed prior to the erection of scaffolding in safety-related areas for maintenance or any other activities.

In deviation from the above, on March 15, 1988, the NRC noted that scaffolding was erected for painting of the emergency feedwater storage tank, which is a safety-related area, and no prior review had been performed. (285/8811-02)

### OPPD'S RESPONSE

#### The Reason for the Deviation if Admitted

In NRC Inspection Report 50-285/87-24, the NRC inspector issued Violation 285/8724-05 which was related to the erection of non-seismic scaffolding. In response to the violation of February 24, 1988, a memo was issued to stress to the plant staff the need for prior review and approval of scaffolding installed in safety-related areas for maintenance or any other activities. Contrary to the guidance issued in the plant staff memo, freestanding scaffolding was erected immediately adjacent to the emergency feedwater storage tank (EFWST) which had not been reviewed or approved prior to being erected. This occurred as a result of a personnel error.

#### Corrective Steps Which Have Been Taken and the Results Achieved

Upon notification by the NRC inspector, OPPD removed the scaffolding adjacent to the EFWST. Shortly after the scaffolding was removed, an announcement was made at the morning and afternoon maintenance meetings to stress that scaffolding inside the Auxiliary Building, Intake structure, or Containment requires a safety evaluation prior to installation. Scaffolding inspected by OPPD personnel since that time has been found to have the required safety evaluation.

#### Corrective Steps Which Will be Taken to Avoid Further Deviations

To control its use, scaffolding will be defined as a temporary mechanical jumper to be controlled by Standing Order 0-25 "Electrical and Mechanical Jumpers and Block Controls." Standing Order 0-25 will then be revised to define safety-related areas, require a safety evaluation prior to the construction of scaffolding, and provide for pre-approval prior to the erection of scaffolding. Standing Order G-17, "Maintenance Orders," will be revised to reference Standing Order 0-25 for the control of scaffolding. Also, Standing Order G-21, "Station Modification Control," will be reviewed to determine if revisions are necessary to reference the control of scaffolding. Once these

Corrective Steps Which Will be Taken to Avoid Further Deviations (continued)

standing orders are updated, two actions will be taken. First, a training "Hot-Line" will be issued to ensure that plant and division personnel are aware of the controls on scaffolding. Second, scaffolding will be discussed at the morning and afternoon maintenance meetings to ensure that plant personnel are aware of scaffolding controls. These items will be completed by June 15, 1988.

The Date When Full Compliance Will be Achieved

OPPD will be in full compliance by June 15, 1988.