

APPENDIX B
NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTIES

Texas Utilities Electric Company
Comanche Peak Steam Electric Station
Unit 1

Docket No. 50-445
Construction Permit CPPR-126
EA 86-09

As a result of an NRC inspection conducted November 18, 1985 - December 18, 1985, two violations of NRC requirements were identified. In accordance with "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985) the Nuclear Regulatory Commission proposes to impose civil penalties pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, ("Act"), 42 U.S.C. 2282, PL 96-295 and 10 CFR 2.205. The particular violations and the associated civil penalties are set forth below:

I. VIOLATION ASSESSED A CIVIL PENALTY

- A. 10 CFR Part 50, Appendix B, Criterion X requires, in part, that a program for inspection of activities affecting quality be established and executed by or for the organization performing the activity to verify conformance with the documented instructions, procedures, and drawings for accomplishing the activity. In addition, Criterion XVIII requires, in part, that a comprehensive system of planned and periodic audits be carried out to verify compliance with all aspects of the quality assurance program and to determine the effectiveness of the program.

The Comanche Peak Steam Electric Station (CPSES) Final Safety Analysis Report (FSAR), Section 17.1.10, states, in part, ". . . inspection planning is utilized to assure conformance to procedures, drawings, specifications, codes, standards, and other documented instructions." The CPSES FSAR, Section 17.1.18 states, in part, with respect to audits, "TUGCO requires that planned and periodic audits be performed to verify compliance with all aspects of the quality assurance program to determine effectiveness of the program"

Section 3.0 of Texas Utilities Generating Company (TUGCO) Nuclear Engineering Procedure TNE-AB-CS-1, Revision 1, dated September 30, 1985, "As-Built Procedure, Cable Tray Hanger Design Adequacy Verification," states, in part, ". . . The 'as-designed' drawing will be marked up by the 'as-built' walkdown team in red . . . to denote actual dimension/configuration of the CTH attributes that are to be 'as-built.' The QC inspector will verify all dimension/configuration on the red-lined drawing"

Contrary to the above, as of the inspection from November 18 - December 18, 1985, attributes of a number of cable tray hangers located in the Reactor Building and Fuel Building related to tray size, tray span, tray clamps, member size, weld qualitative measurements, dimensional measurements, bolt size, and member orientation were not either correctly determined by walkdown engineer; or correctly verified by quality control inspectors for 15 of 32 cable trays that had been walked down prior to the NRC inspection. In addition, the licensee failed to perform audits of these activities.

- B.1. 10 CFR Part 50, Appendix B, Criterion V, as implemented by the TUGCO Quality Assurance Plan (QAP), Section 5, Revision 1, dated April 16, 1979, requires that activities affecting quality be prescribed by documented instructions, procedures, or drawings of a type appropriate to the circumstances and be accomplished in accordance with these instructions, procedures, or drawings.

- a. Paragraph 3.1.2 of Brown & Root (B&R) Procedure CPM-6.3, Revision 8, dated April 2, 1981, states, "The traveler package shall contain, or may reference if normally available, the drawings, procedures, instructions, manufacturer's manuals/guidelines, etc., necessary to accomplish the activity."

Contrary to the above, at the time of this inspection, January 1 - March 14, 1986, construction operation travelers for installation of electrical penetration assemblies (EPAs) 1E76, 1E77, 1E78, and 1E79 referenced a type of inboard cable support assembly that was attached to the EPA header plate instead of the EPA nozzle as required by the applicable Bunker Ramo Corporation (BRC) Drawing 50022078, Revision F.

- b. Drawing 2323-E1-0514, Revision 7, dated April 13, 1984, requires that conductor entry conduit, through which cables from certain EPAs were routed into junction boxes, must be sealed as specified.

Contrary to the above, during this inspection, the junction boxes to which cables were routed from EPAs 1E44, 1E45, 1E46, and 1E47 were observed to have unsealed conductor entry conduit.

- c. Paragraph 6.5 of B&R Engineering Instruction EEI-22, Revision 0, dated October 4, 1982, and paragraph 3.1.3 of TUGCO Instruction QI-QP-11.3-49, Revision 0, dated October 1, 1982, states, "Pigtail conductors must be supported a maximum of 36 inches from the penetration header plate or conductor support."

Contrary to the above, during this inspection, the pigtail conductors for the Conax modules in EPA 1E14 were observed to be supported on the inboard side (inside the reactor containment building) at distances of 43 inches to 60 inches from the penetration header plate.

- d. TUGCO Instruction QI-QP-11.3-28, Revision 26 "Class IE Cable Terminations" allowed the limited use of cable splices in raceways. The licensee committed to follow Reg Guide 1.75 in its Final Safety Analysis Report (FSAR) which allows the use of these splices if an analysis was made and submitted as part of the FSAR.

Contrary to the above, at the time of this inspection, this procedure was not adequate in that it allowed the limited use of cable splices in raceways when no analysis of this practice had been included in the FSAR.

2. 10 CFR Part 50, Appendix B, Criterion VI requires in part that measures be established to control the issuance of documents, such as drawings, including changes thereto, which prescribe activities affecting quality. These measures assure that documents, including changes, are reviewed for adequacy and approved for release by authorized personnel and are distributed to and used at the location where the prescribed activity is performed.

The TUGCO QAP, Section 6.0, Revision 0, dated July 1, 1978, requires in part that Gibbs & Hill be responsible for implementing quality assurance programs off-site that ensure appropriate documents are controlled and that changes required as a result of comments, nonconformance, or engineering work are incorporated into revised documents.

Contrary to the above, at the time of this inspection, vendor documents were not appropriately controlled by Gibbs & Hill in that BRC drawings of record for installed EPAs had not been revised to reflect resolution of handwritten comments on the drawings pertaining to design acceptability and required rework.

3. 10 CFR Part 50, Appendix B, Criterion VII as implemented by the TUGCO QAP, Section 7.0, Revision 0, dated July 1, 1978, requires in part that measures be established to assure that purchased material, equipment, and services conform to the procurement documents. These measures include provisions, as appropriate, for source evaluation and selection, objective evidence of quality furnished by the contractor or subcontractor, inspection at the contractor or subcontractor source, and examination of products upon delivery. Documentary evidence that materials and equipment conform to the procurement requirements must be available at the nuclear power plant site prior to installation or use of such material and equipment.

Paragraph 3.1 of B&R Procedure CP-QAP-7.2, Revision 3, dated March 19, 1979, states, in part, "The B&R QC Engineer/Inspector shall perform detailed receiving inspection in accordance with the provisions of this procedure and supplementary instructions and document the results of the inspection on the QC Receiving Inspection Report (RIR) . . ." Paragraph 3.2.b of this procedure states, in part, "For TUSI/Gibbs & Hill, and Brown & Root procured items that do not receive a final inspection release by these agencies, the B&R QC Engineer/Inspector shall perform a receipt inspection prepared by B&R

for the applicable item. Similarly, checklists shall be used to complete individual inspections waived by these agencies. All such checklists will be filed with the RIR in the QA Records Vault . . ."

Contrary to the above, at the time of this inspection, the completed checklist filed with the RIR in the QA Records Vault for EPAs 1E76, 1E77 and 1E78 involved cable tray parts rather than the referenced EPAs. In addition, detailed receiving inspections were not performed for EPAs 1E79, 2E76, 2E77, 2E78, and 2E79, as evidenced by numerous attributes on the checklists being marked by the receipt inspector as not verified.

4. 10 CFR Part 50, Appendix B, Criterion X as implemented by the TUGCO QAP, Section 10.0, Revision 1, dated July 31, 1984, requires that a program for inspection of activities affecting quality be established and executed by or for the organization performing the activity to verify conformance with the documented instructions, procedures, and drawings for accomplishing the activity.

Contrary to the above, as of the time of this inspection, Quality Control inspectors had failed to identify that:

- a. An inboard cable support assembly was not present for EPAs 1E76, 1E77, 1E78, and 1E79 even though Quality Control inspections had verified these installations.
 - b. Vendor installed splices for the pigtail assemblies of EPAs 1E76, 1E77, 1E78, 1E79, 2E76, 2E78, and 2E79 failed to comply with the staggering requirements of BRC Drawings 50028232, Revision C, and 50020346, Revision F.
5. 10 CFR Part 50, Appendix B, Criterion XVI as implemented by the TUGCO QAP, Section 16.0, Revision 0, dated July 1, 1978, requires in part that measures be established to assure that conditions adverse to quality such as failures, malfunctions, deficiencies, deviations, defective material and equipment, and nonconformances are promptly identified and corrected.

Contrary to the above, at the time of this inspection, EPAs with vendor installed splices of insufficient heat shrinkable tubing (HSIT) length to satisfy requirements of the HSIT manufacturer were not identified as nonconforming and corrected by rework in accordance with the BRC procedure furnished to TUGCO by Gibbs & Hill to resolve this type of nonconformance.

6. 10 CFR Part 50, Appendix B, Criterion XVII as implemented by the TUGCO QAP, Section 17.0, Revision 5, dated October 18, 1985, requires in part that sufficient records be maintained to furnish evidence of activities affecting quality. The records must include closely related data such as qualifications of personnel, procedures, and equipment.

Paragraph 2.1.3 of TUGCO Nuclear Engineering Procedure TNE-DC-15, Revision 6, issue date February 11, 1986, requires that vendor submitted

documents necessary to establish the final equipment qualification shall be reviewed and listed on the Documentation Review Form.

Contrary to the above, at the time of this inspection, records could not be located which provided a basis for establishing the equipment qualification adequacy of the field rework procedure (BRC Procedure 123-2286, approved June 26, 1982) for EPA cable splices and the procedure was not listed on the Documentation Review Form for BRC EPAs as being a reviewed document.

Collectively, Violations A and B have been characterized as a Severity Level III problem (Supplement II).

(Civil Penalties - \$50,000 assessed equally among the violations.)

II. VIOLATION NOT ASSESSED A CIVIL PENALTY

10 CFR Part 50, Appendix B, Criterion IX requires, in part, that measures be established to assure that special processes, including welding, are controlled and accomplished by qualified personnel using qualified procedures in accordance with applicable codes and standards.

The CPSES FSAR, Section 17.1.9 states, in part, with respect to control of special processes, "TUGCO requires of its prime contractors that written procedures and controls be prepared to assure that special processes including welding . . . are accomplished by qualified personnel using qualified procedures, in accordance with applicable codes, standards,"

The CPSES FSAR, Table 17A-1 and Gibbs and Hill (G&H) Specification 2323-SS-16B dated May 7, 1975, require use of the American Institute of Steel Construction (AISC) Code for cable tray hanger supports. The AISC Code and the G&H specification require that welding be performed in accordance with the American Welding Society (AWS) D1.1 Code. AWS D1.1-75, Section 2.9.2.4 states with respect to prequalified weld groove angles, "The groove angle is a minimum. It may be detailed to exceed the dimension shown by no more than 10 degrees."

Contrary to the above, at the time of the NRC inspection the weld groove angles for hanger CTH-1-5538 (full penetration weld #2) and hanger CTH-1-5517 ($\frac{1}{2}$ -inch plate full penetration weld) were found to be below the prequalified weld minimum groove angle indicated on the hanger drawings by 15 degrees and 7-9 degrees, respectively.

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

Pursuant to the provisions of 10 CFR 2.201, Texas Utilities Electric Company is hereby required to submit to the Director, Office of Inspection and Enforcement, U.S. Nuclear Commission, Washington, D.C. 20555, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, within 60 days of the date of this Notice, a written statement or explanation in reply, including 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

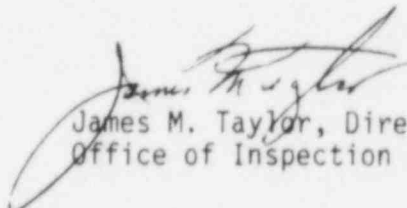
corrective steps which have been taken to avoid further violations; and (5) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, the Director, Office of Inspection and Enforcement, may issue an order to show cause why the license should not be modified, suspended or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath of affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, the Texas Utilities Electric Company may pay the civil penalties in the amount of Fifty Thousand Dollars (\$50,000) or may protest imposition of the civil penalties in whole or in part by a written answer. Should the Texas Utilities Electric Company fail to answer within the time specified, the Director, Office of Inspection and Enforcement, will issue an order imposing the civil penalties in the amount proposed above. Should the Texas Utilities Electric Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties, such answer 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 penalties should not be imposed. In addition to protesting the civil penalties in whole or in part, such answer may request mitigation of the penalty.

In requesting mitigation of the proposed penalties, the factors contained in Section V.B of 10 CFR Part 2, Appendix C (1985) 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 by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The Texas Utilities Electric Company's attention 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 penalties due, which have been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalties, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION


James M. Taylor, Director
Office of Inspection and Enforcement

Dated at Bethesda, Maryland
the 2nd day of May 1986.

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