December 12, 1997

EA 97-490

Carolina Power & Light Company
ATTN: Mr. J. S. Keenan
Vice President
H. B. Robinson Steam Electric Plant
Unit 2
3581 West Entrance Road
Hartsville, South Carolina 29550

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY - $55,000 (NRC INTEGRATED INSPECTION REPORT 50-261/97-10)

Dear Mr. Keenan:

This refers to the inspection conducted on August 31 - October 11, 1997, at H. B. Robinson Unit 2. The purpose of the inspection was to review an August 1997 event during which the "B" emergency diesel generator (EDG) output breaker control switch was identified by the NRC resident inspector to be in the partial "pull-out" position rather than the "neutral" position. An exit interview was conducted on October 24, 1997, and the results of the inspection were sent to you by letter dated November 7, 1997. An open, predecisional enforcement conference was conducted in the Region II office on November 25, 1997, with you and members of your staff, to discuss the violations, the root causes, and your corrective actions to preclude recurrence. A list of conference attendees and copies of the Nuclear Regulatory Commission's (NRC) and Carolina Power & Light Company's (CP&L) presentation materials are enclosed. A videotape which CP&L used during its presentation is available for viewing at NRC's Region II office.

Based on the information developed during the inspection and the information that was provided during the conference, the NRC has determined that violations of NRC requirements occurred. Two violations are cited in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice), and the circumstances surrounding them are described in detail in the subject inspection report.

Violation A involved the failure to promptly identify and correct a mispositioned EDG output breaker control switch. The mispositioned switch caused the "B" EDG to be inoperable for an indeterminate period. Although auxiliary operator tours included local verification of portions of the EDG panels housing the switch, the tour procedure did not specifically require verification of the switch position. The violation appears to have been caused by the lack of effective physical and/or administrative configuration control measures to prevent the switch mispositioning or alert personnel earlier to the mispositioning.

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Violation B involved the failure to take adequate corrective action to preclude repetition of configuration control errors affecting the EDG local control panels. In November 1993, an event similar to the August 1997 EDG switch mispositioning event occurred. A Severity Level III problem (Enforcement Action (EA) 93-298) was issued on March 14, 1994, identifying two violations. One of these violations was cited against 10 CFR Part 50, Appendix B, Criterion II, for the failure to provide controls over activities affecting the EDGs to an extent consistent with their importance to safety. Specifically, the violation cited a failure to assure control of the position of the automatic voltage regulator adjustment potentiometers for the "A" and "B" EDGs. Violation B cited in the enclosed Notice, was originally proposed in our letter of November 7, 1997, as an apparent violation of 10 CFR Part 50, Appendix B, Criterion II. The violation has been recharacterized as a failure to take adequate corrective action to preclude repetition of the previous 1994 Criterion II violation.

Although the mispositioning event had no actual safety consequences, the potential safety consequences of the event were high. With the switch mispositioned, an undervoltage condition on the E-2 Emergency Bus concurrent with an EDG start would have caused the EDG output breaker to close and immediately reopen. As a result, the "B" EDG would have been incapable of automatically energizing the E-2 Emergency Bus for a significant period of time. The regulatory significance is also high because the 1993 event should have alerted you to the need to place more comprehensive configuration controls on components that are not alarmed when they are out of the safeguards position. Moreover, the importance of these controls should have been recognized given the absence of automatic alarms to alert operators to situations which could remain undetected until the EDG was called on to mitigate an accident. CP&L's April 13, 1994 response to EA 93-298, stated that other equipment with no automatic indication of equipment misalignment had been added to Operator logs for routine checks. However, this critical switch was not included in the operators' periodic logs and no other positive administrative controls, such as those afforded by specific operator status checks or physical barriers to switch movement were provided. Therefore, the violations have been categorized in the aggregate in accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, as a Severity Level III problem.

In accordance with the Enforcement Policy, a base civil penalty in the amount of $55,000 is considered for a Severity Level III problem. Because your facility has been the subject of escalated enforcement actions within the last two years,[1] the NRC considered whether credit was warranted for *Identification* and *Corrective Action* in accordance with the civil penalty assessment process described in Section VI.B.2 of the Enforcement Policy. The NRC determined that credit was not warranted for *Identification* because, as discussed above,

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[1] A Severity Level III violation was issued on May 16, 1996, for failure to control safeguards information properly (EA 96-120).

the mispositioned switch was identified by the NRC and prior opportunities to identify the violations existed. Your corrective actions included: (1) the placement of temporary caution tags on both switches; (2) the installation of protective covers on both EDG generator control panels; (3) revision of operating lineup, operator rounds, and testing procedures to include verifications of proper equipment positions, both periodically and after manipulation during the quarterly EDG test; and (4) verification of the positions of other switches and evaluation of the need for protective covers and/or similar configuration controls for other switches. Based on the above, the NRC determined that credit was warranted for the factor of *Corrective Action*.

Therefore, to emphasize the importance of prompt identification of conditions adverse to quality and the need for configuration control of equipment important to safety, and in recognition of your previous escalated enforcement actions, I have been authorized, after consultation with the Office of Enforcement, to issue the enclosed Notice in the base amount of $55,000 for the Severity Level III problem.

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 of the violations. 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 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

Sincerely,

Original Signed by
Loren R. Plisco /for

Luis A. Reyes
Regional Administrator

Docket Nos. 50-261
License Nos. DPR-23

Enclosures: 1. Notice of Violation and Proposed Imposition of Civil Penalty
2. NRC Presentation Materials
3. CP&L Presentation Materials
4. List of Attendees

cc w/encls: See page 4

cc w/encls:
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