NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Carolina Power & Light Company
Robinson Unit 2

Docket Nos. 50-261
License Nos. DPR-23
EA 97-490

During an NRC inspection conducted from August 31 through October 11, 1997, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, the NRC 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:

10 CFR 50, Appendix B, Criterion XVI, "Corrective Action," requires, in part, that measures shall 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. In the case of significant conditions adverse to quality, the measures shall assure that the cause of the condition is determined and corrective action taken to preclude repetition.

A. Contrary to the above, as of August 20, 1997, the licensee failed to establish measures to assure that conditions adverse to quality were promptly identified and corrected. Specifically, the licensee failed to identify that the "B" Emergency Diesel Generator (EDG) output breaker control switch was mispositioned; and, therefore, failed to correct the switch position error resulting in the inoperability of the EDG. (01013)

B. Contrary to the above, as of August 20, 1997, the licensee failed to take adequate corrective action to preclude repetition of a Severity Level III violation issued in March 14, 1994 (EA 93-298) involving position control errors affecting the EDG local control panels. Specifically, the licensee did not take comprehensive corrective action in that they failed to include the EDG output breaker control switches in Auxiliary Operator logs to be checked on rounds or take other measures to control activities affecting the EDG local control panels. (01023)

These violations represent a Severity Level III problem (Supplement I). Civil Penalty - $55,000.

Pursuant to the provisions of 10 CFR 2.201, Carolina Power & Light Company (Licensee) 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 this Notice of Violation and Proposed Imposition of Civil Penalty (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

Enclosure 1

violation if admitted, and if denied, the reasons why, (3) the corrective steps that have been taken and the results achieved, (4) the corrective steps that 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 or a Demand for Information may be issued as to 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 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 addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, money order, or electronic transfer 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 violations 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.

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 response noted above (Reply to Notice of Violation, letter with payment of civil penalty, and Answer to a Notice of Violation) should be addressed to: Mr. James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region II and a copy to the NRC Resident Inspector at the Robinson facility.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Atlanta, Georgia
this 12th day of December 1997

PREDECISIONAL ENFORCEMENT CONFERENCE AGENDA

ROBINSON NUCLEAR PLANT

NOVEMBER 25, 1997. AT 2:00 P.M.

NRC REGION II OFFICE, ATLANTA GEORGIA

I. OPENING REMARKS AND INTRODUCTIONS
L. Reyes, Regional Administrator

II. NRC ENFORCEMENT POLICY
A. BOLAND, Director
Enforcement and Investigation Coordination Staff

III. SUMMARY OF THE ISSUES
L. Reyes, Regional Administrator

IV. STATEMENT OF CONCERNS / APPARENT VIOLATION
L. Plisco, Deputy Director, Division of Reactor Projects

V. LICENSEE PRESENTATION

VI. BREAK / NRC CAUCUS

VII. NRC FOLLOWUP QUESTIONS

VIII. CLOSING REMARKS
L. Reyes, Regional Administrator

Enclosure 2

ISSUES TO BE DISCUSSED

Note: Two apparent violations are presented below. They involve a 10 CFR 50, Appendix Criterion II violation and a Criterion XVI violation.

1. 10 CFR 50, Appendix B, Criterion II, "Quality Assurance Program," requires, in part, that the quality assurance program shall provide control over activities affecting the quality of systems and components, to an extent consistent with their importance to safety.

   The licensee's quality assurance program did not provide controls over activities affecting the quality of systems and components, to an extent consistent with their importance to safety. Specifically, the licensee failed to assure adequate configuration controls of the position of the "B" Emergency Diesel Generator (EDG) output breaker control switch. This resulted in the inoperability of the EDG from potentially August 16 until August 20, 1997, due to the inadvertent mispositioning of the switch. Controls for ensuring that the switch could not be inadvertently "bumped" were not implemented, e.g., switch protection covers, etc. Existing operating lineup and surveillance procedures did not require verifications that the switch was in its correct position following switch manipulations for quarterly EDG testing, nor periodically during routine operator walkdowns. Additionally, the EDG control system was not designed with positive controls, e.g., alarms, to indicate that the switch was not in its correct position.

2. 10 CFR 50, Appendix B, Criterion XVI, "Corrective Action," requires, in part, that measures shall 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.

   As of August 20, 1997, the licensee did not establish measures to assure that conditions adverse to quality were promptly identified and corrected. Specifically, the licensee failed to identify and correct that the "B" Emergency Diesel Generator (EDG) output breaker control switch was mispositioned from potentially August 16, 1997, when the switch was last observed by an operator to be in its correct position, until August 20, 1997, when the switch was found mispositioned by the NRC resident inspector.

NOTE: THE APPARENT VIOLATIONS DISCUSSED IN THIS PREDECISIONAL ENFORCEMENT CONFERENCE ARE SUBJECT TO FURTHER REVIEW AND SUBJECT TO CHANGE PRIOR TO ANY RESULTING ENFORCEMENT ACTION.

H. B. Robinson Steam Electric Plant, Unit No. 2

Enforcement Conference - EDG-B Output Breaker Control Switch Mispositioning

November 25, 1997

CP&L

Enclosure 3

INTRODUCTION

- Purpose of Meeting
  - Discussion of EDG-B Generator Output Breaker Control Switch Mispositioning
    - Identified August 20, 1997 by NRC Resident Inspector
    - Investigation determined switch was in tripped position

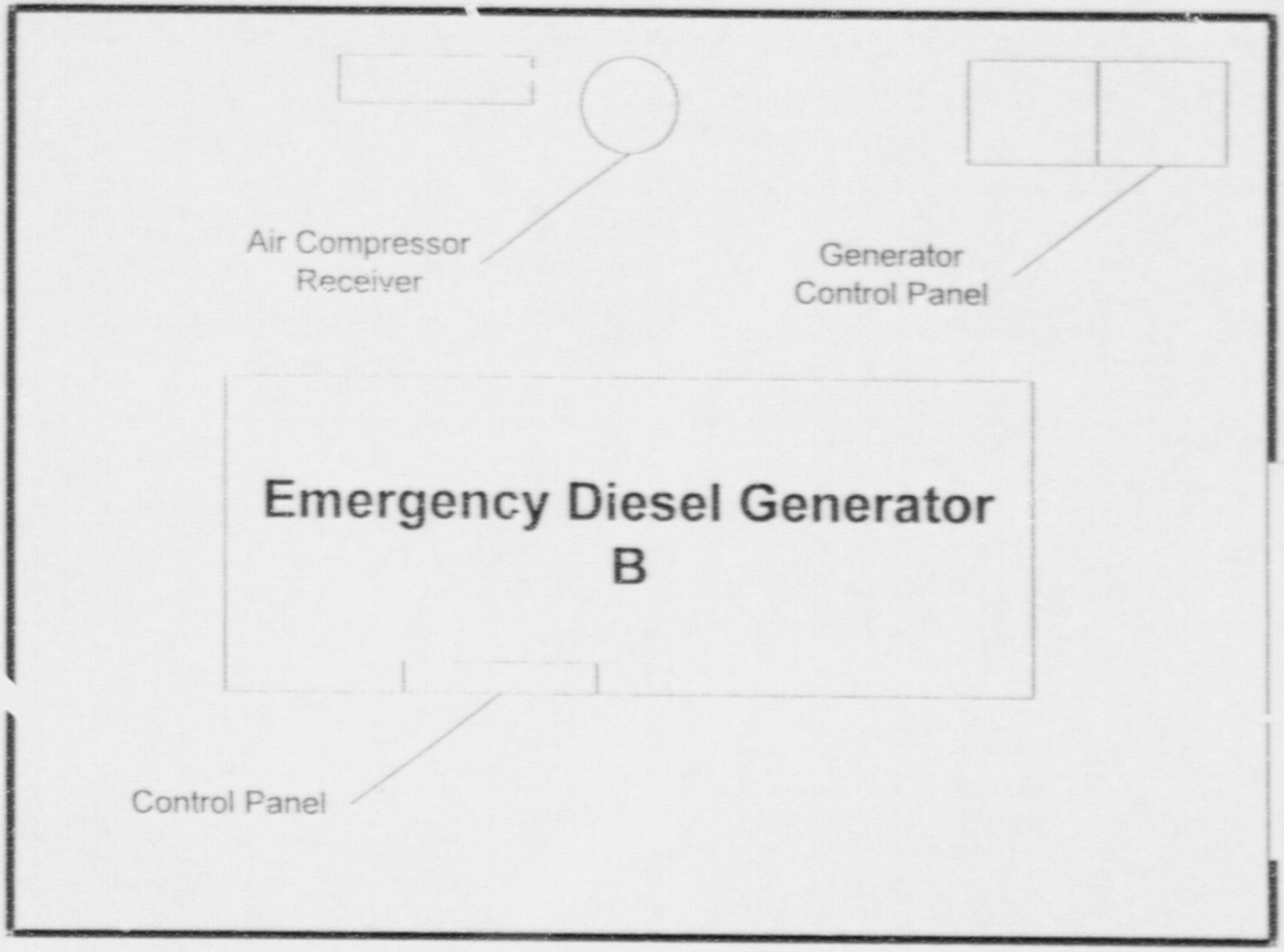
AGENDA

■ Introduction	John Moyer
■ Condition Investigation	Rick Moore
■ Design and Significance	Bob Duncan
■ Corrective Actions	John Moyer
■ Summary Remarks	Jack Keenan

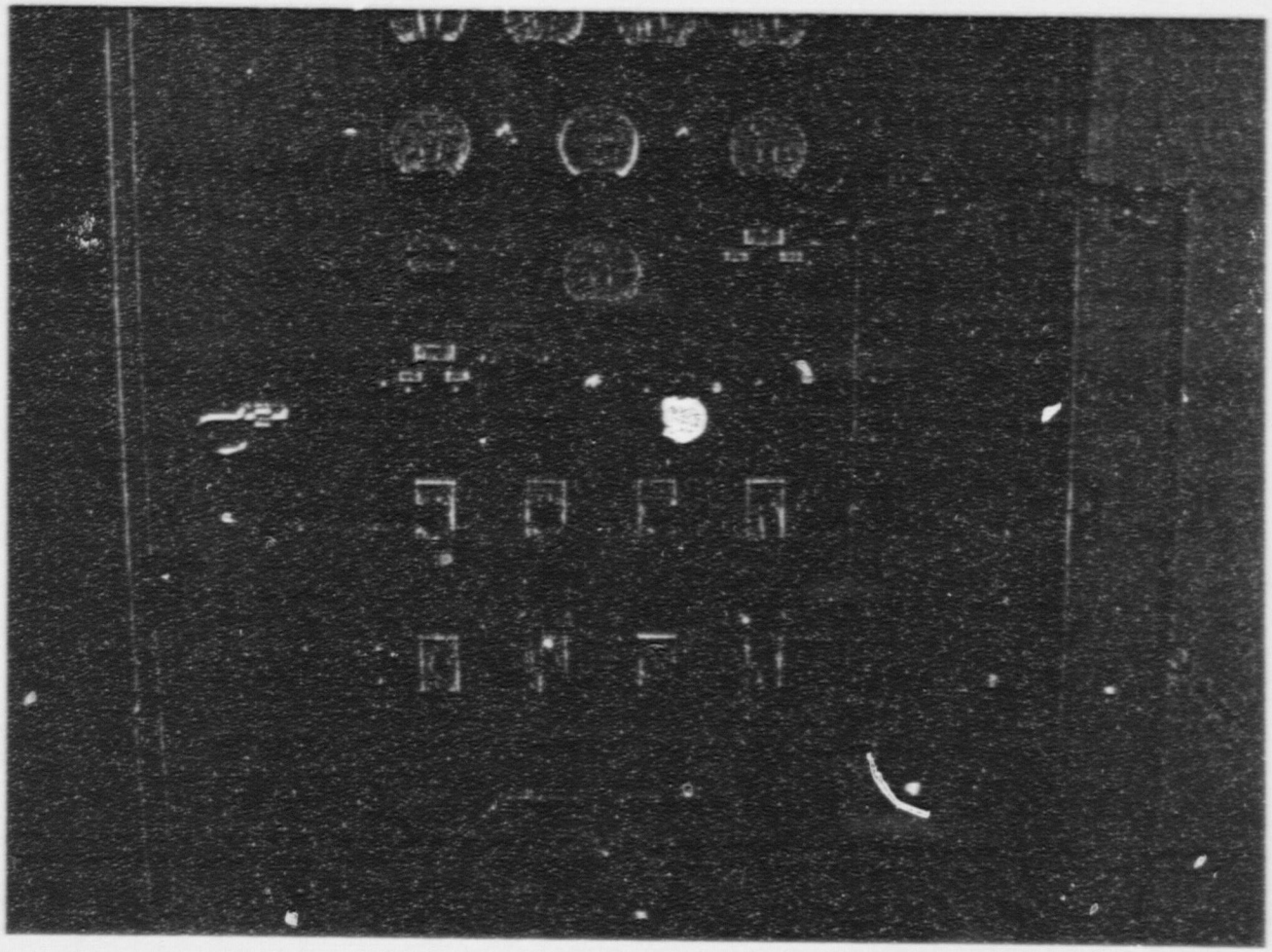
CONDITION INVESTIGATION

- Condition Identification
- Operability Determination
- Condition Report Initiated
- Event Review Team Chartered

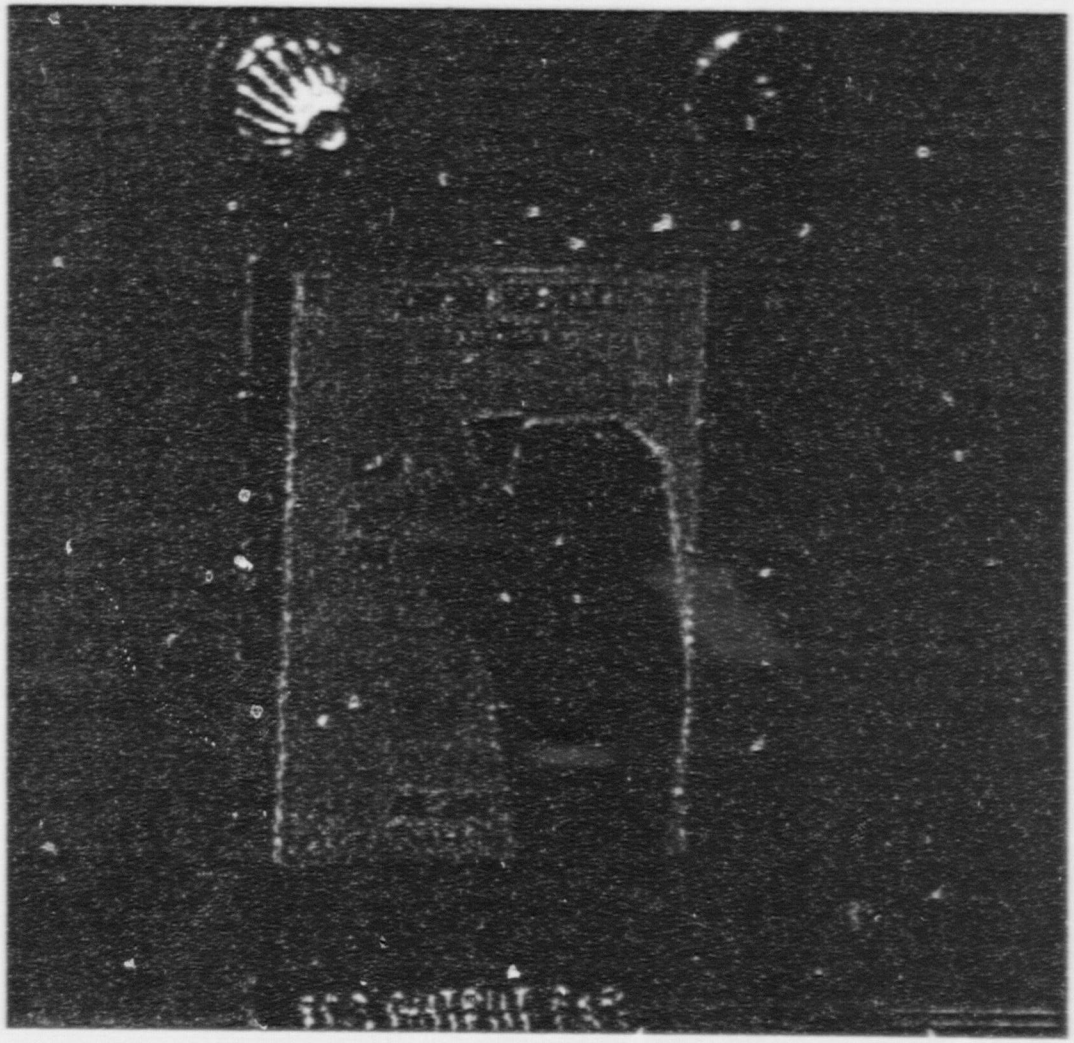
EDG-B ROOM LAYOUT & ROUNDS



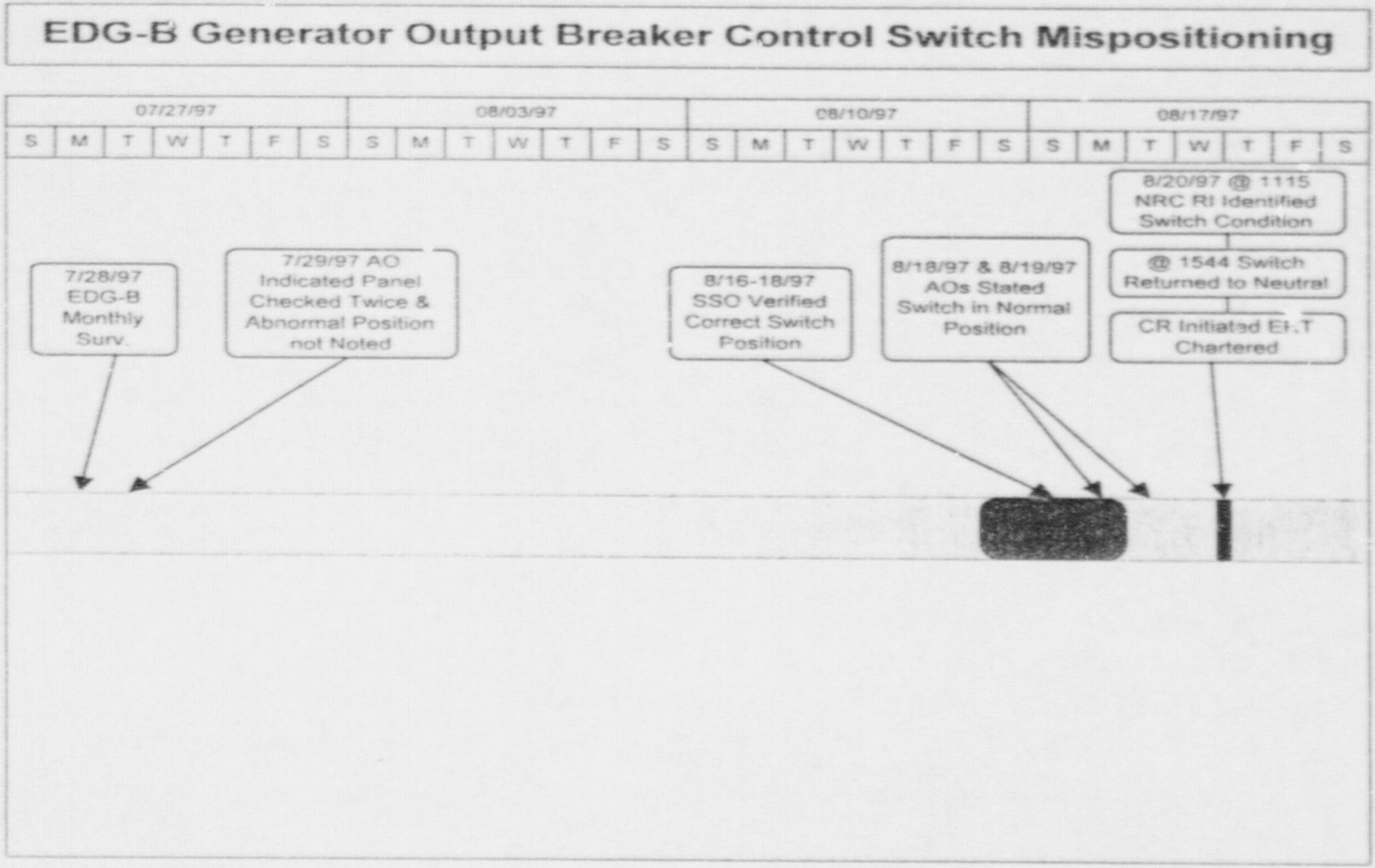
GENERATOR CONTROL PANEL



CONTROL SWITCH



SEQUENCE OF EVENTS



INVESTIGATION RESULTS

- EDG-B Generator Output Breaker Control Switch was Mispositioned Sometime After August 16-18, 1997
- Inadvertent Operation Most Likely Cause of Condition

CP&L

DESIGN

- EDG-B Generator Output Breaker Control Switch
  - Westinghouse W-2 switch
  - Manually opens and closes generator breaker from local panel

CP&L

DESIGN

- Four positions with spring return to neutral:
  - Close
  - Neutral
  - Trip
  - Trip "Pull Out"
    - Not used as primary clearance boundary
    - Not used in current procedures

DESIGN

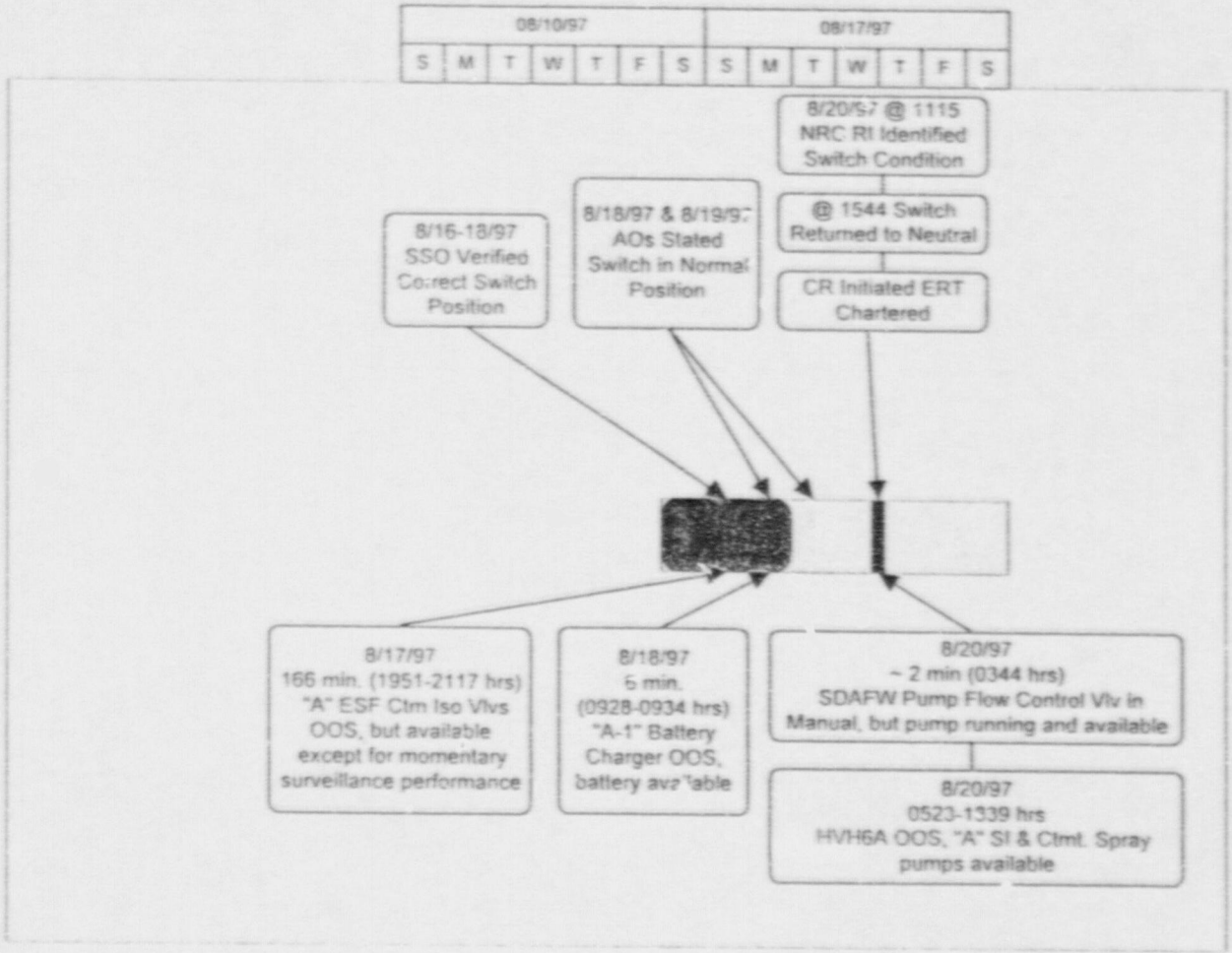
- Generator Output Breaker Operation
  - Generator output breaker receives automatic close signal on bus undervoltage
  - If control switch in Trip "Pull Out" position
    - Breaker will close with a close signal
    - Breaker will instantly reopen and lock-out with anti-pump feature
    - Breaker reset requires removing and reinstalling control power fuses

SIGNIFICANCE

- Safety Significance
  - EDG-B unavailable for design basis function without operator action
  - Technical Specification Conditions
    - "A" ESFAS testing
    - "A-1" battery charger
    - SDAFW pump
    - HVH6A room cooler

SIGNIFICANCE

EDG-B Generator Output Breaker Control Switch Mispositioning



SIGNIFICANCE

- Probabilistic Safety Assessment
  - RNP work coordination procedure
    - ΔCDP < 1 E -6 (non-risk significant)
  - Actual condition from August 16-20, 1997
    - ΔCDP = 1.2 E -6
  - Condition equivalent to planned evolution that would have required additional management oversight to proceed

CORRECTIVE ACTION

- Immediate Actions
  - Switch examined and returned to neutral position
  - 10 CFR 50.72 one-hour notification made to NRC
  - Condition report initiated
  - Event Review Team chartered
  - Switch position verification
    - Located outside control room
    - Could disable safety equipment
    - Position not indicated in control room
    - Completed August 21, 1997

CORRECTIVE ACTION

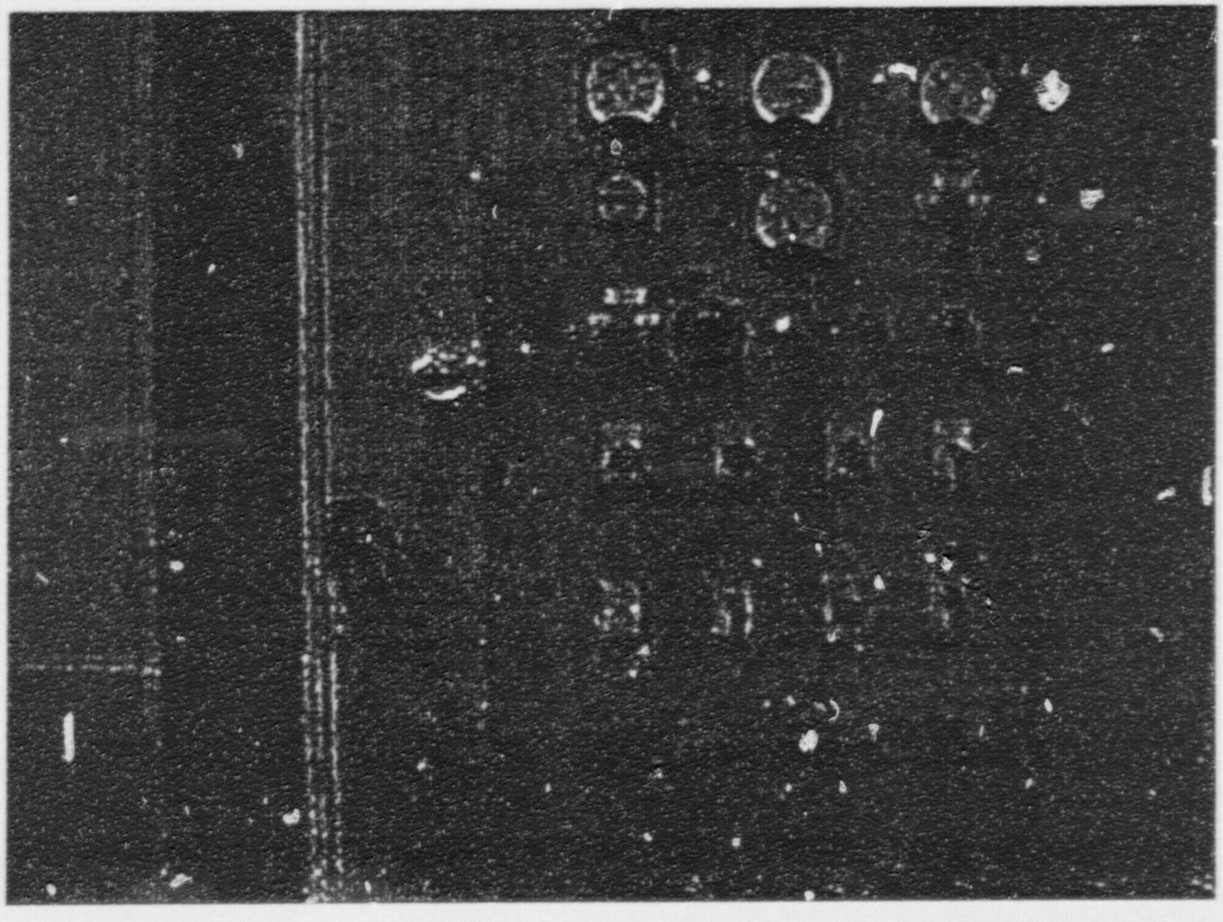
- Key Causal Factor
  - Insufficient Physical Barriers - switches that could disable the EDG from outside the control room were not adequately protected from inadvertent operation

CORRECTIVE ACTION

- Corrective Action - Key Casual Factor
  - Protective covers have been installed over the exposed controls on the EDG-A & B generator control panels
  - Other switches that could disable safety equipment without control room annunciation identified
    - Evaluating need for protective covers
    - Preliminary results indicate additional covers will be installed on Dedicated Shutdown Diesel Generator control panel

CP&L

PROTECTIVE COVER



CORRECTIVE ACTION

- Additional Corrective Actions
  - Design control process revision by 01/15/98
    - Engineering expectations issued
  - Procedures writer's guide revision by 01/15/98
    - Operations and Maintenance expectations issued
  - Completion of plant labeling initiative in RFO 18
    - Approximately 8000 labels installed
    - Approximately 4200 labels remain to be installed

CP&L

CORRECTIVE ACTIONS

- Enhancement of visibility of controls for high safety significant equipment on local control panels in RFO 18
- EDG operating and test procedures revised
- Switches added to Operator Rounds Sheets - shiftly check
- Event Review Team's findings communicated to site personnel

CORRECTIVE ACTION

- Additional Comments
  - Actions from operating experience reviewed
    - 1993 EDG potentiometer event
  - Current and proposed actions will comprehensively address issues

SUMMARY REMARKS

- EDG-B Generator Output Breaker Control Switch Mispositioning
  - Key factors
    - Very significant event
    - Condition not consistent with RNP safety culture or performance
    - Evaluate performance initiatives

SUMMARY REMARKS

- EDG-B Generator Output Breaker Control Switch Mispositioning
  - Considerations
    - Improved safety performance at RNP
    - Comprehensive corrective actions
    - Actual safety significance of event

LIST OF PREDECISIONAL ENFORCEMENT CONFERENCE ATTENDEES
November 25, 1997

Carolina Power & Light Company (CP&L)

W. Orser, Executive Vice President & Chief Nuclear Officer, CP&L
J. Keenan, Vice President, H. B. Robinson Plant
J. Moyer, Plant General Manager, H. B. Robinson
R. Duncan, Manager, Robinson Engineering Site Support
R. Moore, Manager, Outage and Scheduling
T. Wilkerson, Manager, Regulatory Affairs
H. Chernoff, Supervisor, Licensing/Regulatory Programs
R. Oliver, Supervisor, Probabilistic Safety Analysis
T. Simonson, Superintendent, Electrical Engineering
R. Warden, Manager, Nuclear Assessment Section

NRC

L. Reyes, Regional Administrator, Region II (RII)
L. Plisco, Deputy Director, Division of Reactor Projects (DRP), RII
C. Casto, Deputy Director, Division of Reactor Safety (DRS), RII
A. Boland, Director, Enforcement and Investigations Coordination Staff (EICS), RII
C. Evans, Regional Counsel, RII
M. Shymlock, Chief, Reactor Projects Branch 4, DRP, RII
*B. Desai, Senior Resident Inspector, Robinson, DRP, RII
*J. Lyons, Director, Directorate II-1, Office of Nuclear Reactor Regulation (NRR)
*D. Trimble, Senior Project Manager, NRR, RII
J. Zeiler, Resident Inspector, Robinson, DRP, RII
L. Watson, Enforcement Specialist, EICS, RII
G. McCoy, Project Engineer, DRP, RII
G. Warnick, Project Engineer, DRP, RII
M. King, Project Engineer, DRP, RII
R. Hagar, Project Engineer, DRP, RII
G. MacDonald, Project Engineer, Reactor Projects, Branch 4, DRP, RII
W. Rogers, Senior Reactor Analyst, RII

*By phone

Enclosure 4