

## NOTICE OF VIOLATION

FirstEnergy Nuclear Operating Company  
Davis-Besse

Docket No. 50-346  
License No. NPF-3  
EA 99-138

During an NRC inspection conducted from September 1, 1998 to May 13, 1999, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

1. 10 CFR Part 50, Appendix B, Criterion III, "Design Control," states, in part, that design changes, including field changes, shall be subject to design control measures commensurate with those applied to the original design and be approved by the organization that performed the original design unless the applicant designates another responsible organization.

Pressurizer Spray Valve RC-2 is a safety-related plant component that is subject to the requirements of 10 CFR Part 50. Drawing number M-525-3-7, specified a portion of the design requirements of Pressurizer Spray Valve RC-2 in that the body-to-bonnet nuts are to be stainless steel.

Contrary to the above, prior to September 1, 1998, the licensee inadvertently performed a field change to Pressurizer Spray Valve RC-2, that was not approved by the organization that performed the original design or by any other organization. This inadvertent field change replaced three of eight boric acid corrosion resistant body-to-bonnet stainless steel nuts with boric acid corrosion susceptible carbon steel nuts. These nuts, in the presence of an aggressive corrosive environment, degraded to the point where 30% of one nut and essentially all of two other nuts had corroded away. (01013)

2. 10 CFR Part 50, Appendix B, Criterion XVI, "Corrective Actions," states, 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.

Contrary to the above, on September 1, 1998, the licensee failed to promptly identify and correct a condition adverse to quality. Specifically, workers discovered that a body-to-bonnet nut was missing on RC-2, "Pressurizer Spray Valve," but failed to identify that a second nut was also missing. Additionally, the licensee did not do a rigorous evaluation to eliminate boric acid induced corrosion of carbon steel fasteners as a root cause. They incorrectly concluded that a contractor removed the nut to facilitate a temporary sealant repair of the packing leak. The failure to do an extensive evaluation of the condition resulted in the incomplete installation of a replacement nut on the remnants of a corroded nut, and the missed opportunity for early detection of the second missing nut and a third nut that was degraded by 30%. (01023)

This is a Severity Level III problem (Supplement 1).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when

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full compliance will be achieved is already adequately addressed on the docket in Inspection Report 50-346/98021 and LER 346/98-009. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555 with a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be placed in the NRC Public Document Room (PDR). Therefore, to the extent possible, the response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated this 6 day of August 1999