

NOTICE OF VIOLATION

Wisconsin Electric Power Company
Point Beach Nuclear Plant

Docket Nos. 50-266; 50-301
License Nos. DPR-24; DPR-27
EAs 97-089 and 97-281

During an NRC inspection conducted from March 4 through August 5, 1997, violations of NRC requirements were identified. In accordance with NUREG-1600, "General Statement of Policy and Procedure for NRC Enforcement Actions," the violations are listed below:

1. 10 CFR 50.9(a) requires, in part, that information provided to the Commission by a licensee be complete and accurate in all material respects.

Contrary to the above, the licensee did not provide to the Commission information that was accurate in all material respects. Specifically, oral information provided to the Commission on February 19, 1997, and written information provided to the Commission on February 20, 1997, to support a Notice of Enforcement Discretion asserted that the licensee had the capability to open the pump suction valve and discharge cross-connect valve to cross connect the Unit 1 and Unit 2 component cooling water (CCW) systems. This information was inaccurate in that a stuck-closed CCW pump discharge valve (CC-722B) prevented the cross-connection of the two systems. This information was material to the NRC because it directly related to the availability of an alternate CCW pump.

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

2. 10 CFR 50, Appendix B, Criterion XI, "Test Control," requires, in part, that a test program be established to assure that all testing required to demonstrate that structures, systems, and components will perform satisfactory in service is identified and performed in accordance with written test procedures which incorporate the requirements and acceptance limits contained in applicable design documents. The test program shall include, as appropriate, proof tests prior to installation, preoperational tests, and operational tests during nuclear power plant operations of structures, systems, and components.

Contrary to the above, as of February 1997, the test program did not ensure that testing required to demonstrate the satisfactory performance of the CCW cross-connect valves, CC-722A and CC-722B, was identified and performed in accordance with written test procedures. Specifically, the valves were not subject to operational tests during nuclear power plant operations to ensure that they would open as designed.

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

Pursuant to the provisions of 10 CFR 2.201, Wisconsin Electric is hereby required to submit a written statement or explanation 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, within 30 days of the date of this letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or if contested, the basis for disputing the violation; (2) corrective action taken and the results achieved; (3) corrective action to be taken to avoid further violations; and (4) the date when full compliance will be achieved. Where good cause is shown, consideration may be given to extending your response time.

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 Lisle, Illinois
this 17th day of September 1997