

March 17, 1998

EA Nos. 98-138
98-160

Mr. J. E. Cross
President
Generation Group
Duquesne Light Company (DLC)
Post Office Box 4
Shippingport, Pennsylvania 15077

SUBJECT: NRC INTEGRATED INSPECTION REPORT 50-334/97-11, 50-412/97-11
NOTICE OF VIOLATION (EXERCISE OF ENFORCEMENT DISCRETION)

Dear Mr. Cross:

The NRC conducted an inspection of the Beaver Valley Power Station (BVPS) facilities from December 28, 1997, to February 7, 1998. The enclosed report presents the results of that inspection.

During the 6-week period covered by this inspection, your conduct of activities at the Beaver Valley Power Station facilities was generally characterized by safe operations. Your staff demonstrated a strong questioning attitude in identifying and resolving technical specification surveillance deficiencies, feedwater flow anomalies, and control room emergency ventilation system design deficiencies. On January 31, 1998, operators safely shut down Unit 1 upon determining that several technical specification (TS) required surveillance tests had not been adequately completed. The management decision to maintain the unit shut down pending resolution of additional testing issues was appropriate.

The security program was inspected during this period. The inspection consisted of selective reviews of procedures and records, observations of security program activities, and interviews with security personnel. No safety concerns or violations were identified. The inspectors determined that you are implementing a security program that effectively protects against acts of radiological sabotage.

The NRC is concerned, however, about two violations. First, NRC inspectors and your staff independently identified that Unit 1 operators failed to log applicable TS limiting conditions of operation for inoperable reactor trip channels during the January 21, 1998 reactor startup. This violation is of concern because it indicates a continued problem regarding the accuracy of operations logs and the thoroughness of shift turnovers during periods of increased control room activity. Second, NRC inspectors identified that maintenance activities associated with station battery cells were poor with deficiencies noted in the work instructions and supplemental work instructions were not properly controlled.

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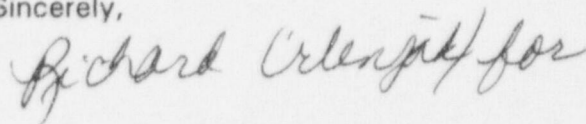
These violations are cited in the enclosed Notice of Violation, and the circumstances surrounding the violations are described in detail in the enclosed report. Please note that you are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

The NRC also reviewed an additional licensee identified issue that is a violation of NRC requirements. Contrary to 10 CFR 50 Appendices A and B, the Unit 2 control room emergency ventilation system design was inadequate in that the system function was vulnerable to failure from a single active component failure. The identification of the subtle design deficiency demonstrated an excellent questioning attitude. Corrective actions were comprehensive in addressing the deficiency.

The issue is a violation of NRC requirements, which could be considered for escalated enforcement and be subject to a civil penalty. However, after consultation with the Director, Office of Enforcement and the Regional Administrator, I have been authorized to not issue a Notice of Violation and not propose a civil penalty in accordance with the provisions provided in Section VII.B.3 of the NRC's Enforcement Policy. This decision for the control room emergency ventilation system issue was made after consideration that: (1) the violation was identified by your staff's good questioning attitudes during voluntary initiatives; (2) corrective actions, both taken and planned, were comprehensive and timely; (3) the conditions were subtle in nature and not likely to be disclosed through routine surveillance or quality assurance activities; and (4) the violation is not reasonably linked to current performance. The exercise of discretion acknowledges your good effort to identify and correct subtle violations, that would not be identified by routine efforts, before the degraded safety systems are called upon.

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 (PDR).

Sincerely,



Charles W. Hehl, Director
Division of Reactor Projects

Docket Nos. : 50-334, 50-412
License Nos.: DPR-66, NPF-73

Enclosures:

1. Notice of Violation
2. Inspection Report 50-334/97-11, 50-412/97-11

Mr. J. E. Cross

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cc w/encls:

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Commonwealth of Pennsylvania

State of Ohio

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Mr. J. E. Cross

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