

## NOTICE OF VIOLATION

Yankee Atomic Electric Company  
Yankee Nuclear Power Station

Docket No. 50-29  
License No. DPR-3  
EA 89-11

During an inspection conducted on December 27-30, 1988, the NRC reviewed the circumstances associated with a violation of NRC requirements which was identified by the licensee and reported to the NRC. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Action," 10 CFR Part 2, Appendix C (1988), the violation is set forth below:

Technical Specification 3.3.1 and Table 3.3-1, Reactor Protective System Instrumentation, requires a minimum of four operable channels of power range neutron flux instrumentation and intermediate power range neutron flux instrumentation whenever the reactor is in either Modes 1 or 2, or whenever the reactor trip system breakers are in the closed position and the control rod drive system is capable of rod withdrawal. If less than four channels are operable, Technical Specification 3.0.3 requires the facility be placed in at least hot standby within one hour and cold shutdown within the following 30 hours.

For channel operability, Technical Specification 2.2.1, Limiting Safety System Settings, requires that the reactor protective system (RPS) instrumentation setpoints shall be consistent with the trip setpoint values contained in Technical Specification Table 2.2-1. Table 2.2-1 states that the power range and intermediate power range neutron flux high setpoints must be set less than or equal to 108% of rated power, and the power range neutron flux low setpoint must be set at less than or equal to 35% of rated thermal power. Technical Specification Table 3.3-1 requires that the power range neutron flux low setpoint shall be operable whenever reactor power is less than 15 Mwe.

Contrary to the above, for an indeterminate number of times prior to November 9, 1988, while the reactor was operated in either Mode 1 at power less than 15 Mwe, Mode 2, or with the reactor trip system breakers closed and the rod control system capable of rod withdrawal, all six of the power range and intermediate power range nuclear instrument channels were inoperable, and the reactor was not placed in hot standby. Those instrument channels were rendered inoperable during those times because of operator(s) adjusting the fine gains on those RPS instruments, resulting in the intermediate power range neutron flux high trip value being greater than 108%, and the power range neutron flux low trip value being greater than 35%, which is less conservative than the setpoint values set forth in Table 2.2-1 of the Technical Specifications.

This is a Severity Level III violation (Supplement 1)

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Pursuant to the provisions of 10 CFR 2.201, Yankee Atomic Electric Company 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. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) admission or denial of the violation, (2) the reasons for the violation if admitted, (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 may be issued to show cause 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.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By  
WILLIAM T. RUSSELL  
William T. Russell  
Regional Administrator

Dated at King of Prussia, Pennsylvania  
this 15<sup>th</sup> day of February 1989