

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Boston Edison Company
Pilgrim Nuclear Power Station

Docket No. 50-293
License No. DPR-35
EA 89-95

On April 13-19, 1989, an NRC Augmented Inspection Team (AIT) inspection was conducted to establish and evaluate the facts associated with the overpressurization of the Reactor Core Isolation Cooling (RCIC) System on April 12, 1989. Based on an evaluation of the AIT inspection, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, (1989), the Nuclear Regulatory Commission (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:

Technical Specification 6.8.A requires that written procedures and administrative policies be established and implemented that meet or exceed the requirements of Section 5.1 of ANSI N18.7-1972. ANSI N18.7-1972, Section 5.1, "Rules of Practice," states that rules and instructions pertaining to personnel conduct and control and method of conducting operations shall be established. Section 5.1.2 states that procedures shall be followed.

- A. Procedure 1.4.5, "PNPS Tagging Procedure," Revision 24, Step 2.1.4 states that whenever work is to be done on or near any equipment under the jurisdiction of Boston Edison Company, this procedure shall be followed. Step 6.2.1 states that red tags must be placed by use of the tagout sheet. Step 6.4.8 states that the Operating Supervisor will assign another responsible person to verify the isolation (if required).

Procedure 1.3.34, "Conduct of Operations," Revision 17, Step 6.5[4](b)(1) states that the verifier may not accompany the individual who performed the lineup and may not participate in the activity being verified.

Contrary to the above, at about 8:23 a.m. on April 12, 1989, during installation of the tagout in preparation for a system logic test of the Reactor Core Isolation Cooling System in accordance with Procedure 8.M.2-2.10.11.1, the above mentioned procedures were not followed in that,

1. tagging errors occurred in that breakers for three valves (Nos. MO-1303-48, 26 and 22) were left closed and energized, contrary to the desired position on the tagout sheet; breakers for two valves (Nos. MO-1301-60 and 62) were opened/deenergized, contrary to the tagout sheet's desired position of closed/energized; and the breaker for valve MO-1301-17 was left

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open/deenergized and tagged in that position contrary to the fact that this breaker was not to have been affected by the tagout; and

2. operators required to perform and verify the tagouts for the system logic testing per Procedure 8.M.2-2.10.11.1 performed these activities in the same location (MCC-D7) at the same time.
- B. Procedure 1.4.5, "PNPS Tagging Procedure," Revision 24, Step 6.4.10 states that the supervisor who is in charge of the work for which the isolation is made (or a designated member of the work crew) shall review the physical isolation and tagging in the field prior to beginning work. The supervisor or work crew member shall sign the "Isolation Reviewed/Inspection By" block on the tagout sheet.

Contrary to the above, at about 8:37 a.m. on April 12, 1989, during preparations for the test of the RCIC system logic testing in accordance with Procedure 8.M.2-2.10.11.1, neither the supervisor nor a designated alternate in charge of the testing physically inspected the equipment isolation and tagging, as required, prior to the beginning of the work.

- C. Procedure 1.3.34, "Conduct of Operations," Revision 17, Step 6.10 states that certain complex or infrequently performed activities warrant a pre-evolution briefing which is to be conducted for events which may result in challenges to safety systems if improperly conducted (such as Logic System Tests).

Step 5.6[2] states that the Nuclear Plant Reactor Operator (NPRO) is responsible for reviewing plant status upon relieving the watch and for maintaining an awareness of changes in plant conditions. Step 5.6[3] states that the NPRO is responsible for maintaining alertness at all times in order to ensure that the plant is operating safely.

Contrary to the above, on April 12, 1989, a pre-evolution briefing was not conducted prior to the commencement of the test of the RCIC system logic testing in accordance with Procedure 8.M.2-2.10.11.1. Further, the licensed Nuclear Plant Reactor Operator did not maintain awareness of plant conditions at all times in that when he performed control board switch manipulations per Procedure 8.M.2-2.10.11.1, he did not notice that the position indicator lights for eight of the RCIC system valves were incorrectly lit.

- D. Procedure 1.3.34, "Conduct of Operations," Revision 17, Step 6.12[1] states that approved written procedures and instructions shall be adhered to by all station personnel. The Acceptance Criteria of the RCIC system logic testing (Procedure No. 8.M.2-2.10.11.1) require that the test be performed as written without discrepancies, and is so indicated by Attachment A being completed with required signatures and initials, and second verification of system restoration.

Contrary to the above, on October 5, 1988, although an apparent discrepancy existed when the system logic of the RCIC system was performed in accordance with Procedure 8.M.2-2.10.11.1, the test was accepted without noting the apparent procedural discrepancy.

Specifically, the procedure contained an erroneous breaker identification for the RCIC pump discharge downstream injection valve; however, test personnel tagged the correct breaker without noting the discrepancy or pursuing a procedure change.

These violations are classified in the aggregate as a Severity Level III problem (Supplement I).

Civil Penalty - \$25,000

Pursuant to the provisions of 10 CFR 2.201, Boston Edison 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. 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 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. 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 under 10 CFR 2.201, the Licensee may pay the civil penalty by letter to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, or money order 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.

In requesting mitigation of the proposed penalty, the factors addressed in Section V.B of 10 CFR Part 2, Appendix C, should be addressed. 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 provision 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 responses to the Director, Office of Enforcement, noted above (Reply to a Notice of Violation, letter with payment of civil penalty, and Answer to a Notice of Violation) should be addressed to: Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, U.S. Nuclear Regulatory Commission, 475 Allendale Road, King of Prussia, Pennsylvania 19406, and a copy to the NRC Senior Resident Inspector, Pilgrim Nuclear Power Station.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By
WILLIAM T. RUSSELL

William T. Russell
Regional Administrator

Dated at King of Prussia, Pennsylvania
this 23rd day of August 1989