

NOTICE OF NONCONFORMANCE

ABB Power T&D Company, Circuit Breaker Division
Florence, South Carolina

Docket No. 99901256
Report No. 1999201

Based on the results of the Nuclear Regulatory Commission inspection conducted September 27 through 30, 1999, of activities supporting the manufacture of low and medium-voltage power circuit breakers, vacuum modular assemblies, and spare and replacement parts, it appears that certain of your activities were not conducted in accordance with NRC requirements.

- A. Criterion III, "Design Control," of 10 CFR Part 50, Appendix B, states, in part, that design control measures shall include verifying the adequacy of design, including design reviews and/or a suitable testing program, that the verification must be performed by individuals or groups other than those who performed the original design, that design control measures shall be applied to delineation of acceptance criteria for inspections and tests, and that design 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.

Criterion V, "Instructions, Procedures and Drawings," of 10 CFR Part 50, Appendix B, states, in part, "Activities affecting quality shall be prescribed by documented instructions, procedures or drawings of a type appropriate to the circumstances, and shall be accomplished in accordance with these instructions, procedures or drawings. Instructions, procedures or drawings shall include appropriate quantitative or qualitative acceptance criteria for determining that important activities have been satisfactorily accomplished."

Contrary to the above, ABB circumvented established design control measures by instituting a change to the specification for the control device gap for Type 5HK250 circuit breakers, which gap is defined in ABB Factory Specification TD-6931, without benefit of required design reviews, verification and approvals. The change was implemented without changing the factory specification in accordance with ABB engineering change procedures intended to implement design control measures. (99901256/1999201-03)

- B. Criterion XVI, "Corrective Action," of 10 CFR Part 50, Appendix B, 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, ABB failed to ensure that adequate corrective action for a violation of 10 CFR Part 21, cited in the previous NRC inspection in that the posting required by 10 CFR 21.6 had been incomplete until September 27, 1999, and ABB had failed to obtain, or subscribe to, or maintain a subscription to NRC Publication NUREG-0040, that ABB committed to as part of its corrective action for the previous violation (99901256/1999201-04).

Enclosure 1

Please provide a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Chief, Quality Assurance, Vendor Inspection, Maintenance and Allegations Branch, Division of Inspection Program Management, Office of Nuclear Reactor Regulation, within 30 days of the date of the letter transmitting this Notice of Nonconformance. This reply should be clearly marked as a "Reply to a Notice of Nonconformance" and should include for each nonconformance: (1) a description of steps that have been or will be taken to correct these items; (2) a description of steps that have been or will be taken to prevent recurrence; and (3) the dates your corrective actions and preventive measures were or will be completed.

Issued this, the 8th day of November, 1999
at Rockville, Maryland