

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTIES

Mississippi Power and Light Company
Grand Gulf

Docket No. 50-416
License No. NPF-13
EA 84-23

As a result of the special training assessment conducted in February 1983, a special safety inspection conducted during August and September 1983 by Region II, and investigations conducted by the NRC Office of Investigations during the period of October 18, 1983 - May 9, 1984, violations of NRC requirements were identified. These violations and associated civil penalties, determined in accordance with 10 CFR Part 2, Appendix C, are described below:

1. 10 CFR 50, Appendix B, Criterion V, Instructions, Procedures, and Drawings, requires that activities affecting quality shall be prescribed by documented instructions or procedures. The procedures or instructions shall include appropriate quantitative or qualitative acceptance criteria for determining that important activities have been satisfactorily accomplished.

Contrary to the above, Mississippi Power and Light Company:

- a. failed to establish adequate procedures for the implementation of the Grand Gulf facility operator and senior operator license training program as described in the Final Safety Analysis Report,
- b. failed to establish adequate procedures to ensure the accuracy and completeness of information submitted on license applications for operator and senior operator licenses, and
- c. did not provide instructions and administrative controls which were adequate to assure proper performance of contractor personnel performing the important activity of operator license training.

This is a Severity Level II violation (Supplements I, II and VII).
(Civil Penalty - \$100,000)

2.
 - a. In September 1981, 33 applications were submitted which contained course attendance hours credited to the applicant and indicated that the applicant had completed qualification cards as committed to in the FSAR;
 - b. In March 1982, eight applications were submitted which contained course attendance hours credited to the applicant and indicated that the applicant had completed qualification cards as committed to in the FSAR;

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Grand Gulf Procedures GG 01-S-04-17, ADMINISTRATIVE PROCEDURE MECHANICAL MAINTENANCE RETRAINING AND REPLACEMENT PROGRAM, Revision 4, 1/9/84, Paragraph 2.4 states that mechanical supervisors are responsible for ensuring that skills demonstrated practical factors are adequately performed. Attachment 1 to GG 01-S-04-17, Maintenance Mechanic Practical Factors Sheet, provides a space for the mechanical supervisor to sign and date for various tasks. Paragraph 6.4 (credit by experience) states that the Training Department Manager may waive specific portions of the training program to grant credit for prior experience or for other reasons.

Contrary to the above, the Maintenance Mechanic Practical Factors Sheet for one mechanic at Grand Gulf was signed by a maintenance supervisor on April 5, 1984 (one required signature) without ensuring the associated skill was adequately performed. The specific skill had not been previously waived by the Training Department Manager for any reason.

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

Pursuant to the provisions of 10 CFR 2.201, Mississippi Power and Light Company is hereby required to submit to the Director, Office of Inspection and Enforcement, USNRC, Washington D. C. 20555, with a copy to the Regional Administrator, Region II, within 30 days of the date of this Notice, a written statement or explanation, including for each alleged violation: (1) admission or denial of the alleged violations; (2) the reasons for the violations if admitted; (3) the corrective steps which have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. 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, the response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, Mississippi Power and Light Company may pay the civil penalties in the amount of Five Hundred Thousand Dollars (\$500,000) for the violations, or may protest imposition of the civil penalties in whole or in part by a written answer. Should Mississippi Power and Light Company fail to answer within the time specified, the Director, Office of Inspection and Enforcement, will issue an order imposing the civil penalties in the amount proposed above. Should Mississippi Power and Light Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties, such answer 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 penalties should not be imposed. In addition to protesting the civil penalties in whole or in part, such answer may request remission or mitigation of the penalties. In requesting mitigation of the proposed penalties, the five factors addressed in Section IV(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 by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. Mississippi Power and Light Company's attention is directed to the other provisions of 10 CFR 2.205 regarding the procedure for imposing a civil penalty.

- c. In May 1982, five applications were submitted which contained course attendance hours credited to the applicant and indicated that the applicant had completed qualification cards as committed to in the FSAR; and
- d. In each of the applications, the licensee certified, in accordance with 10 CFR 55.10(a)(6), the course attendance hours credited to the applicants, details of the course of instructions taken by the applicants, and number of training hours for the applicants.

Contrary to Section 186 of the Atomic Energy Act of 1954, as amended, each of the certifications contained a material false statement. The statements were false because the applicants had not completed the course hours or had not completed the qualification cards as stated. The false statements were material in that had the NRC known the true situation, the applicants would not have been permitted to participate in the NRC licensing examinations and consequently would not have received licenses because they had not received required training.

Each of the submittals is a separate Severity Level II violation (Supplement VII).
(Cumulative Civil Penalty - \$300,000)

- 3. In March 1982, the MP&L Superintendent of Training became aware that the false information described in Item 2 above had been submitted to the NRC. His successor Superintendent of Training became aware later in 1982 that false information had been submitted. MP&L failed to implement a program to identify and document the false information, to notify the NRC of the false submittal, or to correct the false information.

Contrary to Section 186 of the Atomic Energy Act of 1954, as amended, the failure to correct the false submittals once MP&L became aware that false information was submitted is a material false statement by omission.

This is a Severity Level I violation. (Supplement VII)
(Civil Penalty - \$100,000)

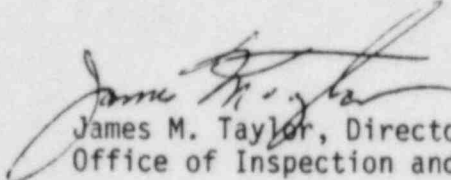
- 4. Technical Specification 6.3.1, UNIT STAFF QUALIFICATIONS, states that each member of the unit staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions.

ANSI N18.1-1971, Paragraph 4.5.3, states that repairmen in responsible positions shall have a minimum of three years in one or more crafts. They should possess a high degree of manual dexterity and ability and should be capable of learning and applying basic skills in maintenance operations.

Technical Specification 6.8.1 states that written procedures shall be established, implemented, and maintained covering the applicable procedures recommended in Appendix "A" of Regulatory Guide 1.33, Revision 2, February 1978.

Upon failure to pay the penalties due, which have been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalties, unless compromised, remitted, or mitigated may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION


James M. Taylor, Director
Office of Inspection and Enforcement

Dated at Bethesda, Maryland
this 3rd day of June 1985

Mississippi Power and Light

bcc w/encl:

NRC Resident Inspector

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IE:ES File

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