

NOTICE OF VIOLATION

Centerior Service Company
Perry Nuclear Power Plant

Docket No. 50-440
License No. NPF-58

During an NRC inspection conducted on June 7 through July 26, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions", (60 FR 34380, June 30, 1995), the violation is listed below:

10 CFR Part 50, Appendix B, Criterion XVI, "Corrective Action" requires that measures be established to assure that conditions adverse to quality such as deficiencies, deviations and nonconformances, are promptly identified and corrected.

Contrary to the above, a condition adverse to quality discovered on July 22, 1996, regarding a containment vacuum breaker valve deficiency was not processed promptly. Specifically, the associated Potential Issue Forms were not brought to the control room as required for prompt review and evaluation for safety significance until July 24 and 25, 1996.
(50-440/96005-02)

This is a Severity Level IV violation (Supplement 1)

Pursuant to the provisions of 10 CFR Part 2.201, Centerior Service Company is hereby required to submit 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 Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at Lisle, Illinois
this 8 day of October 1996

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