TEXAS UTILITIES GENERATING COMPANY
SKYWAY TOWER • 400 NORTH OLIVE STREET, L.B. 81 • DALLAS, TEXAS 75201

BILLY R. CLEMENTS
VICE PRESIDENT, NUCLEAR OPERATIONS

January 29, 1985
TXX-4405

Docket No. 50-445

Mr. Dorwin R. Hunter
Chief, Reactor Project Branch 2
U.S. Nuclear Regulatory Commission,
Region IV
Office of Inspection and Enforcement
Parkway Central Plaza Building
611 Ryan Plaza Drive, Suite 1000
Arlington, TX 76011

COMANCHE PEAK STEAM ELECTRIC STATION
Response to NRC Letter of December 31, 1984
Inspection Report No: 50-445/84-34

Dear Mr. Hunter:

This letter and the enclosure respond to your letter of December 31, 1984 relative to the inspection conducted by Mr. J. E. Cummins and NRC contract personnel of activities authorized by NRC Construction Permit CPPR-126 for Comanche Peak, Unit 1. We are hereby responding to the Notice of Violation listed in Appendix A of that letter.

To aid in the understanding of our response, we have repeated the Notice of Violation followed by our response. We feel the enclosed information to be responsive to the Inspector's findings. If you have any questions, please advise.

Yours truly,

Billy R Clements

BRC:kh

Enclosure

c: NRC Region IV - (0 + 1 copy)

Director, Inspection & Enforcement (15 copies)
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. V. S. Noonan

APPENDIX A

NOTICE OF VIOLATION

Texas Utilities Electric Company
Comanche Peak Steam Electric Station
Units 1 and 2

Dockets: 50-445/84-34
50-446/84-13
Permits: CPPR-126
CPPR-127

Based on the results of an NRC inspection conducted during the period of August 26, 1984, through October 20, 1984, and in accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C), 49 FR 8583, dated March 8, 1984, the following violations were identified:

A. Failure of Inspection to Identify Nonconformances in Support Installations

10 CFR 50, Appendix B, Criterion X requires that, "A program for inspection of activities affecting quality shall be established and executed by or for the organization performing the activity to verify conformance with the documented instructions, procedures, and drawings for accomplishing the activity."

Brown & Root (B&R) Procedures QI-QAP-11.1-28, Revision 23, "Fabrication and Installation Inspection of Safety Class Component Supports," Section 2.c of Attachment A, and QI-QAP-11.1-28A, Revision 5, "Installation Inspections of ASME Class 1, 2 and 3 Snubbers," Section 5.7.a, required that to prevent binding within the clamp and/or bracket, snubber shall not be installed with an offset of more than 5 (five) degrees.

Contrary to the above, during an NRC special review team (SRT) inspection conducted between April 3, 1984 and April 13, 1984, the NRC inspector determined that sway strut CC-1-295-005-C53R and mechanical snubber MS-1-151-025-C52k exceeded the five degrees maximum offset angle tolerance specified in Procedures QI-QAP-11.1-28 and QI-QAP-11.1-28A. These two supports had previously been inspected by quality control (QC) inspectors but these nonconformances had not been identified.

Corrective and Preventive Actions Taken

Nonconformance Reports M-13,439 and M-13,384 were generated to document these deficiencies. The supports were reworked per the approved disposition and the latest design document, and Quality Control (QC) inspected and accepted the rework. Quality Instruction QI-QAP-11.1-28A was deleted, and revision 24 of QI-QAP-11.1-28 was issued on 4/24/84 to address more clearly sway strut and snubber installation. Brown & Root Quality Assurance personnel received training on QI-QAP-11.1-28 Revision 24, paragraph 3.3.1.1.c. All of the above actions were completed by April 30, 1984. Supporting records are available at CPSES for review.

B. Failure to Notify the NRC as Required by 10 CFR Part 50.55(e)

1. 10 CFR 50.55(e)(1) requires that the construction holder of the permit shall notify the Commission of each deficiency found in design and construction, which were it to have remained uncorrected, could have affected adversely the safety of operations of the nuclear power plant at any time throughout the expected lifetime of the plant, and which represents a significant breakdown in any portion of the quality assurance program conducted in accordance with the requirements of Appendix B to 10 CFR Part 50. 10 CFR Part 50.55(e)(2) requires that, "The holder of a construction permit shall within 24 hours notify the appropriate Nuclear Regulatory Commission Regional Office of each reportable deficiency."

   Contrary to the above, the following reportable condition was identified and was not reported to the NRC:

   Nonconformances report (NCR) M-84-100108, Revision 2, documents a case of a falsified record in that a QC signature on the record was forged. The falsification of a QC record is a deficiency that had it remained uncorrected could have adversely affected the safety of operations of the nuclear plant and which represents a significant breakdown in the inspection portion of the quality assurance program.

Discussion

Texas Utilities Electric Company is committed to fulfilling its obligation to the NRC and to the protection of public health and safety. The company is well aware of the reporting requirements of 10 CFR 50.55(e) and has trained appropriate personnel to comply with those requirements. Based upon our review of the above matter, however, we have determined that a reportable condition as defined by 10 CFR 50.55(e) did not exist.

NCR M-84-100108, Revision 2, documents a case of one falsified QC record. The QC signature on that record initially appeared to be a forgery. In this particular instance, TUGCo determined that this was an isolated and inappropriate attempt by one inspector to document inspections previously performed by another party.

10 CFR 50.55(e) requires construction permit holders to report a deficiency "which, were it to have remained uncorrected, could have affected adversely the safety of operations of the nuclear power plant ..." and which represents a "significant breakdown in any portion of the quality assurance program ..." The one isolated case of a falsified QC inspection record documented in NCR M-84-100108 does not constitute a reportable deficiency under this requirement. No condition existed which if left uncorrected could have adversely affected safe plant operation. The falsified QC document pertained to inspections which had in fact been performed by another inspector. Moreover, the falsified record was determined to be an isolated instance and therefore did not constitute a significant breakdown of the QA program.

The deficiency of the allegedly forged inspection document has been adequately investigated, and adequate corrective measures have been taken to prevent a future occurence. However, we respectfully submit that with respect to the reporting requirements of 10 CFR 50.55(e), no violation of NRC regulations occurred.

B. Failure to Notify the NRC as Required by 10 CFR Part 50.55(e)

2. 10 CFR Part 50.55(e)(1) requires that, "The construction holder of the permit shall notify the Commission of each deficiency found in design and construction, which were it to have remained uncorrected, could have affected adversely the safety of operations of the nuclear power plant at any time throughout the expected lifetime of the plant. A significant deficiency in construction which will require ... extensive repair to meet the criteria and bases stated in the safety analysis report or construction permit or to otherwise establish the adequacy of the structure, system, or component to perform its intended safety function."

   10 CFR 50.55(e)(2) requires that, "The holder of a construction permit shall within 24 hours notify the appropriate Nuclear Regulatory Commission Regional Office of each reportable deficiency."

   Contrary to the above, the following reportable condition was identified and was not reported to the NRC:

   Gibbs & Hill, Inc. letter GTN-55221, documented design errors in the ranges and/or setpoints of several safety-related flow, pressure, and temperature instruments. Design errors in the range or setpoint of safety-related flow instruments are deficiencies that, had these remained uncorrected, could have adversely affected the safe operation of the nuclear plant. This error represents a deficiency of the final design and a breakdown in the quality assurance program.

Discussion

As discussed above, Texas Utilities Electric Company is committed to meeting the requirements of 10 CFR 50.55(e). Based upon our review of the above matter, however, we have determined that a reportable condition as defined by 10 CFR 50.55(e) did not exist and therefore TUGCo was not in violation of its reporting obligation.

Gibbs & Hill, Inc. letter GTN-55221 transmitted the results of a design reanalysis necessitated by system modifications which affected the original design analysis. The Gibbs & Hill reanalysis pointed out the need, due to the system modifications, to revise ranges and setpoints on several flow, pressure, and temperature instruments. The reanalysis was a normal and expected part of the design change cycle. In this instance, the review of ranges and setpoints was expedited at the request of site engineering to accommodate procurement and startup testing contingencies.

10 CFR 50.55(e) requires construction permit holders to report a deficiency "which, were it to have remained uncorrected could have affected adversely the safety of operations of the nuclear power plant" and which represents a "significant deficiency in construction of or significant damage to a structure, system, or component which will require extensive evaluation, extensive redesign, or extensive repair ..." Gibbs & Hill, Inc. letter GTN-55221 does not represent such a reportable deficiency. While the letter documented the need to revise ranges and/or setpoints of several safety-related flow, pressure, and temperature instruments, it did not represent construction or design deficiencies. The need to revise the ranges and setpoints naturally stemmed from the systems modifications and the normal design change cycle. Moreover, the need to revise instrument ranges and setpoints due to the system modifications would not have gone undetected and therefore, would not have adversely affected safe operations of the plant. Further, the startup testing program is established to identify deficiencies including instrument range and setpoint deficiencies.

Accordingly, we respectfully submit that with resepct to this item, no violation of 50.55(e) occurred.