



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

November 7, 1996

EA 96-329

John R. McGaha, Vice President - Operations
River Bend Station
Entergy Operations, Inc.
P.O. Box 220
St. Francisville, Louisiana 70775

SUBJECT: NOTICE OF VIOLATION
(NRC Inspection Report No. 50-458/96-26)

Dear Mr. McGaha:

This refers to an inspection conducted on July 29 through August 27, 1996, at the River Bend Station (RBS) reactor facility. This special inspection included a review of the failure to perform or to properly complete surveillance testing on several safety-related components. The results of the inspection were discussed with your staff on September 6, 1996, and the subject inspection report was issued on September 10, 1996. The cover letter to the inspection report noted that the apparent violations identified in the report were being considered for escalated enforcement but that it was not necessary to conduct a predecisional enforcement conference in order for the NRC to make an enforcement decision. As such, we gave you the opportunity to either request a predecisional enforcement conference or respond to the apparent violations in writing. You did not request a conference but, instead, responded to the apparent violations by letter dated October 10, 1996.

Based on the information developed during the inspection and the information that you provided in your October 10 response, the NRC has determined that violations of NRC requirements occurred. These violations are cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding them are described in detail in the subject inspection report. The violations involve the failure to perform surveillance testing in accordance with the requirements specified in the Technical Specifications. The six violations involve the failure to perform or adequately perform surveillance testing on the following equipment: (1) the Division I battery, (2) the Division III battery, (3) the drywell airlock, (4) the drywell combination equipment hatch/personnel door, (5) the prefilters for the standby gas treatment, control room fresh air, and fuel building ventilation systems, and (6) a primary containment penetration isolation valve.

As noted in your October 10 letter, prior to the identification of these violations, RBS identified surveillance program weaknesses, and a corrective action plan and improvement initiatives were underway. In July 1996, after issues were identified related to the Division I station service battery performance discharge data, RBS initiated a Significant Event Response Team

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(SERT) and developed corrective actions based on the SERT's findings. When your staff reviewed other surveillance activities for similar problems, RBS found the remainder of the surveillance discrepancies.

Your October 10 letter stated that you believe there is adequate justification for imposition of one Severity Level IV violation based on several factors regarding the circumstances of the violations (e.g., self-identified, comprehensive corrective actions, lack of actual safety significance, and others). While we generally agree with the circumstances as you characterized, they do not provide a basis for NRC to conclude that the circumstances amounted to Severity Level IV violations. The NRC's concern is that these issues collectively represent a breakdown in your surveillance testing program and, as such, represent a significant regulatory concern. Therefore, these violations are classified in the aggregate in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, as a Severity Level III problem.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$50,000 is considered for a Severity Level III problem. Because your facility has not been the subject of escalated enforcement actions within the last 2 years, the NRC considered whether credit was warranted for Corrective Action in accordance with the civil penalty assessment process in Section VI.B.2 of the Enforcement Policy. Based on the various corrective actions taken by RBS staff, the NRC determined that corrective action credit is warranted. RBS took prompt corrective actions for each of the violations, including procedure revisions, discussions with personnel regarding personal accountability, enhanced training, and an additional staff engineer to provide oversight of the surveillance testing program. In addition, corrective action credit was warranted because of the comprehensive nature of the corrective actions addressing the programmatic issues. Specific corrective actions to address the program concerns included followup by Quality Assurance, additional training on technical specification bases, departmental "all-hands" meetings, comparison of the RBS program with other sites, surveillance program self-assessment, evaluations of procedure verification and validation, and focusing additional management observations on the performance of surveillance tests.

Therefore, to encourage prompt identification and comprehensive correction of violations, and in recognition of the absence of previous escalated enforcement action, I have been authorized not to propose a civil penalty in this case. However, significant violations in the future could result in a civil penalty.

The NRC has also concluded that information regarding the reasons for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence, and the date when full compliance will be achieved is already adequately addressed on the docket in the subject NRC inspection report, LER 96-014-00 dated August 9, 1996, and your October 10 response. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional

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information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your October 10 response will be placed in the NRC Public Document Room.

Sincerely,



L. J. Callan
Regional Administrator

Docket No.: 50-458
License No.: NPF-47

Enclosure: Notice of Violation

cc (w/enclosure):
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