

NOTICE OF VIOLATION

Carolina Power & Light Company
Shearon Harris Unit 1

Docket No. 50-400
License No. NPF-63

During an NRC inspection conducted from September 1 through October 12, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

- A. Technical Specification 6.8.1.a requires, in part, that procedures shall be established, implemented, and maintained covering the activities recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978, "Quality Assurance Program Requirements (Operations)."

1. Regulatory Guide 1.33, Appendix A, Section 3.1, includes specific procedures for the auxiliary feedwater system, for which the Condensate Storage Tank (CST) is a safety-related water source.

Licensee operating procedure OP-134, Condensate System, Revision 7, contains in Section 8.3.2 specific steps for filling the CST. These steps include options to manipulate either valve 1CE-23 (Step 2) or valves 1DW-490 and 1DW-486 (Step 3).

Contrary to the above, on September 6, 1996, an operator manipulated the wrong valve, 1DW-5, while attempting to fill the CST. This error caused the subsequent filling and dilution of the refueling water storage tank, and contributed to the simultaneous short-term inoperability of the boration flow paths required by Technical Specification 3.1.2.2.

2. Regulatory Guide 1.33, Appendix A, Section 3 requires procedures for startup, operation, and shutdown of safety-related PWR systems. This requirement is further implemented by the licensee's operations management manual procedure OMM-001, Operations - Conduct of Operations, Revision 16.

Procedure OMM-001 requires, in part, that instructions for energizing, filling, draining, starting up, shutting down, and other instructions appropriate for operations of systems related to safety shall be delineated in system operating procedures. Step 5.2.2.3.c directed personnel to use Attachment 2 of the procedure to document small changes to completed lineups (contained in system operating procedures).

Contrary to the above, on September 29, 1996, operators and shift management failed to comply with the direction in OMM-001 by relying on an unreviewed and unapproved list of "spare" breakers to be turned off. This resulted in the de-energization of a live circuit feeding a safety-related radiation monitor and the

Enclosure 1

subsequent actuation of fuel handling building emergency exhaust fan E-13B.

This is a Severity Level IV violation (Supplement 1).

- B. Technical Specification 6.8.1.c requires that written procedures shall be established, implemented, and maintained covering Security Plan implementation.

Licensee procedure SP-005, Security Search and Contraband Denial, Revision 5 partially implements activities covered by the licensee's corporate security plan. Procedure section 7.0, Vehicle Searches, Step 7 specified that, following access by the vehicle, the gate and the vehicle barrier system active barrier shall be closed and returned to the blocking position.

Contrary to the above, On September 13, 1996, an officer failed to ensure complete closure of protected area gate 1B following access by a vehicle. This resulted in a short-term protected area opening (of which security personnel were unaware) in excess of the requirements specified in the licensee's corporate security plan, CP&L Physical Security and Safeguards Contingency Plan, Revision 0.

This is a Severity Level IV Violation (Supplement III).

- C. 10 CFR 50.65 (b) establishes that the scope of the maintenance rule monitoring program shall include safety-related structures, systems, or components that are relied upon to remain functional during and following design basis events to ensure the integrity of the reactor coolant pressure boundary, the capability to shut down the reactor and maintain it in a safe shutdown condition, and the capability to prevent or mitigate the consequences of accidents that could result in potential offsite exposure comparable to the 10 CFR part 100 guidelines; and non-safety related structures, systems or components that are relied upon to mitigate accidents or transients or are used in the plant emergency operating procedures, or whose failure could prevent safety-related structures, systems, and components from fulfilling their safety-related function, or whose failure could cause a reactor scram or actuation of a safety-related system.

Procedure ADM-NGGC-0101, Maintenance Rule Program, Revision 3, implements 10 CFR 50.65 and provides maintenance rule implementation instructions. Section 9.3.1, under scoping, directed personnel to obtain systems lists from the Equipment Data Base System (EDBS) and supply to the Expert Panel for evaluation. Attachment 1, List of CP&L Maintenance Rule Systems, lists the EDBS system name, system number, and the expert panel determination. The expert panel system determinations were loaded into EDBS with all components in each system receiving the determination for the system.

Contrary to the above, as of August 16, 1996, the licensee had not included all systems and components within the scope of the rule as

required. Boric Acid filter isolation valve 1CS-559 was designated in EDBS as not within the scope of the maintenance rule, even though it is in the emergency boration flow path which is used to mitigate accidents. The component had been listed in EDBS under a system that was not scoped within the maintenance rule. The licensee's review also found multiple components in each of nine systems that were not scoped correctly in EDBS because they were listed in incorrect systems.

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

Pursuant to the provisions of 10 CFR 2.201, Carolina Power and Light 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 II, 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 "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 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 Atlanta, Georgia
this 7th day of November 1996