

March 14, 1997

EA 97-092

Tennessee Valley Authority
ATTN: Mr. Oliver D. Kingsley, Jr.
President, TVA Nuclear and
Chief Nuclear Officer
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

SUBJECT: NOTICE OF VIOLATION
(NRC OFFICE OF INVESTIGATIONS REPORT NO. 2-f.6-009)

Dear Mr. Kingsley:

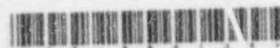
This refers to an investigation completed on January 24, 1997, by the NRC Office of Investigations (OI) regarding the alleged falsification of fire watch journals at the Sequoyah Nuclear Plant. The results of the OI investigation findings were summarized in an exit meeting conducted with your staff by telephone on March 13, 1997. The enclosed OI investigation synopsis presents the results of the investigation.

The OI investigation substantiated that two fire watch personnel failed to patrol their assigned areas but documented their fire watch sheets and journals as though these areas had been patrolled. The evidence reviewed did not substantiate that their actions were intentional or willful, and no further action will be taken by the NRC against these two employees in consideration of the action you have taken. This notwithstanding, the unacceptable performance of these employees resulted in the failure to meet the hourly fire watch requirements of the Technical Specifications for degraded or inoperable fire protection components.

Based on the results of the OI investigation, the NRC has determined that a violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice) and involves the failure to maintain complete and accurate records of fire watches. The violation is of concern because NRC relies on complete and accurate documentation to ensure compliance with regulatory requirements. In addition, the violation indicates less than fully effective management oversight which (1) permitted poor documentation by fire watch personnel, (2) permitted discontinuance of the bar code recording system in November 1995, which had provided an additional system of checks and balances without total reliance on human performance, and (3) failed to provide adequate supervision and training for fire watch patrol personnel.

Furthermore, for many years TVA has relied heavily on the use of fire watch patrols for degraded or inoperable fire protection components at Sequoyah. At page 5 of your letter to the NRC, dated December 19, 1996, which responded to our Notice of Violation and Proposed Imposition of Civil Penalty issued on November 19, 1996, (EA 96-269), TVA took

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exception to NRC's position that reliance on fire watch patrols for degraded fire protection components presented a challenge to the fire protection defense in-depth concept. Your letter stated that fire watch patrols restore the margin of safety which is lost when fire protection systems are degraded and that a fire watch patrol is an acceptable substitute as opposed to an additional level of mechanical protection. Furthermore, your letter stated that linking the use of fire watch patrols to any resulting increased vulnerability to potential fire exposure or fire damage is unwarranted. The OI investigation of the circumstances associated with these missed fire watch patrols demonstrates that a fire watch patrol does not always provide a level of equivalent protection.

NRC recognizes that TVA's audit program identified the fire watch discrepancies and that the discrepancies were reported to the NRC in Licensee Event Report (LER) No. 50-327/96-01. However, questions remain regarding the corrective actions discussed in the LER. As part of the corrective action, the LER stated that an alternative methodology to assist in the prompt identification of missed fire watches was being considered for use at Sequoyah; however we understand that the alternative program has not yet been fully implemented. In this regard, we request that your response address the status of your actions in this area and the basis for your decision to discontinue use of the bar code system. You should also provide information that explains how you are now ensuring fire watch patrols are completing required checks and accurately documenting their activity.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

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

Sincerely,

Original signed by
Johns P. Jaudon

Johns P. Jaudon, Director
Division of Reactor Safety

Docket Nos.: 50-327, and 50-328
License Nos: DPR-77 and DRP-79

Enclosures: 1. Notice of Violation
2. OI Synopsis

cc w/encs: (See page 3)

cc w/encls:

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(cc w/encls cont'd - See page 4)

TVA

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(cc w/encls cont'd)

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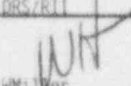
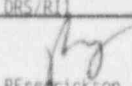
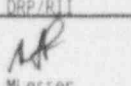
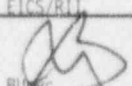
County Executive
Hamilton County Courthouse
Chattanooga, TN 37402

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DATE	03 / 13 / 97	03 / 13 / 97	03 / 12 / 97	03 / 12 / 97	03 / / 97	03 / / 97
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