

NOTICE OF VIOLATION

Carolina Power and Light Company
Brunswick Units 1 & 2

Docket Nos. 50-325 and 50-324
License Nos. DPR-71 and DPR-62

During an NRC inspection conducted from January 19 through March 1, 1997, six 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 that written procedures shall be established, implemented, and maintained covering the activities recommended in Appendix A of Regulatory Guide 1.33, November 1972. Regulatory Guide 1.33, Appendix A, Section G.1 requires procedures for the Collection, Sampling, Monitoring and Discharging of Liquid Radioactive Waste.

Operating Procedure OOP-6.4 Discharging Radioactive Liquid Effluents To the Discharge Canal. Revision 23, Step 7.3.2.22 requires that valve 2-G16-V1116, the Radiation Monitor Inlet Header Crosstie Valve be Locked Closed and Attachment 8, of that procedure requires this valve position to be independently verified.

Contrary to the above, on January 26, 1997, the procedure requirements were not followed in that two qualified radwaste operators (the performer and independent verifier) had failed to follow the operating procedure which resulted in the valve 2-G16-V1116 being found in the Open and Unlocked position in the radwaste liquid release stream.

This is a Severity Level IV Violation. (Supplement I). This is applicable to both units.

- B. 10 CFR 50.65(a)(1) requires, in part, that holders of an operating license shall monitor the performance or condition of structures, systems, or components, against licensee-established goals, in a manner sufficient to provide reasonable assurance that such structures, systems, and components, within the scope of the Maintenance Rule, are capable of fulfilling their intended functions. When the performance or condition of a structure, system, or component does not meet established goals, appropriate corrective action shall be taken. 10 CFR 50.65(a)(2) requires, in part, that monitoring as specified in paragraph (a)(1) is not required where it has been demonstrated that the performance or condition of a structure, system, or component is being effectively controlled through the performance of appropriate preventative maintenance, such that the structure, system, or component remains capable of performing its intended function.

Carolina Power and Light Administrative (CP&L) Procedure No. ADM-NGGC-0101, MAINTENANCE RULE PROGRAM, Revision 4, implements the requirements of 10 CFR 50.65, the Maintenance Rule at Brunswick. Section 9.11.1 of ADM-NGGC-0101 required, in part, historical data since July 10, 1993, be obtained to establish baseline SSC performance, validate scoping, and set initial condition (a)(1) and condition (a)(2).

Contrary to the above, as of February 10, 1997, the licensee was not monitoring the performance or condition of structures, systems, or components, against licensee-established goals, and/or demonstrating that the performance or condition of a structure, system, or component is being effectively controlled through the performance of appropriate preventative maintenance, in a manner sufficient to provide reasonable assurance that such structures, systems, and components, within the scope of the Maintenance Rule, are capable of fulfilling their intended functions, in that, an NRC inspection determined that all historical data since July 10, 1993, was not obtained to establish baseline SSC performance, validate scoping, and set initial condition (a)(1) and condition (a)(2) in the case of the Reactor Protection System in that only corrective Work Request/Job Orders were used for initial determination of functional failures. Failure to consider all sources of historical data (such as surveillance tests and condition reports) resulted in this system not being classified as (a)(1) as required by the Maintenance Rule.

This is a Severity Level IV Violation (Supplement I). This is applicable to both units.

- C. 10 CFR 50, Appendix B, Criterion III, Design Control, requires in part, that measures be established to assure that applicable regulatory requirements and the design basis, as defined in 10 CFR 50.2, Definitions, and as specified in the license application, are correctly translated into specifications, procedures, and instructions. In addition, 10 CFR 50, Appendix B, Criterion III, requires that design control measures provide for verifying or checking the adequacy of design, by individuals other than those who performed the original design. It also requires that design changes be subject to design control measures commensurate with those applied to the original design.

Contrary to the above, design control measures were not established to require the verifying or checking of the adequacy of design or design changes for configuration change engineering service requests which are defined in CP&L procedure EGR-NGGC-0005, Engineering Service Requests (ESRs), Revision 3, dated December 17, 1996. The CP&L design control measures (procedures), specifically EGR-NGGC-0005, EGR-NGGC-0003, Design Review Requirements, Revision 0, dated June 3, 1996, and EGR-NGGC-0001, Conduct of Engineering Operations, Revision 2, dated February 3, 1997, specifically exclude configuration change ESRs from the requirements for design verification to assure the design basis of the configuration change ESR is correctly translated into design output documents. Since August 1, 1996, safety related configuration change ESRs were completed, approved and implemented without being design verified.

This is a Severity Level IV Violation (Supplement I). This is applicable to both units.

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

Plant procedure OPLP-04, Correction Action Management, implements these requirements. This procedure requires that condition reports (CR) be written and corrective action assigned within specific time intervals.

Contrary to the above, a CR was not written in April 1996 when an Updated Final Safety Analysis Report discrepancy concerning Emergency Core Cooling System valve stroke time requirements was identified. A CR was not written until February 13, 1997, after Unit 1 High Pressure Coolant Injection System was declared inoperable based on a minimum flow valve response time of 10.04 seconds as compared to the acceptance time of 10 seconds. However, the correct acceptance response time would have permitted an acceptable response time of 2 seconds and the Unit 2 acceptance criteria would allow 19.4 seconds.

This is a Severity Level IV Violation. (Supplement I). This is applicable to both units.

- E. 10 CFR 50, Appendix B, Criteria X requires that a program for inspection of activities affecting quality shall be established and executed to verify conformance with the documented instructions, procedures and drawings for accomplishing the activity. Such inspections shall be performed by individuals other than those who performed the activity being inspected.

Contrary to the above, a program was not established for independent inspection of safety-related miscellaneous structural steel. Miscellaneous structural steel is controlled by CP&L specification 248-107, Installation of Seismic Pipe and HVAC Supports and Miscellaneous Structural Steel, Revision 18, dated August 12, 1996. There are no inspection requirements specified in this procedure for safety-related miscellaneous structural steel.

This is a Severity Level IV Violation (Supplement I). This is applicable to both units.

- F. 10 CFR 50 Appendix B, Criterion VIII, Identification and Control of Materials, Parts, and Components, requires that measures shall be established for the identification and control of materials, parts, and components. These identification and control measures shall be designed to prevent the use of incorrect or defective material, parts, and components.

The CP&L Nuclear Generation Group Standard Procedure MCP-NGGC-0402 defines the measures for compliance with 10 CFR Appendix B, Criterion VIII. The requirements are further implemented, in part, through Administrative Instructions OAI-132, Oil, Liquid Waste from Planned

Maintenance Activities and Mop Water Management Program and OAI-121, Chemical/Consumable Use Program. These procedures required that material transferred to secondary or temporary containers have an identification label describing the contents, status, and all appropriate chemical control and hazard information.

Environmental & Radiological Control Procedure OE&RC-1130, Chemical Addition and Determination of Sodium Pentaborate Solution in the Standby Liquid Control Tank, required that the material used have a QA Accept label attached.

Contrary to the above, on January 29-30, 1997, these requirements were not met for the identification and control of material as evidenced by the following examples:

1. Ten 55 gallon drums containing sodium pentaborate on the 50 foot elevation in Unit 2 and other large containers on the 20 foot elevation in Unit 1 were found without any means to establish the identification or quality status of the contents in order to prevent the use of incorrect or defective material.
2. During addition of boric acid to the Standby Liquid Control tank, two containers of boric acid were found without adequate labeling to identify the contents, chemical control and hazard information, nor was a QA Accept label attached to indicate status.

This is a Severity Level IV Violation (Supplement I). This is applicable to both units.

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 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 Atlanta, Georgia
This 31st day of March 1997