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U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555-0001

**Subject: Beaver Valley Power Station, Unit No. 1 and No. 2
BV-1 Docket No. 50-334, License No. DPR-66
BV-2 Docket No. 50-412, License No. NPF-73
NRC Integrated Inspection Report Nos. 05000334/2000001
and 05000412/2000001**

This letter provides FirstEnergy Nuclear Operating Company's (FENOC) position regarding the apparent violation discussed in NRC Integrated Inspection Report Nos. 05000334/2000001 and 05000412/2000001. In the cover letter and within Section O2.1b of the report, the failure of two river water pumps was characterized as an apparent violation of 10 CFR 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings." FENOC believes that the apparent violation would be more appropriately cited against 10 CFR 50, Appendix B, Criterion III, "Design Control."

As discussed in BVPS LER 1-2000-002-00, the root cause of this event was determined to be:

“. . .inadequate knowledge/technical information of the temperature effect of seal water on the vertical, thermal expansion of a non-operating pump shaft. This is evident by the installation and use of the Filtered Water System as a seal supply in 1976 by Stone & Webster Engineering Corporation (SWEC) without understanding, or not considering the pump shaft temperature growth concerns. The design change that installed the filtered water connection from the Unit 1 water treatment system to the intake structure in 1976 failed to consider the overall effects of seal water temperature on the river water pumps. The seal water temperature was not identified as a critical parameter in site documents. The water treating system temperatures were not designed to be controlled for safety related purposes.”

10 CFR 50, Appendix B, Criterion III, "Design Control," states in part, "Measures shall be established to assure that applicable regulatory requirements and the design basis, as defined in 50.2 and as specified in the license application, for those structures, systems,

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and components to which this appendix applies are correctly translated into specifications, drawings, procedures, and instructions. . . .”

FENOC believes that because the design change that installed the filtered water connection to the intake structure in 1976 did not consider the overall effects of seal water temperature on the BVPS Unit 1 River Water Pumps, seal water temperature was not identified as a design requirement for pump operability. Therefore, the design basis of the pump was not correctly translated into BVPS Unit 1 River Water Pump specifications.

Section O2.1b under “Inspectors Assessment” of the inspection report stated, “Lack of knowledge of the effect of elevated seal water temperature on the operability of the RW pumps resulted in an inadequate evaluation and application of TOP 90-17 which caused the “B” RW train to be inoperable for a period of approximately six days.” FENOC believes that, had the appropriate design specifications been translated properly, the events leading to the failure of the River Water Pumps most likely would have been precluded. Therefore, the failure of the River Water Pumps is more appropriately categorized as an apparent violation of 10 CFR 50, Appendix B, Criterion III, “Design Control.”

This apparent violation will be discussed during a Predecisional Enforcement Conference scheduled for April 13, 2000.

If there are any questions concerning this letter, please contact Mr. M. S. Ackerman, Manager, Licensing at (412) 393-5203.

Sincerely,



Lew W. Myers

- c: Mr. D. S. Collins, Project Manager
Mr. D. M. Kern, Sr. Resident Inspector
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