

September 1, 2000

MEMORANDUM TO: John A. Grobe, Director  
Division of Reactor Safety  
Region III

FROM: Suzanne C. Black, Deputy Director */RA/*  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

SUBJECT: DONALD C. COOK (D. C. Cook) - TASK INTERFACE AGREEMENT  
(TIA) 2000-06 - EVALUATION OF THE ESSENTIAL SERVICE WATER  
SYSTEM CONFIGURATION (TAC NO. MA8911)

By memorandum dated May 15, 2000, Region III requested technical assistance from the Office of Nuclear Reactor Regulation (NRR) in evaluating the licensing basis and operational requirements of the essential service water (ESW) system. The resident inspectors questioned the licensee's interpretation of the Technical Specifications (TSs) specifically with regard to the number of pumps which constitute an operable loop of ESW and the position of the crosstie valves which connect the Unit 1 and Unit 2 ESW systems.

During a review of the ESW system, the licensee identified that the current TSs which govern the operation of the ESW system were nonconservative and was proposing to implement administrative controls in accordance with Nuclear Regulatory Commission (NRC) Administrative Letter 98-10, "Dispositioning of Technical Specifications That Are Insufficient to Assure Plant Safety," to impose more restrictive requirements on the operation of the ESW system. The licensee found that the current plant TSs were insufficient in that the TSs do not require the ESW crosstie valves to be closed to prevent diversions of ESW flow from an operating unit to a nonoperating unit.

The resident inspectors performed an independent review of this issue and concluded that the implementation of administrative controls to assure closing the ESW crosstie valves to isolate an inoperable ESW pump constitutes an unreviewed safety question (USQ). Consequently, in accordance with 10 CFR 50.59, the licensee would require NRC review and approval of these administrative controls prior to their implementation.

Specifically, Region III requested resolution of the following issues:

1. What is the appropriate application of Generic Letter (GL) 91-18 and Administrative Letter 98-10 regarding this issue?
2. What is the appropriate application of the USQ criteria in 10 CFR 50.59 to the licensee's compensatory actions for closing the ESW crosstie valves?

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On May 16, 2000, a public meeting was held between the licensee and the NRC related to the ESW system configuration at the D. C. Cook nuclear plant. The meeting was held at NRC headquarters in Rockville, Maryland.

During the meeting, the licensee presented information related to the design and licensing basis for the ESW system. The licensee made a presentation of how the ESW system would be configured and operated with Unit 2 operating and Unit 1 remaining shutdown. The presentation focused on how that configuration was in accordance with design and licensing basis of D. C. Cook.

As a result of the discovery that the current TSs were nonconservative, the licensee stated that they were following the guidance of NRC Administrative Letter 98-10. The licensee indicated that Administrative Technical Requirements (ATRs) would be put into place prior to Unit 2 reaching operational MODE 4. The licensee stated that the ATRs provide enhanced guidance for operating the shared ESW system and provides the assurance that the ESW system can meet design-basis functions. During the meeting, the licensee stated that the ATRs would be changed such that the allowed outage time for an ESW pump in Unit 1 being unavailable would be changed from 60 days to 7 days. The licensee indicated that a license amendment would be submitted to correct the appropriate TSs. The licensee proposed a date of November 1, 2001, to submit the license amendment.

The NRC staff and licensee discussed the licensing basis for the ESW system to understand the configuration of the ESW system and whether implementation of the ATRs would constitute a USQ and would require prior NRC review and approval in accordance with 10 CFR 50.59. After the completion of the licensee's presentation, the NRC staff, including NRR and Region III management, caucused to discuss the information provided by the licensee. At the conclusion of the meeting, the NRC stated that using the guidance found in Administrative Letter 98-10 was appropriate to address the ESW system nonconservative TSs and that the implementation of the ATRs did not represent a USQ requiring prior NRC review and approval. Also, the NRC staff expressed concern regarding the schedule for submission of the license amendment revising the appropriate TSs. The NRC staff requested that the licensee confirm in a letter to the NRC a date for the license amendment which is consistent with the guidance in Administrative Letter 98-10. The licensee submitted a letter to the NRC dated May 19, 2000, proposing a submittal of a license amendment by August 18, 2000. The licensee submitted the license amendment as stated on August 18, 2000. The staff has concluded that this revised date is consistent with Administrative Letter 98-10.

Based on the conclusions reached by the NRC staff during the May 16, 2000, meeting, the resolution of the issues raised in the TIA were answered: 1) the licensee's use of Administrative Letter 98-10 was appropriate because the current TSs were found to be insufficient (nonconservative) to assure plant safety in that the TSs do not require the crosstie valves to be closed to prevent diversion of ESW flow from an operating unit to a nonoperating unit; 2) the licensee's application of the 10 CFR 50.59 criteria to the ATRs (comp measures) was appropriate and the ATRs did not represent a USQ because the ATRs enhanced guidance for operating the ESW System and assurance that the ESW system can meet design-basis functions, and did not

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trigger the three 50.59 criteria. Complete details of the meeting are contained in the meeting summary dated May 31, 2000. The meeting summary is available in ADAMS under accession number ML003719978. This completes NRR's review and evaluation efforts under TIA 2000-06 and TAC No. MA8911. If you have any questions regarding this issue, please contact J. Stang of my staff at (301) 415-1345.

Docket No. 50-316

cc: W. Lanning, Region I  
C. Casto, Region II  
A. Howell, Region IV

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