



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931

October 12, 2000

NOED NO. 00-2-001

Virginia Electric and Power Company
ATTN: Mr. David A. Christian
Senior Vice President and
Chief Nuclear Officer
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060

Dear Mr. Christian:

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) FOR VIRGINIA
ELECTRIC AND POWER COMPANY, SURRY UNIT 1

By letter dated October 10, 2000, you requested that the NRC exercise discretion not to enforce compliance with the actions required in Technical Specification (TS) 3.22.B for Surry Unit 1. This TS requires that with one train of the auxiliary ventilation exhaust filter system inoperable for any reason, the inoperable train be returned to operable status within seven days or be in at least Hot Shutdown within the next six hours and in Cold Shutdown within the following 48 hours. The function of the auxiliary ventilation system during accident conditions is to provide ventilation (cooling) to safety-related equipment and filtration of the Auxiliary and Safeguards building ventilation exhaust. Your letter documented information previously discussed with the NRC in a telephone conference on October 10, 2000, at 10:00 a.m. The principal NRC staff members who participated in that telephone conference included Dr. B. Mallett, Deputy Regional Administrator, Mr. L. Plisco, Director, Division of Reactor Projects (DRP), Mr. V. McCree, Deputy Director, DRP, Mr. H. Christensen, Deputy Director, Division of Reactor Safety, Mr. R. Haag, Chief Projects Branch 5, DRP, Mr. H. Berkow, Director, Project Directorate II, Office of Nuclear Reactor Regulation (NRR), Mr. H. Walker, Engineer, NRR Plant Systems Branch, Dr. G. Edison, Project Manager, NRR and Mr. R. Musser, Senior Resident Inspector, Surry. You stated that on October 10, 2000, at 1:56 p.m. the plant would not be in compliance with TS 3.22.B and therefore, shutdown of Unit 1 would be required. The seven day action requirement of TS 3.22.B was entered at 1:56 p.m. on October 3, 2000. Since Unit 2 is currently shut down for a refueling outage, the TS shutdown action was not applicable to Unit 2. You requested that the NOED be issued pursuant to the NRC's policy regarding exercise of discretion for an operating facility, set out in Section VII. C, of the "General Statement of Policy and Procedures for NRC Enforcement Actions - May 1, 2000," (Enforcement Policy), NUREG-1600, and be effective for the period of 1:56 p.m. on October 10, 2000, to 1:56 p.m. on October 20, 2000. This letter documents our decision to authorize this NOED, which was provided to you during a telephone conversation on October 10, 2000, at 12:00 noon

The condition which necessitated the request for discretion was a result of problems encountered when both exhaust fans in the auxiliary ventilation system tripped during TS required functional testing. During the subsequent seven days your troubleshooting and repair

efforts made some improvements in system performance; however, the "A" exhaust fan continued to trip during testing and that train of ventilation remained inoperable. Your safety rationale for requesting the NOED is that one train of the auxiliary ventilation system can fully satisfy the ventilation and filtration requirements and the very small increase in risk for having only one train available for an additional ten days as determined by your probabilistic risk assessment (PRA) model. Compensatory measures associated with the NOED that you plan to implement include: 1) reviewing planned outage activities to minimize challenges to the operable train of auxiliary ventilation with particular emphasis placed on normal (switchyard) and emergency electrical power supplies and work in the vicinity of the operable train components; 2) ensuring that the ability to provide alternate cooling to Unit 1 charging pumps is not affected by outage activities; and 3) during fuel handling activities, no testing that could affect the operable train of auxiliary ventilation will be performed.

The staff has reviewed your safety rationale regarding the one-time extension to the TS allowed outage time and the results of your PRA evaluation. Previously, NRC inspectors have observed during fuel movements that no testing of the operable train of auxiliary ventilation has occurred. This is consistent with one of your planned compensatory measures. Your safety rationale and compensatory measures provide the appropriate justification to support a conclusion that enforcement discretion should be given to avoid undesirable transients (shutdown of Unit 1) as a result of forcing compliance with the TS, and thus would minimize potential safety consequences and operational risks.

On the basis of the staff's evaluation of your request, including the compensatory measures described above, we have concluded that an NOED is warranted because we are clearly satisfied that this action involves minimal or no safety impact, is consistent with the enforcement policy and staff guidance, and has no adverse impact on public health and safety. Therefore, it is our intention to exercise discretion not to enforce compliance with TS 3.22.B for Surry Unit 1 for the period from 1:56 p.m. on October 10, 2000, to 1:56 p.m. on October 20, 2000. If both trains of auxiliary ventilation are returned to operable status before the expiration of this discretion, this NOED will be terminated at the time both trains become operable, including the ability of both trains to automatically start and operate.

As stated in the Enforcement Policy, action will be taken, to the extent that violations were involved, for the root cause that led to the noncompliance for which this NOED was necessary.

Sincerely,

/RA/

Bruce S. Mallett
Deputy Regional Administrator

Docket No. 50-280
License No. DPR-32

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*FOR PREVIOUS CONCURRENCE SEE ATTACHED

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DATE	10/12/2000	10/12/2000	10/12/2000	10/12/2000	10/ /2000	10/ /2000	10/ /2000
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