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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

NOV 05 1987

Docket No. 50-219
License No. DPR-16
EA 87-185

GPU Nuclear Corporation
ATTN: Mr. P. R. Clark
President
100 Interpace Parkway
Parsippany, New Jersey 07054

Gentlemen:

Subject: CONFIRMATORY ORDER

Enclosed is a Confirmatory Order, effective immediately, confirming commitments made to the NRC in various letters concerning the events associated with (1) the violation of a safety limit at Oyster Creek on September 11, 1987, and (2) the subsequent destruction of a sequence of alarms tape associated with this event. Issuance of this order does not preclude the NRC from taking additional enforcement action upon completion of the ongoing independent investigations of this matter.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, code of Federal Regulations, a copy of this letter and the enclosed Order will be placed in the NRC's Public Document Room. In addition to the commitments set forth in the enclosed Order, you are requested to provide a copy of the Order to each member of Operating Shift "B" that was on duty at the time fo the safety limit violation.

The responses directed by the accompanying Order are not subject to the clearance procedures of the Office of Management and Budget, as required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,

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James M. Taylor, Deputy Executive Director
for Regional Operations

Enclosure: Confirmatory Order

cc w/encl:
M. Laggart, BWR Licensing Manager
Licensing Manager, Oyster Creek
State of New Jersey

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of)	Docket No. 50-219
)	License No. DPR-16
GPU NUCLEAR CORPORATION)	EA 87-185
)	
(Oyster Creek Nuclear Generating Station))	

CONFIRMATORY ORDER
(EFFECTIVE IMMEDIATELY)

I

GPU Nuclear Corporation, Parsippany, New Jersey 07054 (the "licensee") is the holder of License No. DPR-16 (the "license") issued by the Nuclear Regulatory Commission (NRC/Commission) which authorizes the licensee to operate the Oyster Creek Nuclear Generating Station in Ocean County, New Jersey, in accordance with conditions specified therein. The license was issued on August 1, 1969.

II

On September 11, 1987, at approximately 2:15 a.m., while the reactor was in cold shutdown and Operating Shift B was on duty in the control room, a violation of the license technical specifications occurred at Oyster Creek involving the failure to maintain the facility in accordance with Safety Limit 2.1.E. This Safety Limit requires at least two of five recirculation pump suction and discharge valves be in the full open position, unless the reactor vessel head

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is removed and the reactor is flooded to a level above the main steam nozzles. The violation occurred when the reactor operator at the controls placed the control switch for the B Recirculation Loop discharge valve in the closed position, in preparation for shutting down the B pump as a result of the need to isolate the Reactor Building Closed Cooling Water (RBCCW) System due to a RBCCW leak. At the time, the discharge valves for the A, D, and E recirculation loops were closed, and closure of the B loop discharge valve resulted in the violation of the Safety Limit.

The operator was immediately alerted that the safety limit had been violated when he received an alarm in the control room. In response to that alarm, the operator apparently immediately opened the discharge valves for the A and D recirculation loops so as to return the plant to a condition within the bounds of the Safety Limit.

III

Subsequently, during the morning of September 11, 1987, licensee management concluded that a paper tape record for the Sequence of Alarms Recorder had been removed, and there might have been an attempt, by a member or members of the Shift in the control room (Operating Shift B), to conceal or destroy the record. The record provided evidence of a safety limit violation. The licensee immediately initiated, on September 11, 1987, an internal investigation and relieved the "B" shift crew of licensed duties, pending the results of an internal investigation which is being conducted by a consultant.

In letters from the President of GPU Nuclear Corporation to the NRC, dated September 22, 1987, and October 26, 1987, respectively, the licensee indicated that the NRC would be notified, and NRC approval obtained, before any members of the "B" shift crew were returned to licensed duties. Further, the October 26 letter indicated that a copy of the licensee's investigation report would be provided to the NRC upon its completion. The NRC investigation of this matter is continuing independent of the above mentioned licensee actions and activities.

IV

In view of the importance of a thorough investigation of these events to identify the circumstances associated with the Safety Limit violation and subsequent destruction of the Sequence of Alarms record, I have determined that the commitments made in the September 22 and October 26, 1987 letters are required in the interest of public health and safety, and therefore, should be confirmed by an immediately effective Order.

VI

In view of the foregoing, pursuant to Sections 103, 161(i), 161(o) and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.204 and 10 CFR Part 50, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY, THAT THE LICENSE IS MODIFIED AS FOLLOWS:

- A. The licensee shall prohibit any member of the operating Shift B who was on duty on September 11, 1987 from performing licensed duties unless the licensee notifies and obtains the approval of the NRC Regional Administrator, Region I, prior to returning such a person to licensed duties; and
- B. The licensee shall provide the NRC Regional Administrator, Region I, a copy of the Investigation Report prepared by or on behalf of the licensee concerning this event upon completion of its investigation.

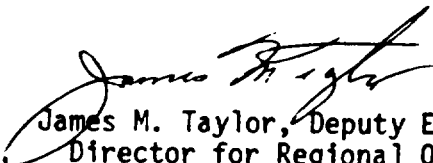
The Regional Administrator, Region I may relax or terminate any of the above conditions for good cause shown.

VII

The licensee, or any person who is adversely affected by this Order, may request a hearing within 30 days of the date of this Order. A request for hearing should be clearly marked as a "Request for Hearing" and shall be submitted to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Docket Control Desk, Washington, D.C. 20555 with copies to the Assistant General Counsel for Enforcement, the Regional Administrator, Region I, 631 Park Avenue, King of Prussia, PA 19406 and the NRC Resident Inspector, Oyster Creek Nuclear Generating Station. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order shall be sustained. If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which the petitioner's interest is adversely affected by this Order and should address the criteria set forth in 10 CFR 2.714(d). Upon failure of the licensee and any other person adversely affected by this Order to answer a request for a hearing within the specified time, the Order shall be final without further proceedings. AN ANSWER TO THIS ORDER OR A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

FOR THE NUCLEAR REGULATORY COMMISSION


James M. Taylor, Deputy Executive
Director for Regional Operations

Dated at Bethesda, Maryland
this 5th day of November 1987