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NRC REGION II
BY: ajc DATE 02/18/98

Mr. Al Ignatonis
United States Nuclear Regulatory Commission
Region II
P. O. Box 845
Atlanta, GA 30301

Dear Mr. Ignatonis,

In response to your letter of February 6, 1998 the following status is provided for the five issues. I was successful in resolving the first three items included in my letter. For issue four, the seventeen interposing relays were tested [redacted] These were the most obvious errors in the HNP testing program for the Auxiliary Control Panel. There are still many (hundreds I would guess) contact closures that must happen on a transfer to the Auxiliary Control Panel that are not physically verified to operate in the plant testing program. The final issue involved violating Technical Specifications related to revising plant procedures. I am not sure if Harris has completely corrected this error. The concern [redacted] was that hundreds of Technical Specification violations occurred and that Harris Nuclear Plant did not report this issue to the NRC as required by 10CFR50.73 and NUREG 1022. This was not resolved.

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You also asked if I was aware of additional concerns at Harris Nuclear Plant. Below is one concern I have with the operation of Harris Nuclear Plant. If I become aware of additional concerns I will inform the NRC. Note, currently my records of my [redacted] at Harris Nuclear Plant are in storage and unavailable.

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Potential Material False Statement

I became aware of this issue while working as [redacted] at CP&L's Harris Plant. The concern I have is related to the March 17, 1997 Technical Specification Change Request "Deletion Of Shutdown Requirements From Selected Surveillances," signed by [redacted] This change was submitted with the full knowledge that Harris Nuclear Plant had already stopped performing these tests during shutdown prior to RFO-6. Harris Nuclear Plant continued to perform these "during shutdown" tests prior to shutting down for RFO-7 despite the fact that the Technical Specification change was not issued prior to RFO-7. It is my concern that asking permission to stop performing these tests during shutdown with the knowledge that this was already the practice at Harris represented a material false statement to the NRC.

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Details

From initial plant startup through RFO-5, the practice at Harris Nuclear Plant was to perform any tests where Technical Specifications specified "during shutdown" while the plant was shutdown. Prior to RFO-6 in an effort to remove work from the outage, the idea of deleting the "during shutdown" requirements from Technical Specification and performing this testing online was developed. [redacted] developed

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this idea and a Technical Specification Change Request was developed to implement this change during RFO-6. The Technical Specification Change Request was approved by the management chain up to and including the [REDACTED]. When [REDACTED] presented the letter to [REDACTED] for signature, the Technical Specification Change Request was rejected as sending the wrong message to the NRC. [REDACTED] interpretation of the Technical Specification surveillance requirement was that the tests could be done at any time and then "during shutdown," the data could be transferred to another procedure and signed off as satisfactory. At that time, I told [REDACTED] that I did not believe this action met the Technical Specification requirements. [REDACTED] informed me that [REDACTED] had offered to personally interpret the Technical Specifications for anyone who had a question. Based on [REDACTED] interpretation, [REDACTED] revised the appropriate procedures to remove "during shutdown" testing from RFO-6. XTC

In early 1997, the tenuous position that this interpretation placed the Harris Nuclear Plant in was recognized. A new Technical Specification Change Request was developed and submitted to delete the "during shutdown" requirements from Technical Specification. After [REDACTED] had signed the package requesting permission to stop performing these tests "during shutdown" I asked [REDACTED] why [REDACTED] had changed his mind. [REDACTED] stated that he wasn't sure but that [REDACTED] had selective amnesia on the previous Technical Specification Change Request. TC

Following submission of the Technical Specification Change Request, I asked [REDACTED] what Harris Nuclear Plant was going to do with procedures that had the "during shutdown" testing deleted prior to RFO-6. [REDACTED] told me that [REDACTED] had told him to change the procedure to perform the "during shutdown" testing while shutdown for RFO-7. [REDACTED] said that he told [REDACTED] that seven surveillance procedures would require extensive revision. [REDACTED] said that [REDACTED] told him to forget revising the procedures since there were so many procedures and that Harris Nuclear Plant would use [REDACTED] interpretation for one more outage. Therefore, Harris Nuclear Plant again did testing outside the "during shutdown," time frame specified in our Technical Specification with the full knowledge that the NRC had not granted relief. TC

[REDACTED]