



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064**

September 25, 2001

William T. Cottle, President and  
Chief Executive Officer  
STP Nuclear Operating Company  
P.O. Box 289  
Wadsworth, Texas 77483

**SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR STP NUCLEAR OPERATING  
COMPANY REGARDING SOUTH TEXAS PROJECT UNIT 1,  
NOED NO. 01-4-002**

Dear Mr. Cottle:

By letter dated September 23, 2001, STP Nuclear Operating Company (STPNOC) requested that the NRC exercise discretion not to enforce compliance with the actions required in Technical Specification (TS) 3.7.4, "Essential Cooling Water." That letter documented information previously discussed with the NRC in a telephone conversation on September 22, 2001, at 6:00 p.m. (all times are CDT). Participants in the telephone conversation held September 23, 2001, at 6:00 p.m. included Ellis Merschhoff, Regional Administrator, RIV, and members of his staff; Stuart Richards, Director, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation (NRR), and members of the NRR staff; and Russ Lovell, Acting General Plant Manager, and other members of his staff. During the conversation, your staff stated that at 2:00 a.m. on September 24, 2001, the plant would no longer be in compliance with the Action Statement of TS 3.7.4<sup>1</sup>, which would require that with only two essential cooling water loops OPERABLE, restore at least three loops to OPERABLE status within 7 days or be in at least HOT STANDBY within the next 6 hours and in COLD SHUTDOWN within the following 30 hours. The Limiting Condition for Operation was entered at 2:00 a.m. on September 17, 2001, for the Train C Essential Cooling Water pump. STPNOC requested that a Notice of Enforcement Discretion (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" (Enforcement Policy), NUREG-1600, and be effective for the period 2:00 a.m. on September 24, 2001 until 2:00 a.m. on September 29, 2001, a period of 5 days past the Limiting Condition for Operation completion time.

According to your staff, the Train C Essential Cooling Water pump experienced an unexpected loss of discharge pressure during postmaintenance testing at 9:06 p.m. on September 21, 2001, due to a seizure of the center shaft bearing from lack of cooling and

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<sup>1</sup>In addition to not being in compliance with TS 3.7.4, the licensee noted that non-compliance would cascade to TS's 3.5.2, 3.5.6, 3.6.2.1, 3.6.2.3, 3.7.3, 3.7.7, and 3.7.1.4. All discussions and approvals include the Allowed Outage Times for all of these TS's.

lubrication water. The remaining completion time was insufficient for repair and testing of the pump. The degraded condition of the Essential Cooling Water pump had two potential outcomes: either maintain the plant at power for no more than an additional 5 days, which your staff determined would be adequate to complete repairs and testing, or proceed to COLD SHUTDOWN in accordance with the TS. The quantitative change in core damage probability associated with the Essential Cooling Water pump being out of service for an additional 5 days was compared to a qualitative assessment of risk associated with a plant shutdown to comply with TS 3.7.4. You stated that allowing the additional 5 days was preferable to the potential consequences associated with a plant shutdown, and that there was no increase in radiological risk.

In conjunction with this action, STPNOC initiated compensatory measures which included: functionality or operability of the remaining power sources and the remaining Essential Cooling Water loops have been verified; in the event of a loss of offsite power, Train C Engineered Safety Features (ESF) bus will be cross-connected to an alternate emergency power source by backfeeding through an ESF transformer to the emergency bus in accordance with station procedures; loading on the ESF bus is being restricted to the 480 VAC ESF load centers, one centrifugal charging pump and its associated cubicle cooler, two Class 1E battery chargers and the 25 KVA TMI inverter; in the event of a loss of offsite power, Operations personnel will be allowed to cross connect between the Essential Cooling Water trains; and surveillance and planned maintenance activities with the potential to cause a reactor/turbine trip or onsite power interruption in both units have been suspended. In addition to the hardware and procedural measures taken to compensate for the pump failure, actions have been implemented to further assure plant physical security, especially as it relates to the physical location of the Essential Cooling Water system.

NRC staff evaluated your request, which was reviewed and approved by your Plant Operations Review Committee and agreed that maintaining the plant stable at power for an additional 5 days was preferable to the potential for a plant transient that could occur during a plant shutdown. The NRC found no reason to challenge your statement that staying at power in this condition did not constitute an increase in radiological risk. The NRC agreed that your no significant hazards consideration was appropriate, your compensatory measures were appropriate, and your corrective actions were appropriate for the Train C Essential Cooling Water pump.

On the basis of the staff's evaluation of your request, including the compensatory measures described above, the staff has concluded that an NOED is warranted because we are clearly satisfied that this action involves no safety impact and has no adverse radiological impact on public health and safety or adverse consequences to the environment. Additionally, we determined that the request satisfied the NRC's policy for enforcement discretion. Therefore, it is our intention to exercise discretion not to enforce compliance with the required action of TS 3.7.4, for the period of time not to exceed from September 24, 2001, at 2:00 a.m. until September 29, 2001, at 2:00 a.m., or the time the Train C Essential Cooling Water pump is returned to an operable status. This letter documents our telephone conversation of September 23, 2001, at 6:00 p.m. when we orally issued this NOED.

However, 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,

***TPGwynn for***

Ellis W. Merschoff  
Regional Administrator

Docket No: 50-498  
License No: NPF-76

cc:

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RA				
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<b>TPGwynn for</b>				
09/25/01				

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