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

October 15, 2001

EA 01-256

Mr. J. V. Parrish
Chief Executive Officer
Energy Northwest
P.O. Box 968; MD 1023
Richland, Washington 99352-0968

SUBJECT: RESPONSE TO NRC INSPECTION REPORT 50-397/01-03 AND DENIAL OF VIOLATION

Dear Mr. Parrish:

This is in reference to your letter dated August 20, 2001, in which Energy Northwest denied a violation of 10 CFR 50, Appendix B, Criterion XVI (Corrective Actions). Your letter was in response to a noncited violation documented in NRC Inspection Report 50-397/01-03, dated July 20, 2001. The violation resulted from the failure to take appropriate corrective actions following a 1999 problem evaluation request that identified, in part, a problem in meeting the conditions of Technical Specification 3.9.8 (Refueling Operations, Residual Heat Removal - High Water Level). Specifically, your staff had identified a failure to specify an adequate method of alternate decay heat removal for instances when both trains of shutdown cooling are inoperable, an action which is necessary to meet Technical Specification 3.9.8, Action A.1 requirements. We found your corrective actions to address this issue inadequate because your plans to provide an alternate method of shutdown cooling still did not meet all of the provisions specified in Technical Specification 3.9.8 and the associated Bases. Namely, the system was not available within one hour and would not remain operable following a loss of level event.

Your primary basis for disputing the violation included:

1. Technical Specification 3.9.8 does not specify a time limit for when the alternate decay heat removal method must be placed in operation, it only requires that operators verify a method is available.

2. The Bases do not count as action statements and, therefore, the term "establish within one hour," in the Bases cannot be construed to require an action other than to verify the availability of the method within one hour.

3. The alternate decay heat removal method did not need to be capable of operation with reduced water level, as reduced water level is outside the applicability of Technical Specification Limiting Condition for Operation 3.9.8.

4. The residual heat removal system, in the spent fuel pool cooling assist mode, is the primary method credited for use in refueling outages when the residual heat removal system, shutdown cooling mode, is not available.

We have reviewed your letter. Concerning verification of system availability within one hour, we disagree with your conclusion that Technical Specification 3.9.8 does not specify a time limit by which the alternate decay heat removal method must be placed in operation, and your position that it only requires operators to verify that an alternate method is available. We agree that the Bases do not count as action statements. In this case the NRC has determined that your system would not have been available in 1 hour, as required by the Technical Specification 3.9.8.A, based on the fact that operators needed several hours (4 to 6 by your estimates) to place the system in service. In fact, when the system would have been credited per your original plan, it was tagged out of service, relief Valve RHR-V-5 (part of the system pressure boundary) was removed and valves in the system flow pathway were tagged closed. In part, this was the same work that rendered both trains of shutdown cooling inoperable. Based on information contained in Clearance D-RHR-RV-5-001 and control room logs, this work rendered all your residual heat removal subsystems, including your alternate decay heat removal system, inoperable for greater than five hours. Thus, the NRC does not accept your position on this aspect of the noncited violation.

However, with regard to that portion of the noncited violation which addressed a loss of level event, the NRC has reviewed the alternate decay heat removal method and concluded that it did not need to be capable of operation subsequent to a loss of reactor water level to meet the Technical Specification 3.9.8 requirements. Therefore, this aspect of the noncited violation is withdrawn, and your corrective actions for the violation need not address this aspect.

Although not directly related to your denial of the noncited violation, the NRC notes that the Bases for Technical Specification 3.9.8 specify that the required cooling capacity of the alternate decay heat removal methods should be ensured by verifying (by calculation or demonstration) their capability to maintain or reduce temperature. The Bases then cite examples of methods which, at the time an alternate decay heat removal method would have been used, would not be capable of providing sufficient decay heat removal until several months after shutdown as described in Plant Procedure 1.16.8A, “Outage Risk Management,” Revision 0. Therefore, we recommend that your corrective actions for the noncited violation address the adequacy of the examples identified as alternate decay heat removal methods in the Bases statement.

With respect to your contention that the spent fuel pool cooling assist mode of the residual heat removal system is the primary means credited for use in refueling outages when normal shutdown cooling is not available, the only place where we could find this system credited is in your own plant procedures. Per your Final Safety Analysis Report (FSAR), the spent fuel pool cooling assist mode was intended for use during full core offloads and other times to supplement *spent fuel pool cooling*. We did not agree with your contention that the FSAR states that this is the primary method of alternate decay heat removal when shutdown cooling is not available.

If you have any questions regarding this matter, please contact Mr. William B. Jones at (817) 860-8147.

Sincerely,

/RA/

Ken E. Brockman, Director
Division of Reactor Projects

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cc:
Chairman
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, Washington 98504-3172

Rodney L. Webring (Mail Drop PE08)
Vice President, Operations Support/PIO
Energy Northwest
P.O. Box 968
Richland, Washington 99352-0968

Greg O. Smith (Mail Drop 927M)
Vice President, Generation
Energy Northwest
P.O. Box 968
Richland, Washington 99352-0968

D. W. Coleman (Mail Drop PE20)
Manager, Regulatory Affairs
Energy Northwest
P.O. Box 968
Richland, Washington 99352-0968

Albert E. Mouncer (Mail Drop 1396)
General Counsel
Energy Northwest
P.O. Box 968
Richland, Washington 99352-0968

Paul Inserra (Mail Drop PE20)
Manager, Licensing
Energy Northwest
P.O. Box 968

Richland, Washington 99352-0968

Thomas C. Poindexter, Esq.
Winston & Strawn
1400 L Street, N.W.
Washington, D.C. 20005-3502

Bob Nichols
State Liaison Officer
Executive Policy Division
Office of the Governor
P.O. Box 43113
Olympia, Washington 98504-3113

Lynn Albin
Washington State Department of Health
P.O. Box 7827
Olympia, WA 98504-7827

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