

March 26, 2002

Mr. J. V. Parrish  
Chief Executive Officer  
Energy Northwest  
P.O. Box 968 (Mail Drop 1023)  
Richland, WA 99352-0968

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR ENERGY NORTHWEST  
REGARDING COLUMBIA GENERATING STATION (NOED NO. 02-6-001)

Dear Mr. Parrish:

By letter dated March 22, 2002, you requested that the NRC exercise discretion not to enforce compliance with the actions required in Technical Specification (TS) 3.6.1.3. Your letter documented information previously discussed with the NRC in a telephone conference on March 21, 2002, at 3:30 a.m. eastern standard time (EST). The principal NRC staff members who participated in that telephone conference included Stuart Richards, Project Director, Project Directorate IV; Elmo Collins, Acting Director, Division of Reactor Projects, Region IV; George Thomas, Reactor Systems Branch; and David Loveless, Region IV. You stated that on March 20, 2002, at 6:20 p.m. pacific standard time (PST), the plant was determined to not be in compliance with TS Surveillance Requirement (SR) 3.6.1.3.6., which would require the closure of two main steam isolation valves (MSIVs) within 8 hours, in effect a plant shutdown, in conformance with TS Action Statement 3.6.1.3.A. You 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 until the TS amendment request to be submitted by the licensee can be approved. This letter documents our telephone conversation on March 21, 2002, from 3:30 a.m. to 4:30 a.m. EST, when we verbally issued this NOED.

You identified a potential error in your testing methodology for MSIV closure time as a result of a review of an Operating Experience Report from the Monticello facility. Specifically, the circuit delay time was included in the measured time for MSIV closure. With the circuit delay time subtracted from the measured times, two MSIVs were determined to have closure times of 2.74 and 2.88 seconds. This time is less than the TS 3.6.1.3.6. required range of  $\geq 3$  and  $\leq 5$  seconds. While this rendered the two MSIVs inoperable, you also determined the safety significance of this reduced closure time to be minimal. Two of the main steam lines' MSIVs closed within the allowed range (approximately 3.4 seconds), with an average closure time for the main steam lines of 3.1 seconds. Since the accident analysis models the steam lines as one line, this closure time is within the accident analysis. Additionally, with a closure time of 2.5 seconds the increase in reactor pressure is on the order of 3 to 4 psi, however, the analysis includes a margin of 36 psi. Based on the minimal impact on reactor coolant system pressure, you determined that the safety impact of operation with two MSIVs having a low closure time until the next planned outage of 72 hours or greater was acceptable.

The staff has reviewed your request and determined the following. Columbia Generating Station is in violation of TS Action Statement 3.6.1.3.A. Your staff identified a failure to meet surveillance requirement 3.6.1.3.6 as a result of a review of MSIV surveillance test data. Analysis by your staff determined that the proposed NOED would not result in exceeding minimum critical power ratio (MCPR) or ASME vessel overpressure protection limits. This was based in part on two of the steam lines closing in 3.42 seconds which results in a reduced pressure wave to the reactor vessel, and available pressure margin in the supporting analyses. You determined that the proposed NOED would not be detrimental to public health and safety and that no significant hazards consideration was involved. This was based in part on the Cycle 16 licensing analysis remaining bounding when the MSIV isolation times were averaged. Analysis by your staff determined that the noncompliance did not involve adverse consequences to the environment since the ASME overpressure limit is still satisfied and therefore no breaching of the primary pressure boundary would occur. No compensatory measures were proposed and the NOED would remain effective until the proposed TS amendment could be processed. The NOED request was reviewed by your Plant Operations Committee and approved by the Plant General Manager. Columbia Generating Station requested a "regular" (not weather related) NOED to avoid an unnecessary plant transient which would involve plant risk, and submitted an associated license amendment request on March 22, 2002. The staff concurs that the NOED is bounded by your current analyses and poses no significant hazards consideration. This NOED involved no increase in risk because there was no adverse impact on safety functions. We specifically note that NRC IM Part 9900 Section B, Criteria 2.0(1) and 2.1.1.a. are satisfied.

On the basis of the staff's evaluation of your request, 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 3.6.1.3, Action A., for the period from March 21, 2002, 4:26 a.m. EST until the issuance of a license amendment consistent with your request. You submitted your license amendment on March 22, 2002. The staff plans to complete its review and issue the license amendment within four weeks of the date of this letter.

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/*

Stuart A. Richards, Director  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-397

cc: See next page

The staff has reviewed your request and determined the following. Columbia Generating Station is in violation of TS Action Statement 3.6.1.3.A. Your staff identified a failure to meet surveillance requirement 3.6.1.3.6 as a result of a review of MSIV surveillance test data. Analysis by your staff determined that the proposed NOED would not result in exceeding minimum critical power ratio (MCPR) or ASME vessel overpressure protection limits. This was based in part on two of the steam lines closing in 3.42 seconds which results in a reduced pressure wave to the reactor vessel, and available pressure margin in the supporting analyses. You determined that the proposed NOED would not be detrimental to public health and safety and that no significant hazards consideration was involved. This was based in part on the Cycle 16 licensing analysis remaining bounding when the MSIV isolation times were averaged. Analysis by your staff determined that the noncompliance did not involve adverse consequences to the environment since the ASME overpressure limit is still satisfied and therefore no breaching of the primary pressure boundary would occur. No compensatory measures were proposed and the NOED would remain effective until the proposed TS amendment could be processed. The NOED request was reviewed by your Plant Operations Committee and approved by the Plant General Manager. Columbia Generating Station requested a "regular" (not weather related) NOED to avoid an unnecessary plant transient which would involve plant risk, and submitted an associated license amendment request on March 22, 2002. The staff concurs that the NOED is bounded by your current analyses and poses no significant hazards consideration. This NOED involved no increase in risk because there was no adverse impact on safety functions. We specifically note that NRC IM Part 9900 Section B, Criteria 2.0(1) and 2.1.1.a. are satisfied.

On the basis of the staff's evaluation of your request, 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 3.6.1.3, Action A., for the period from March 21, 2002, 4:26 a.m. EST until the issuance of a license amendment consistent with your request. You submitted your license amendment on March 22, 2002. The staff plans to complete its review and issue the license amendment within four weeks of the date of this letter.

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/**  
 Stuart A. Richards, Director  
 Project Directorate IV  
 Division of Licensing Project Management  
 Office of Nuclear Reactor Regulation

Docket No. 50-397

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NAME	JHickman	EPeyton*	JWermiel*	ECollins <sup>E-mail</sup>	SDembek*	SRichards
DATE	3/26/2002	3/26/2002	3/26/2002	3/26/2002	3/26/2002	3/26/2002

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STATION - NOTICE OF ENFORCEMENT DISCRETION (NOED NO. 02-6-001)**

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KBrockman, Region IV

ECollins, Region IV

Senior Resident Inspector (GDR@NRC.GOV)

NOED

OEWEB

Scott Morris, EDO

Columbia Generating Station

cc:

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

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

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

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

Ms. Deborah J. Ross, Chairman  
Energy Facility Site Evaluation Council  
P. O. Box 43172  
Olympia, WA 98504-3172

Mr. Bob Nichols  
Executive Policy Division  
Office of the Governor  
P.O. Box 43113  
Olympia, WA 98504-3113

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

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

Mr. Paul Inserra (Mail Drop PE20)  
Manager, Licensing  
Energy Northwest  
P.O. Box 968  
Richland, WA 99352-0968

Regional Administrator, Region IV  
U.S. Nuclear Regulatory Commission  
Harris Tower & Pavilion  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011-8064

Chairman  
Benton County Board of Commissioners  
P.O. Box 69  
Prosser, WA 99350-0190

Senior Resident Inspector  
U.S. Nuclear Regulatory Commission  
P.O. Box 69  
Richland, WA 99352-0069