



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II  
SAM NUNN ATLANTA FEDERAL CENTER  
61 FORSYTH STREET SW SUITE 23T85  
ATLANTA, GEORGIA 30303-8931**

February 11, 2003

South Carolina Electric & Gas Company  
ATTN: Mr. Stephen A. Byrne  
Senior Vice President, Nuclear Operations  
Virgil C. Summer Nuclear Station  
P. O. Box 88  
Jenkinsville, SC 29065

**SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR SOUTH CAROLINA  
ELECTRIC & GAS COMPANY REGARDING VIRGIL C. SUMMER UNIT 1,  
(NOED NO. 03-2-002)**

Dear Mr. Byrne:

By letter dated February 7, 2003, you requested that the NRC exercise discretion not to enforce compliance with the actions required in Technical Specification (TS) 3.8.1, "A. C. Sources - Operating," for Virgil C. Summer Unit 1. Your letter documented information previously discussed with the NRC in a telephone conference on February 6, 2003, at 4:00 p.m., (EST). The principal NRC staff members who participated in that telephone conference included Victor McCree, Deputy Director, Division of Reactor Projects (DRP), Region II (RII); Harold Christensen, Deputy Director, Division of Reactor Safety (DRS), RII; Kerry Landis, Chief, Reactor Projects Branch 5, DRP, RII; Malcolm Widmann, Senior Resident Inspector, Virgil C. Summer, RII; Caswell Smith, Senior Reactor Inspector, DRS, RII; Stuart Richards, Director, Project Directorate I, Division of Licensing Project Management (DLPM), Office of Nuclear Reactor Regulation (NRR); Karen Cotton, Virgil C. Summer Project Manager, DLPM, NRR; Glenn Kelly, Senior Reliability and Risk Analyst, Probabilistic Safety Assessment Branch, NRR; and Amar Pal, Senior Electrical Engineer, Electrical and Instrumentation and Control Branch, NRR. Your staff stated that on February 6, 2003, at 5:00 p.m., (EST) the plant would not be in compliance with TS 3.8.1.1.b due to the inoperability of the B emergency diesel generator (EDG) and thus would be required to be in Hot Standby by 11:00 p.m., (EST) on February 6, 2003. Mr. Greg Halnon, General Manager of Nuclear Operations of your staff, 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 12 hours ending at 5:00 a.m., (EST) on February 7, 2003. This letter documents our telephone conversation on February 6, 2003, at 4:57 p.m., when we orally issued this NOED. We understand that the condition causing the need for this NOED was corrected by you causing you to exit from TS 3.8.1.1.b and from this NOED on February 6 at 9:30 p.m.

On February 3, 2003, B EDG trouble alarms were received on the main control board while the B EDG was in standby. You corrected an electrical short and replaced the Synchro Start speed switch in the engine speed control circuitry. However, after these repairs, the local readout tachometer experienced large oscillations. After several replacements of the Synchro Start switch and additional troubleshooting, the oscillations were attributed to AC noise on the DC

electrical system, which was within allowable values, and the replacement Synchro Start speed switch. A capacitor was installed on the Synchro Start switch output to the tachometer to suppress the noise and prevent the oscillations. The B EDG was satisfactorily functionally tested prior to the expiration of the allowable time in TS 3.8.1.1.b.

Your staff requested this NOED to allow time to complete reviews of this event and the capacitor modification prior to declaring the B EDG operable. Your staff stated that granting the NOED would result in no increase risk to the public since the B EDG was functional and capable of performing its safety functions. As part of the request, compensatory measures planned or taken by your staff included: 1) maintain the B EDG in a functional state, 2) ensure the continued operability of the A EDG, 3) perform no planned work on A train components, 4) barricade and protect the turbine driven emergency feedwater pump, 5) conduct periodic load dispatcher communications to ensure grid stability, 6) monitor weather conditions, and 7) permit no switchyard work. The NOED request was approved by the plant's Nuclear Station Safety Review Committee.

The NRC's basis for this discretion considered: 1) the testing performed adequately verified that the B EDG was fully functional, 2) sufficient reviews had been accomplished to ensure that the licensee's actions adequately addressed the speed circuitry issues and 3) the implementation of the compensatory measures listed above. Based on these considerations, the NRC staff concluded that Criterion B.2.1.1.a and the applicable criteria in Section C.4 of NRC Manual Chapter 9900, "Technical Guidance, Operations - Notice of Enforcement Discretion," were met. Criterion B.2.1.1.a states that for an operating plant, the NOED is intended to avoid unnecessary transients as a result of compliance with the license condition and, thus minimize potential safety consequences and operational risks. The NRC verified consistency between your staff's oral request and your written request.

On the basis of the staff's evaluation of your request, we have concluded that issuance of this NOED is consistent with the Enforcement Policy and staff guidance, and has no adverse impact on public health and safety. Therefore, the NRC granted discretion not to enforce compliance with TS 3.8.1.1.b for the period from 5:00 p. m. on February 6 until 5:00 a.m., on February 7, 2003, as requested by your staff. The NOED was terminated at 9:30 p.m., within the 12 hour extension as described above.

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,

**//RAI**

Luis A. Reyes,  
Regional Administrator

Docket No.: 50-395  
License No: NPF-12

cc: (See page 3)

cc: R. J. White  
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