

April 2, 2003
EN-02-028B

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Nuclear Management Company, LLC (EA-02-031, 03-059)
(Point Beach)
Docket No. 50-301
50-266

Subject: ISSUANCE OF A NOTICE OF VIOLATION ASSOCIATED WITH A RED
FINDING

This is to inform the Commission that a Notice of Violation associated with a RED finding was issued on April 2, 2003, to Nuclear Management Company, LLC, as a result of inspections at the Point Beach Nuclear Plant. The RED finding, an issue with high importance to safety, which resulted in additional NRC inspections and other NRC actions, involved the common mode failure of the auxiliary feedwater (AFW) pumps with a loss of instrument air. The AFW minimum flow recirculation valves fail closed with loss of instrument air, resulting in loss of the flow path for the AFW pumps. The licensee had requested that the finding be considered an old design issue based on Manual Chapter 0305-06.06, given the age of this issue, that it was corrected, not likely to be identified by routine licensee efforts, and the fact that it does not reflect a current performance deficiency in the licensee's program. Through further inspection limited to the corrective actions not previously inspected and a special inspection that looked at an additional potential for common mode failure of AFW identified by the licensee, it was determined that the corrective action taken in response to the RED finding was inadequate. The licensee failed to upgrade the safety function of the air-operated recirculation valves. The upgrade was needed to ensure successful operation of the valves was dependent only on safety-related support systems. Following the corrective actions, successful operation of the valves was still dependent upon nonsafety-related power to interposing relays. This was identified as a violation of 10 CFR Part 50, Appendix B, Criterion XVI, "Corrective Action."

The letter forwarding the violation also states that the RED Inspection finding will not be treated as an old design issue based on the inadequate corrective actions and the determination that the original RED potentially reflected current plant performance. Further, the letter states that in accordance with Manual Chapter 0305, the original performance issue (EA 02-031) will remain open and not be removed from consideration in the assessment program until the corrective action violation has been corrected. The letter also preliminarily identifies the potential for common mode failure due to the potential plugging of the AFW recirculation line orifices as RED and gives the licensee the opportunity to request a Regulatory Conference.

The State of Wisconsin will be notified.

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VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**