

August 25, 2003

Mr. Thomas Coutu
Site Vice President
Kewaunee Nuclear Plant
Nuclear Management Company, LLC
N490 Hwy 42
Kewaunee, WI 54216-9511

SUBJECT: KEWAUNEE NUCLEAR POWER PLANT
NRC SUPPLEMENTAL INSPECTION AT KEWAUNEE NUCLEAR POWER
PLANT FOR A FINDING OF LOW TO MODERATE SAFETY SIGNIFICANCE
(WHITE) REGARDING FIRE PROTECTION

Dear Mr. Coutu:

During the week of March 3, 2003, the NRC attempted to conduct Supplemental Inspection Procedure 95001 at your Kewaunee Nuclear Power Plant in accordance with Inspection Manual Chapter (IMC) 0305, "Operating Reactor Assessment Program." This inspection was a result of a White finding which placed your facility in the Regulatory Response Column of the Action Matrix.

The NRC began performing the supplemental inspection based on your staff's identification of the failure to provide a fixed fire suppression system for fire area TU-95B, contrary to the requirements in 10 CFR Part 50, Appendix R, "Fire Protection Program for Nuclear Power Facilities Operating Prior to January 1, 1979." The issue was determined to have low to moderate safety significance (White) and this determination was communicated to the Nuclear Management Company (NMC) in a letter dated December 2, 2002. The letter also communicated to NMC an opportunity to request a Regulatory Conference to discuss this issue with the NRC. The NMC declined such a conference and the Supplemental Inspection was subsequently scheduled.

During the performance of the Supplemental Inspection beginning on March 3, 2003, the NRC determined that your evaluation of this finding was incomplete because an adequate root cause and extent of condition evaluation had not been performed. Specifically, the root cause evaluation merely restated the NRC violation for failing to comply with the regulatory requirements rather than identifying the reason for the adverse condition. Additionally, the extent of condition evaluation was inadequate based upon an unclear scope of review to verify conformance with regulatory requirements in other plant areas. This determination resulted in the NRC postponing completion of the Supplemental Inspection until such time that the NMC completed a revised root cause and extent of condition evaluation.

In accordance with IMC 0305, performance issues which remain open are not removed from consideration in the assessment program until the weaknesses in the evaluations are addressed and corrected. Therefore, this performance issue will remain open until weaknesses in your root cause evaluations have been addressed and corrected. Once the NRC has determined that the weaknesses in evaluations are corrected, the finding will be removed from consideration in the assessment program in the subsequent calendar quarter.

In summary, the White finding will remain open pending the following actions: completion of your root cause evaluation; completion of your extent of condition review; development of corrective actions to address any issues identified during the review; and completion of NRC 95001 Supplemental Inspection.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Cynthia D. Pederson, Director
Division of Reactor Safety

Docket No. 50-305
License No. DPR-43

cc: D. Graham, Director, Bureau of Field Operations
Chairman, Wisconsin Public Service Commission
State Liaison Officer

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In summary, the White finding will remain open pending the following actions: completion of your root cause evaluation; completion of your extent of condition review; development of corrective actions to address any issues identified during the review; and completion of NRC 95001 Supplemental Inspection.

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/RA/

Cynthia D. Pederson, Director
Division of Reactor Safety

Docket No. 50-305
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Chairman, Wisconsin Public Service Commission
State Liaison Officer

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