



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

April 20, 2007

EA-07-024

Carolina Power and Light Company
ATTN: Mr. James Scarola
Vice President
Brunswick Steam Electric Plant
P. O. Box 10429
Southport, NC 28461

SUBJECT: FINAL SIGNIFICANCE DETERMINATION FOR A WHITE FINDING AND
NOTICE OF VIOLATION (Brunswick Steam Electric Plant - NRC Inspection
Report Nos. 05000324/2007009 and 05000325/2007009)

Dear Mr. Scarola:

The purpose of this letter is to provide you with the Nuclear Regulatory Commission's (NRC) final significance determination for a finding involving (1) inadequate corrective actions to prevent a repeat failure of the #9 main crankshaft bearing on emergency diesel generator (EDG) #1, (2) the failure to follow the foreign material exclusion procedure during maintenance performed on EDG #1, and (3) the failure to promptly identify and implement adequate actions to prevent EDG #1 from tripping on low lubricating oil pressure. These conditions ultimately contributed to an EDG #1 trip and a bearing failure during a Unit 2 loss-of-offsite-power event on November 2, 2006, as well as the Unit 1 failure to satisfy the requirements of a 7-day technical specification limiting condition for operation because only three of four EDGs were operable from October 30, 2006, until the condition was corrected on November 7, 2006. The finding was initially documented in NRC Inspection Report No. 05000324,325/2006005 and forwarded to Progress Energy-Carolina Power and Light Company (CPL) on January 30, 2007.

NRC Inspection Report No. 05000324,325/2007008 dated February 28, 2007, documented the NRC's assessment of the finding under the significance determination process and concluded that the finding was preliminarily a White issue (i.e., an issue of low to moderate safety significance which may require additional NRC inspection). The cover letter to our February 28, 2007, inspection report provided CPL an opportunity to request a regulatory conference on this matter. CPL requested a regulatory conference, which was held in the NRC's Region II Office on April 5, 2007.

At the conference, CPL expressed its agreement with the NRC's preliminary significance determination, provided the results of its root cause analysis of the matter, delineated numerous corrective actions aimed at improving EDG reliability and foreign material exclusion controls, and provided a summary of lessons learned based on the EDG #1 failure.

After considering the information developed during the inspection and the information presented by CPL at the conference, the NRC has concluded that the final inspection finding is appropriately characterized as White for Unit 1 in the Mitigating Systems cornerstone. In summary, the safety significance of the finding was determined based on assuming a loss of

offsite power initiating event and EDG #1 being in a degraded condition for approximately 3 days and in a nonfunctional condition for approximately 5 days. The increase in risk for Unit 2 was determined to be very low because the differences between the two units were due to differences in electric bus loads.

You have 30 calendar days from the date of this letter to appeal the staff's determination of significance for the identified finding. Such appeals will be considered to have merit only if they meet the criteria given in NRC Inspection Manual Chapter 0609, Attachment 2.

The NRC also has determined that this finding resulted in a violation of Technical Specification 3.8.1, "AC Sources-Operating," in that EDG #1 was inoperable from October 30, 2006, until November 7, 2006. The violation is cited in the enclosed Notice of Violation (Notice), and the circumstances surrounding the violation are described in detail in NRC Inspection Report Nos. 05000324,325/2006005 and 05000324,325/2007008. In accordance with the NRC Enforcement Policy, the Notice is considered escalated enforcement action because it is associated with a White finding.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is adequately addressed on the docket in the subject inspection report and in the information presented by CPL at the conference. Therefore, you are not required to respond to this letter unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

For administrative purposes, this letter is issued as a separate NRC Inspection Report, No. 05000324,325/2007009, and the above violation is identified as VIO 05000324/2007009-01, White Finding - Failure to Meet TS 3.8.1, AC Sources-Operating. Accordingly, Apparent Violation (AV) 05000324/2007008-01 is closed.

Because plant performance for this issue has been determined to be at least in the regulatory response band, we will use the NRC Action Matrix to determine the most appropriate NRC response for this event. We will notify you by separate correspondence of that determination.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS) which is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, any response should not include any personal privacy, proprietary, classified, or safeguards information so that it can be made available to the public without redaction. The NRC also includes significant enforcement actions on its Web site at www.nrc.gov; select **Public Meetings and Involvement, Enforcement**, then **Significant Enforcement Actions**.

CPL

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Should you have any questions regarding this letter, please contact Mr. Randall Musser, Chief, Branch 4, Division of Reactor Projects, at (404)562-4603.

Sincerely,

/RA/
William D. Travers
Regional Administrator

Docket Nos.: 50-325, 50-324
License Nos: DPR-71, DPR-62

Enclosure: Notice of Violation

cc w/encl: (See page 4)

cc w/encl:

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DATE	4/13/07	4/13/07	4/13/07	4/16/07	04/19/07	04/19/07	04/19/07
E-MAIL	YES NO	YESNO	YES NO		YES NO		

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NOTICE OF VIOLATION

Carolina Power and Light Company
Brunswick Steam Electric Plant
Unit 1

Docket No. 50-324
License No. DPR-62
EA-07-024

During an NRC inspection completed on February 28, 2007, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Technical Specification 3.8.1, "AC Sources-Operating," requires four emergency diesel generators (EDG) to be operable when in Mode 1 and allows operation with three operable EDGs for a period of 7 days.

Contrary to the above, while Unit 1 was in Mode 1, EDG #1 was not operable from October 30 through November 7, 2006. This condition resulted in operation of Unit 1 with only three operable EDGs for a period in excess of 7 days.

This violation is associated with a White significance determination process finding for Unit 1 in the Mitigating Systems cornerstone.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in the subject inspection report and in the information presented by the licensee at the regulatory conference. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, EA-07-024" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response with the basis for your denial to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS) accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential

Enclosure

commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within 2 working days.

Dated this 20th day of April 2007