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NOV 18 1993

U.S. Nuclear Regulatory Commission
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Gentlemen:

In the Matter of the Application of) Docket Nos. 50-390
Tennessee Valley Authority)

WATTS BAR NUCLEAR PLANT (WBN) - NRC INSPECTION REPORT NOS. 50-390/93-55,
50-391/93-55, 70-2910/93-01, AND 70-2928/93-01, REPLY TO REQUEST FOR
CLARIFICATION OF VIOLATION RESPONSE

The purpose of this letter is to reply to NRC's November 1, 1993, request for clarification of the information contained in the TVA October 12, 1993, response to Notice of Violation 70-2910, 2928/93-01-01. NRC requested that TVA clarify statements regarding TVA's use of vendor field specifications for shipping fuel being consistent with industry practice, TVA's responsibility to comply with the general license provisions of 10 CFR 71.12, and the cover letter statement that the submittal contained no commitments.

Clarification of these statements were discussed between TVA and NRC personnel during a telephone conversation on October 27, 1993. Of particular note, TVA fully recognizes and accepts responsibility for ensuring conformance with the applicable requirements of 10 CFR 71.12 and has implemented corrective action to ensure continued compliance. Enclosure 1 provides clarifying information to the issues noted above. There are no new commitments contained in this submittal. If you should have any questions, contact P. L. Pace at (615)-365-1824.

Very truly yours,

William J. Museler

Enclosure
cc: See page 2

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cc (Enclosure):

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ENCLOSURE 1
WATTS BAR NUCLEAR PLANT
REPLY TO NRC's NOVEMBER 1, 1993, LETTER TO TVA
REQUEST FOR CLARIFICATION

During a telephone conversation on October 27, 1993, between NRC and TVA personnel and in NRC's letter dated November 1, 1993, TVA was requested to provide clarifying information to statements included in the October 12, 1993, TVA response to Notice of Violation 70-2910, 2928/93-01-01. The violation concerned the availability of the specific information referenced in a Certificate of Compliance (CoC) which applied to shipping containers used for transporting new fuel. The following provides clarifying information to respond to NRC questions regarding the intent of some statements made in the violation response.

The first item concerned the statement in the Reason for Violation section of the response that "TVA's use of the field specifications for shipping fuel is and has been consistent with industry practice." This statement was included to provide background information regarding the reason that the violation occurred. Based upon discussions with individuals in other utilities and with the container vendor, TVA determined that, prior to the violation, it was common industry practice to use only the field specifications for shipping fuel. The specific letters, drawings, procedures, etc. were not routinely provided to the container users since the field specifications encompassed the CoC referenced information. TVA recognizes that this past practice is not appropriate and that it is necessary to have all documentation referenced in the CoC to ensure compliance with the general license provisions of 10 CFR 71.12. Provisions have been implemented to ensure that TVA obtains the specific documentation referenced in the CoC. Additionally, based upon the telephone discussion on October 27, 1993, it is also TVA's understanding that it is not necessary for TVA to have available documentation that is not pertinent to activities being performed by TVA, for example, maintenance procedures. NRC agreed that if TVA was not performing maintenance on the container then it was not necessary to have the referenced maintenance procedures. NRC stated that it was acceptable to only have those procedures, drawings, letters, etc. for activities which TVA was performing.

The next item concerned the statement in the Reason for Violation section of the response that "the container vendor did not consider that their correspondence with NRC was needed by container users; therefore, this correspondence was not provided to TVA along with the field specifications." This statement was included to provide background information regarding the reason for the violation. This along with the fact that the field specifications encompassed the information referenced in the CoC led TVA to erroneously conclude that 10 CFR 71.12 was being met. TVA is fully aware of and accepts responsibility for complying with the requirements of 10 CFR 71.12 as the licensee responsible for compliance and that all of the applicable documentation referenced in the CoC must be obtained by TVA. Appropriate measures are in place to ensure that the documentation referenced in the CoC is obtained prior to use of a container.

The final item concerned the statement in the cover letter that there were no commitments. The statement was based upon the fact that the appropriate corrective actions had been completed and that no outstanding actions remained to be completed. This use of the term commitment is consistent with TVA policy

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which defines commitment as "A documented obligation, made by an authorized representative of TVA to NRC, or through an uncontested imposition by NRC, that either establishes requirements or promises action to be taken." TVA, of course, understands that compliance statements in correspondence with NRC that change or establish the licensing basis of the facility must be maintained unless coordinated with NRC.