

Indian Point 3
Nuclear Power Plant
P.O. Box 215
Buchanan, New York 10511
914 736.8001



**New York Power
Authority**

November 21, 1991
IP3-NRC-91-067

License No. 50-286
Docket No. DPR-64

Joseph E. Russell
Resident Manager

Mr. Lee H. Bettenhausen
Chief, Operations Branch
Division of Reactor Safety
Region 1
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

**Re: Notice of Violation 91-17-03 Associated with NRC
Inspection Report No. 50-286/91-17**

Dear Mr. Bettenhausen:

Attached is the Authority's response to the Notice of Violation that was enclosed with NRC Inspection Report 50-286/91-17.

Should you or your staff have any questions regarding this matter, contact M. Peckham at 914-736-8041.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Joe Russell', written over the typed name.

Joseph E. Russell
Resident Manager
Indian Point 3 Nuclear Power Plant

jer/dc/rj
attachment

9112030266 911121
PDR ADOCK 05000286
PDR

Handwritten initials/signature

cc: U.S. Nuclear Regulatory Commission (original)
Attn: Document Control Desk
Mail Station P1-137
Washington, DC 20555

Mr. Thomas T. Martin
Regional Administrator - Region 1
U.S. Nuclear Regulatory Commission
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IP3 Resident Inspector
Indian Point 3
U.S. Nuclear Regulatory Commission
P.O. Box 337
Buchanan, New York 10511

INDIAN POINT 3
DOCKET NO. 50-286

REPLY TO A NOTICE OF VIOLATION
ATTACHMENT I

Violation: (91-17-03)

10 CFR 50.55(a), Codes and Standards, specifies that ASME Section XI provides requirements for assuring the operational readiness of valves. The scope of this assurance includes valves which mitigate consequences of an accident. Article IWV-3500 provides operability requirements for testing relief valves and requires testing at least every five years.

Technical specification 3.3B "Containment Cooling and Iodine Removal Systems" states that the two spray pumps, with their associated valves and piping, are operable above cold shutdown conditions. FSAR Table 6.3-3 states that spray additive tank vacuum breaker valves operate during accident conditions if the tank pressure falls below atmospheric pressure.

Contrary to the above, on August 13, 1991, vacuum relief valves SI-13 and SI-14 located on the containment spray additive tank (sodium hydroxide tank) in the Iodine Removal System had not been tested at least every five years to assure their operational readiness nor had they been tested since 1975. The reactor has been above cold shutdown conditions numerous times during the interval from 1975 to present.

This is a Severity Level IV violation (Supplement I).

Authority's Response: (91-17-03)

The Authority disagrees with this Violation.

The Authority's position is that the containment spray sodium hydroxide tank vacuum relief valves, SI-13 and SI-14, are exempt from the IP3 Inservice Testing Program which is based on the 1983 ASME Section XI including the 1983 Summer Addenda. This exemption is based on the applicability criteria specified by Article IWV-3512 of the 1983 ASME Boiler and Pressure Vessel Code Section XI, Division 1.

The criteria for inservice tests of the subject valves is invoked by ASME Section XI, Article IWV-3512, Test Procedure, which states in part, "Safety valve and relief valve setpoints shall be tested in accordance with ASME PTC 25.3-1976".

The ASME PTC 25.3-1976, Safety and Relief Valves Performance Test Codes, Section 1, Object and Scope, item 1.05, states in part, "This code is applicable to tests in which the pressure at the valve discharge is either at, or above, atmospheric before the valve opens, or while the valve is relieving".

The configuration of the subject valves and the spray additive tank has the valves' discharge below atmospheric pressure when functioning, and therefore these valves are out of the scope of the applicability criteria specified in ASME PCT-25.3 - 1976.

The Authority believes that operational readiness exists for these valves without testing. These vacuum breakers are simple mechanical devices that discharge into an inert nitrogen atmosphere and would not be susceptible to failure or aging. A review was conducted on the Nuclear Plant Reliability Data System (NPRDS) database to confirm the position that containment spray additive tank vacuum breakers would have an exemplary performance history. This review determined that there were no reported failures that could prevent a containment spray additive tank vacuum breaker from performing a relief function and this review supports the Authority's belief that the installed valves are operable.

Even though the 1983 ASME Code does not require testing or provide acceptance criteria for the subject valves, a functional test of them will be performed during the March 1992 scheduled refueling outage.