

Stephen B. Bram
Vice President

Consolidated Edison Company of New York, Inc.
Indian Point Station
Broadway & Bleakley Avenue
Buchanan, NY 10511
Telephone (914) 737-8116

July 10, 1989

Re: Indian Point Unit No. 2
Docket No. 50-247

Document Control Desk
US Nuclear Regulatory Commission
Mail Station P1-137
Washington, DC 20555

SUBJECT: Response to Inspection Report 50-247/89-09

This is in response to your letter dated June 9, 1989 concerning routine inspection No. 50-247/89-09 conducted by Mr. Lawrence W. Rossbach and Mr. Peter W. Kelley from March 1, 1989 to May 22, 1989.

The attachments to this letter constitute our response to the Notice of Violation and Notice of Deviation transmitted in the subject Inspection Report as Appendices A and B, respectively. We acknowledge your determination of a violation attributable to our not recognizing that one of the actions taken under Temporary Operating Instruction (TOI)-128 was a temporary modification (jumper) requiring an approved documented 10 CFR 50.59 evaluation per Station Administrative Order (SAO)-460. We, of course, recognize the value of the safety evaluation process and, as noted in the Inspection Report, our Station Nuclear Safety Committee did in fact follow the guidelines of SAO-460 in determining if an unreviewed safety question existed at a meeting convened for the purpose of reviewing and approving TOI-128.

Should you or your staff have any questions regarding this matter, please contact Mr. Jude G. Del Percio, Manager, Regulatory Affairs and Safety Assessment.

Very truly yours,

Michael L. Miele

attachment

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cc: Mr. William Russell
Regional Administrator - Region I
US Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1498

Mr. Donald S. Brinkman, Project Manager
Project Directorate I-1
Division of Reactor Projects I/II
US Nuclear Regulatory Commission
Mail Stop 14B-2
Washington, DC 20555

Senior Resident Inspector
US Nuclear Regulatory Commission
PO Box 38
Buchanan, NY 10511

Mr. James T. Wiggins, Chief
Projects Branch No. 1
Division of Reactor Projects
US Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1498

Attachment A

Response to Notice of Violation

Consolidated Edison Company of New York, Inc.
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Response To Notice Of Violation

Violation

The Notice of Violation in Inspection Report 89-09 is stated as follows:

During an NRC inspection conducted from March 1, 1989 to May 22, 1989 and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, 53 Fed. Reg. 40019 (October 13, 1988 Enforcement Policy), the following violation was identified:

10 CFR 50.59 authorizes, in part, changes in the facility as described in the safety analysis report without prior NRC approval unless the proposed change involves an unreviewed safety question. 10 CFR 50.59 requires that the licensee maintain records of these changes and that these records include a written safety evaluation which provides the basis for the determination that the change does not involve an unreviewed safety question. Station Administrative Order 460 describes implementing requirements for written 10 CFR 50.59 safety evaluations.

Contrary to the above, on March 26, 1989, Temporary Operating Instruction 128 was issued to install a temporary submersible pump to drain the reactor cavity to the spent fuel pool and no safety evaluation was written in accordance with Station Administrative Order 460.

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

Response

On March 26, 1989 the Station Nuclear Safety Committee (SNSC) was called to discuss approval of Temporary Operating Instruction (TOI)-128 which used a submersible pump to drain the Reactor Refueling Cavity to the spent fuel pool. The TOI was necessitated by the need to provide an alternate means of draining the water in the cavity to identify the location of a leak between the refueling cavity and the reactor cavity sump. The submersible pump would be connected to a hose that would go over the concrete wall (which separates the spent fuel pool from the fuel transfer canal) into the spent fuel pool. The spent fuel pool cooling system would then be used to move the water from the spent fuel pool to the Refueling Water Storage Tank (RWST). This was done to avoid potentially violating the 10 ci Technical Specification limit in the RWST. The Station concluded that since the installation of the submersible pump was being incorporated into a TOI that would be part of an approved procedure, a separate jumper was not deemed necessary and the SNSC meeting minutes would provide the documented basis of no unreviewed safety question. Hence, a 10 CFR 50.59 safety evaluation per SAO-460 was not required to determine that the use of the TOI and the submersible pump did not involve an unreviewed safety question.

Attachment B

Response to Notice of Deviation

Consolidated Edison Company of New York, Inc.
Indian Point Unit No. 2
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Response to Notice of Deviation

Deviation

The Notice of Deviation in Inspection Report 89-09 is stated as follows:

During an NRC inspection conducted from March 1, 1989 to May 22, 1989, the following deviation was identified:

Generic Letter 88-17, "Loss of Decay Heat Removal," was issued October 17, 1988. By letter dated January 4, 1989, the licensee committed in response to Generic Letter 88-17 that during the cycle 9/10 refueling outage the reactor vessel water level would not be decreased below the 66 foot elevation without first removing the fuel from the reactor vessel.

Contrary to the above, on March 21, 1989, the reactor vessel water level was decreased to an elevation of about 65 feet with fuel in the reactor vessel.

Response

The water level decrease occurred on March 21, 1989 while draining the Reactor Coolant System per System Operating Procedure (SOP) 1.2.1. "Draining the RCS via RHR letdown to the CVCS Hold-up Tanks." At the time the plant was in cold shutdown with RCS temperature at 110°F. The reactor vessel was drained down per procedure to the indicated level of 66.3 feet. Upon opening a conoseal connection to the Reactor Vessel Head, the indicated level dropped to approximately 65 feet.

As noted in the inspection report, subsequent analysis of the change in the indicated level identified the root cause to be a pressure differential between the vessel head and the reference leg pressure for the level instrumentation, which is the pressurizer. The pressure differential resulted in a level indication error, such that the actual vessel water level was in fact slightly less than the indicated level. This error was detected upon breaking the conoseal connection to the reactor vessel head and thus immediately relieving the pressure differential causing the indicated level to drop to actual water level.

Immediate corrective action was taken to restore the RCS water level above 66 feet, by increasing charging flow and opening valves 1810 and 856A. In addition, a temporary procedure change (89-67) was issued to SOP 1.2.1, Rev. 2 requiring a hold period for level instrumentation to stabilize, and that a manometer be used to determine head pressure/vacuum prior to opening a large vent path, such as a conoseal. This will normally be accomplished at a level of 68 feet or above to help ensure that actual level is above 66 feet at all times whenever there is fuel in the reactor vessel.

These measures were successfully implemented during the RCS draindown on May 22, 1989 for conoseal leak repair, and again on June 19, 1989 for 23 Reactor Coolant Pump seal replacement. Permanent procedure revisions to incorporate these requirements into SOP 1.2.1 will be completed by September 30, 1989.

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The NRC violation is the result of SNSC's non-recognition that one of the actions under TOI-128 constituted a temporary modification (jumper). In accordance with SAO-460 jumpers, not TOI's, require a formal documented 10 CFR 50.59 safety evaluation prior to use. Recognizing the value of the safety evaluation process, however, SNSC utilized the guidelines of SAO-460 to determine if an unreviewed safety question existed. Contrary to statements in the Inspection Report, the SNSC meeting minutes were never intended to substitute for the written safety evaluation per SAO-460, but were the basis upon which SNSC determined that there was no unreviewed safety question. Also, attendees to the SNSC meeting included the Shift Technical Advisor, the Operation Manager, the Senior Watch Supervisor, the Manager of Regulatory Affairs/Safety Assessment and the General Manager of Technical Services which are all the individuals who initiate, review, approve and concur on 50.59 evaluations.

As stated in the inspection report, on March 27 we reconsidered our position, terminated use of the submersible pump, and issued a jumper to oversee installation of the submersible pump instead of the SNSC approved TOI. In accordance with SAO-460, a formally documented 10 CFR 50.59 evaluation was performed which concurred with the SNSC's decision that the use of TOI-128 did not involve an unreviewed safety question. Subsequently, the TOI was re-activated and the draining of the refueling cavity continued. The violation is considered an isolated event and has led to a heightened awareness among SNSC members to identify jumpers more readily and initiate the jumper process. Therefore, no further corrective actions are necessary.