

Clinton Power Station
8401 Power Road
Clinton, IL 61727

U-603998
January 25, 2011

SRRS 5A.108

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

Clinton Power Station, Unit 1
Facility Operating License No. NPF-62
NRC Docket No. 50-461

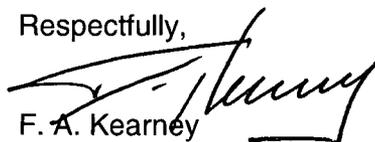
Subject: Licensee Event Report 2010-004-00

Enclosed is Licensee Event Report (LER) No. 2010-004-00: Operations with the Potential for Draining the Reactor Vessel (OPDRV) Requirements Not Met During Control Rod Drive Mechanism Replacements. This report is being submitted in accordance with 10 CFR 50.73(a)(2)(i)(B) as a condition prohibited by the Technical Specifications.

This letter contains one regulatory commitment as identified in Attachment 1.

Should you have any questions concerning this report, please contact Mr. T. D. Chalmers at (217) 937-2200.

Respectfully,



F. A. Kearney
Site Vice President
Clinton Power Station

RSF/blf

Enclosures: Licensee Event Report 2010-004-00

Attachment

cc: Regional Administrator – NRC Region III
NRC Senior Resident Inspector – Clinton Power Station
Office of Nuclear Facility Safety – IEMA Division of Nuclear Safety

IE22
NPR

Attachment 1

SUMMARY OF REGULATORY COMMITMENTS

The following table identifies commitments made in this document. (Any other actions discussed in the submittal represent intended or planned actions. They are described to the NRC for the NRC's information and are not regulatory commitments.)

COMMITMENT	COMMITTED DATE OR "OUTAGE"	COMMITMENT TYPE	
		ONE-TIME ACTION (Yes/No)	PROGRAMMATIC (Yes/No)
10 CFR 50.59 evaluation CL-2010-E-001 that reviewed procedure CPS 3711.01 will be revised to show that NRC review and approval is required for implementing the procedure.	March 31, 2011	YES	NO

LICENSEE EVENT REPORT (LER)

(See reverse for required number of digits/characters for each block)

Estimated burden per response to comply with this mandatory collection request: 80 hours. Reported lessons learned are incorporated into the licensing process and fed back to industry. Send comments regarding burden estimate to the FOIA/Privacy Section (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to infocollects.resource@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0104), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

1. FACILITY NAME Clinton Power Station, Unit 1	2. DOCKET NUMBER 05000461	3. PAGE 1 OF 4
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4. TITLE
OPDRV Requirements Not Met During Control Rod Drive Mechanism Replacements

5. EVENT DATE			6. LER NUMBER			7. REPORT DATE			8. OTHER FACILITIES INVOLVED	
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REV NO.	MONTH	DAY	YEAR	FACILITY NAME	DOCKET NUMBER
01	17	2010	2010	004	00	01	25	2011		05000
									FACILITY NAME	DOCKET NUMBER
										05000

9. OPERATING MODE 5	11. THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR §: (Check all that apply)			
10. POWER LEVEL 000	<input type="checkbox"/> 20.2201(b)	<input type="checkbox"/> 20.2203(a)(3)(i)	<input type="checkbox"/> 50.73(a)(2)(i)(C)	<input type="checkbox"/> 50.73(a)(2)(vii)
	<input type="checkbox"/> 20.2201(d)	<input type="checkbox"/> 20.2203(a)(3)(ii)	<input type="checkbox"/> 50.73(a)(2)(ii)(A)	<input type="checkbox"/> 50.73(a)(2)(viii)(A)
	<input type="checkbox"/> 20.2203(a)(1)	<input type="checkbox"/> 20.2203(a)(4)	<input type="checkbox"/> 50.73(a)(2)(ii)(B)	<input type="checkbox"/> 50.73(a)(2)(viii)(B)
	<input type="checkbox"/> 20.2203(a)(2)(i)	<input type="checkbox"/> 50.36(c)(1)(i)(A)	<input type="checkbox"/> 50.73(a)(2)(iii)	<input type="checkbox"/> 50.73(a)(2)(ix)(A)
	<input type="checkbox"/> 20.2203(a)(2)(ii)	<input type="checkbox"/> 50.36(c)(1)(ii)(A)	<input type="checkbox"/> 50.73(a)(2)(iv)(A)	<input type="checkbox"/> 50.73(a)(2)(x)
	<input type="checkbox"/> 20.2203(a)(2)(iii)	<input type="checkbox"/> 50.36(c)(2)	<input type="checkbox"/> 50.73(a)(2)(v)(A)	<input type="checkbox"/> 73.71(a)(4)
	<input type="checkbox"/> 20.2203(a)(2)(iv)	<input type="checkbox"/> 50.46(a)(3)(ii)	<input type="checkbox"/> 50.73(a)(2)(v)(B)	<input type="checkbox"/> 73.71(a)(5)
	<input type="checkbox"/> 20.2203(a)(2)(v)	<input type="checkbox"/> 50.73(a)(2)(i)(A)	<input type="checkbox"/> 50.73(a)(2)(v)(C)	<input type="checkbox"/> OTHER
	<input type="checkbox"/> 20.2203(a)(2)(vi)	<input checked="" type="checkbox"/> 50.73(a)(2)(i)(B)	<input type="checkbox"/> 50.73(a)(2)(v)(D)	Specify in Abstract below or in NRC Form 366A

12. LICENSEE CONTACT FOR THIS LER

FACILITY NAME T. D. Chalmers, Director of Operations	TELEPHONE NUMBER (Include Area Code) (217) 937-2200
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13. COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT

CAUSE	SYSTEM	COMPONENT	MANU-FACTURER	REPORTABLE TO EPIX	CAUSE	SYSTEM	COMPONENT	MANU-FACTURER	REPORTABLE TO EPIX

14. SUPPLEMENTAL REPORT EXPECTED <input type="checkbox"/> YES (If yes, complete 15. EXPECTED SUBMISSION DATE) <input checked="" type="checkbox"/> NO	15. EXPECTED SUBMISSION DATE MONTH: DAY: YEAR:
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ABSTRACT (Limit to 1400 spaces, i.e., approximately 15 single-spaced typewritten lines)

According to a Non-Cited Violation (NCV) issued to Clinton Power Station (CPS), the station revised the Technical Specifications (TS) plain language definition of Operations with a Potential for Draining the Reactor Vessel (OPDRV) in violation of 10 CFR 50.59 when the station reviewed and approved a procedure pertaining to OPDRVs. In the procedure, the station provided limitations which the NRC considered to be a change in the plain language definition of the term OPDRV that, in effect, constituted a change to the TS, which would thus require a license amendment. Based on NRC letter dated 11/29/10 responding to a letter CPS issued to contest the NCV, the station concluded that control rod drive mechanism replacement activities on 1/17/10 to 1/18/10 during a refueling outage were performed without meeting several TS requirements. The cause of this event is the 10 CFR 50.59 evaluation concluded that the change did not require prior NRC approval as the station did not use conservative decision-making before proceeding with implementation of the OPDRV procedure. Corrective action includes suspending the procedure, revising the 10 CFR 50.59 evaluation completed for the procedure, and presenting the details of this event during 10 CFR 50.59 requalification classes and to applicable personnel who do not have 10 CFR 50.59 qualifications.

**LICENSEE EVENT REPORT (LER)
CONTINUATION SHEET**

1. FACILITY NAME	2. DOCKET	6. LER NUMBER			3. PAGE		
Clinton Power Station, Unit 1	05000461	YEAR	SEQUENTIAL NUMBER	REV NO.	2	OF	4
		2010	- 004	- 00			

NARRATIVE

PLANT AND SYSTEM IDENTIFICATION

General Electric – Boiling Water Reactor, 3473 Megawatts Thermal Rated Core Power

Energy Industry Identification System (EIS) codes are identified in the text as [XX].

EVENT IDENTIFICATION

OPDRV Requirements Not Met During Control Rod Drive Mechanism Replacements

A. CONDITION PRIOR TO EVENT

Unit: 1	Event Date: January 17, 2010	Event Time: 1929 hours CST
Reactor Mode: 5	Mode Name: Refueling	Power Level: 000 percent
Reactor Coolant Temperature: 79.5 F		Reactor Coolant Pressure: Atmospheric

B. DESCRIPTION OF EVENT

On 8/3/10, the Nuclear Regulatory Commission (NRC) issued Non-Cited Violation (NCV) 2010003-02 for a violation of 10 CFR 50.59, "Changes, Tests and Experiments," due to the failure of the Clinton Power Station (CPS) to perform an adequate 10 CFR 50.59 evaluation and obtain a license amendment prior to implementing procedure CPS 3711.01, "CPS Operations with the Potential to Drain the Reactor Vessel (OPDRV)," Revision 0. In the procedure, the station provided limitations which the NRC considered to be a change in the plain language definition of the term OPDRV that, in effect, constituted a change to the Technical Specifications (TS), which would thus require a license amendment pursuant to 10 CFR 50.59(c)(1)(i) and 10 CFR 50.90. An OPDRV is a term not specifically defined in the CPS TS, however the term is used in the TS to define a mode or other specified condition when a TS is applicable. The term OPDRV was meant to be a plain language definition and nothing more, and is intended to address the threat of any reactor coolant inventory loss. The NRC concluded that procedure CPS 3711.01 created a new TS definition of OPDRV by defining a specific threshold below which OPDRV does not apply. The TS wording does not contain a threshold below which OPDRV does not apply; therefore, by defining such a threshold, procedure CPS 3711.01 changes the TS definition. The station suspended procedure CPS 3711.01 from use on 7/13/10.

On 9/1/10, CPS responded to the NCV by submitting a letter to the NRC contesting the NRC NCV. The NRC completed their review of the contest letter and concluded in their letter dated 11/29/10 that the NCV was valid and implementation of procedure CPS 3711.01 involved a change to the TS that required prior approval of the NRC.

During review of the NRC letter on 12/20/10, the station noted that a potentially reportable condition may have occurred during the last refueling outage (C1R12) as procedure CPS 3711.01 was implemented for Control Rod Drive [AA] Mechanism (CRDM) [DRIV] replacement activities in that outage, and TS requirements may not have been met based on the guidance in the OPDRVs procedure and considering the NRC NCV. The station initiated Issue Report 1154358 to determine if TSs were met considering the plain language definition of OPDRV.

The reportability evaluation concluded that procedure CPS 3711.01 was utilized during replacement of CRDMs and resulted in the station not being in compliance with the Technical Specifications required for OPDRVs during the timeframe from 1/17/10 at 1929 hours to 1/18/10 at 0511 hours.

1. FACILITY NAME	2. DOCKET	6. LER NUMBER			3. PAGE	
Clinton Power Station, Unit 1	05000461	YEAR	SEQUENTIAL NUMBER	REV NO.	3	OF 4
		2010	- 004	- 00		

NARRATIVE

The following TS and actions applicable during OPDRVs were not met as the CRDM replacement work was not immediately suspended as required by the actions in the limiting conditions for operations (LCOs).

LCO 3.3.6.1 states that the primary containment and drywell isolation instrumentation for each Function in Table 3.3.6.1-1 shall be OPERABLE. With required instrumentation channels not operable, the Required Action is to isolate the affected penetration or initiate action to suspend OPDRVs immediately. This LCO was not met for the leak detection function with both divisions of Reactor Water Cleanup [CE] isolation bypassed.

LCO 3.6.1.2 states that each primary containment air lock [AL] shall be OPERABLE. With any primary containment air lock inoperable during movement of recently irradiated fuel assemblies in the primary or secondary containment, or during OPDRVs, the Required Action is to initiate action to suspend OPDRVs immediately. This LCO was not met with the upper containment airlock not operable.

LCO 3.6.4.1 states that the secondary containment shall be OPERABLE. With secondary containment inoperable during OPDRVs, the Required Action is to initiate action to suspend OPDRVs immediately. This LCO was not met with the railway inner door [DR] not in an operable condition.

Since LCO 3.3.6.1 and LCO 3.6.1.2 were not met, the requirements of LCO 3.0.4 were also not met. LCO 3.0.4 requires the LCO (namely LCO 3.3.6.1 and LCO 3.6.1.2) to be met prior to entry into the MODE or other specified condition (namely the OPDRV activity).

Other activities that used Procedure CPS 3711.01 during refueling outage C1R12 were draining of the Reactor Recirculation [AD] piping loops and Reactor Water Cleanup [CE] piping replacement. Both of these activities were evaluated as not being OPDRV, and this evaluation was consistent with previous plant decisions prior to the existence of Procedure 3711.01.

C. CAUSE OF EVENT

The cause for this event was the 10 CFR 50.59 evaluation concluded that the change did not require prior NRC approval. The station did not use conservative decision-making before proceeding with implementation of the OPDRV procedure.

D. SAFETY CONSEQUENCES

This event is reportable under the provisions of 10 CFR 50.73(a)(2)(i)(B) as a condition prohibited by the station TSs as certain TSs were not met as discussed in the Description of Event Section of this report. During the less than 10 hours of CRDM replacement activities from 1929 hours on 1/17/10 to 0511 hours on 1/18/10, the reactor cavity was flooded with at least 22 feet 8 inches of water above the Reactor Pressure Vessel [RPV] flange and two trains (B and C) of Residual Heat Removal [BO], and the Low Pressure Core Spray [BM] systems were available to maintain water level in the event a CRDM opening was not secured. Therefore, this event had minimal safety significance.

E. CORRECTIVE ACTIONS

U.S. NUCLEAR REGULATORY COMMISSION

**LICENSEE EVENT REPORT (LER)
CONTINUATION SHEET**

1. FACILITY NAME	2. DOCKET	6. LER NUMBER			3. PAGE		
Clinton Power Station, Unit 1	05000461	YEAR	SEQUENTIAL NUMBER	REV NO.	4	OF	4
		2010	- 004	- 00			

NARRATIVE

Station procedure CPS 3711.01, as well as Exelon Standard Procedure OP-AB-117-101, "Operations with the Potential to Drain the Reactor Vessel (OPDRV)," were suspended from use on 7/13/10 and 12/27/10, respectively.

10 CFR 50.59 evaluation CL-2010-E-001 that reviewed procedure CPS 3711.01 will be revised to show that NRC review and approval is required for implementing the procedure.

The details of this event will be presented during 10 CFR 50.59 requalification classes and to applicable personnel who do not have 10 CFR 50.59 qualifications.

F. PREVIOUS OCCURRENCES

None

G. COMPONENT FAILURE DATA

None