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SUBJECT: Provides documentation of 950713 telcon request for enforcement discretion to permit deferring TS required testing of turbine first stage pressure & pressurizer level instrumentation for 10 days beyond required date.

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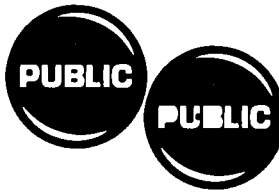
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**WISCONSIN PUBLIC SERVICE CORPORATION**

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July 17, 1995

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

Ladies\Gentlemen:

Docket 50-305  
Operating License DPR-43  
Kewaunee Nuclear Power Plant  
Request for Enforcement Discretion

On July 13, 1995 via teleconference with Region III and the office of NRR, we requested a Notice of Enforcement Discretion (NOED) to permit deferring Technical Specifications required testing of the Turbine First Stage Pressure and Pressurizer Level instrumentation for ten days beyond their required performance date. This correspondence provides documentation of that request.

The reason for our request was to minimize the potential for an unplanned shutdown of the plant during a time when the conditions on the electric grid were tenuous. We felt the risk to public health and safety was greater if an inadvertent plant trip occurred during testing compared to the minimal risk of not testing the instrumentation. The teleconference discussions included our basis for acceptability of discretionary enforcement using the eleven criteria described in NRC Inspection Manual, Chapter 9900, and are documented in the attachment. At approximately 1900 on July 13, we were notified that the Commission did not agree that our basis for granting discretionary enforcement was sufficient to approve the request. Although we continue to believe sufficient justification was provided, we respect the Commission's decision.

Testing was performed on the subject instrumentation on the evening of July 13, 1995 before the Technical Specifications time limit was exceeded. No problems were encountered during the test, and test data indicate acceptable performance of the instrumentation.

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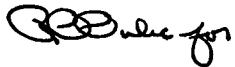
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July 17, 1995

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Sincerely,



M. L. Marchi  
Manager - Nuclear Business Group

GIH/jlb

Attach.

cc - US NRC Region III  
US NRC Senior Resident Inspector

ATTACHMENT 1

Letter from M. L. Marchi (WPSC)

To

Document Control Desk (NRC)

Dated

July 17, 1995

Request for Enforcement Discretion

According to NRC Inspection Manual, Part 9900, the Commission is guided to verify that a licensee's request for enforcement discretion includes addressing 11 criteria. The following, in the format of the inspection manual, are the conditions and basis for our request for enforcement discretion.

1. The Technical Specifications (T.S.) that would be violated by granting this request would be TS 4.1.a, "Calibration, testing, and checking of protective instrumentation channels and testing of logic channels shall be performed as specified in Table TS 4.1-1." Table TS 4.1-1, Item 6 and Item 24, lists Pressurizer Water Level and Turbine First Stage Pressure instrumentation to be tested monthly.

These instruments were last tested on June 5, 1995. Technical Specifications requirements allow testing to be extended up to 25% beyond the required testing frequency. Therefore, these instruments next required test would be 31 days + 7.75 days from the last time of performance. Given the time of last performance, at the latest, these instruments would have to be tested by 0203 and 0343 on July 14, 1995, turbine pressure and pressurizer level respectively. Granting this request will extend the allowed surveillance interval to 31 days + 17 days.

2. The circumstances surrounding this situation are: the current weather conditions in Wisconsin and the Midwest; equipment problems with another Wisconsin Public Service Resources (WPSR) power production facility; and scheduling delays encountered during other surveillance testing activities.

The weather conditions in the immediate area have resulted in very high electrical demand for the WPSR service territory. This is compounded by the weather in immediately surrounding utilities' service areas as well as areas surrounding Wisconsin. As a result, WPSR generating capability is at near capacity and available purchase power is very limited. Based upon the demand conditions, it is imperative that Kewaunee remain on line to support grid reliability.

Equipment problems forced a shutdown of one of our coal fired large generation units earlier in the week. Originally it was expected that this unit would have been repaired and placed back on line at full power as of July 13, 1995 providing ample time to perform the required testing. However, complete unit repairs could not be performed. Although the unit is in service, it is not operating at full capacity. This along with the lack of available purchase power reiterates the need to maintain Kewaunee in operation.

The subject instrumentation tests were scheduled to be performed on July 10, 1995. Also scheduled on that date were the monthly tests on Reactor Coolant Temperature and Pressurizer Pressure. Problems encountered with these tests (bistable drift outside procedural limits but within TS limits) delayed testing of the pressurizer water level and turbine first stage pressure until July 12, 1995. When permission was requested to perform the subject tests on July 12, it was not granted due to grid loading and the unavailable unit.

Causes contributing to this situation were those previously described and scheduling changes which were impacted by the following:

- a) The subject tests would originally have been scheduled for July 5, 1995. However, since this immediately followed the Fourth of July weekend, resources were unavailable.
- b) Given the above, this was taken as an opportunity to return the scheduled date for testing to the tenth of the month and its normal cycle.

The need for prompt action on this request is due to the identified limit which will be exceeded.

Although the scheduling of the tests at the late date is a contributing factor, the unanticipated loss of the fossil unit and delay in its return to full power, and the weather conditions in the area are the dominating factors involved. According to WPSRs System Operating (power distribution group) personnel, the grid conditions today are the worst since 1977.

3. The safety basis for this request is that the negative consequences of a plant trip pose more threat to public health and safety than the benefit to safety afforded by performing the required testing. Each of the required tests places the plant in a condition where an additional risk, albeit minor, of a plant trip exists. Given the load on the electrical grid, a loss of Kewaunee's generation would most likely result in interruption of power to the WPSR service territory and surrounding areas. Although contractually interruptible loads would be preferred to be shed, the areas which would be affected by a power loss would be dictated by the stability of the grid in any given area. The areas which would be shed to maintain grid stability could include health care facilities, nursing facilities, and residential areas which depend upon electrical power for physical needs. Although neither of the tests required are considered high risk, the potentially extreme consequences of an unplanned unit trip are not considered worth even this minimal risk.

Due to the current state of the grid and weather conditions surrounding utilities have already interrupted power to contractually interruptible customers. Public appeals have also been made to reduce unnecessary loads. Additionally, public health advisories are being broadcast warning of the effects of high area temperatures. Although WPSR has not had to implement these actions, we do have co-owners who have already shed interruptible customers and are relying on a percentage of Kewaunee power.

The turbine first stage pressure test requires the Steam Generator feedwater controls to be placed in manual. A failure during transfer from automatic control to manual could induce a flow transient significant enough to initiate a trip. Although the history of performance of this test has been acceptable, perturbations have occurred.

The pressurizer water level test requires tripping a reactor trip bistable to determine the trip setpoint to satisfy the test. The reactor trip function operates on a two out of three coincidence. During testing should a failure occur or error be made in a coincident channel while one is in test, a reactor/turbine trip will occur. Historically no such event has occurred at Kewaunee.

Neither of the instrumentation circuits have been problems historically. Surveillance and work history records reviews indicates that both are consistently reliable. This historical search indicates that there is no reason to suspect that the instruments will fail to perform their intended function during the period requested.

Kewaunee's Probabilistic Risk Assessment (PRA) group was consulted to determine if any increase in risk exists by not performing the required tests. According to this group, the turbine instrumentation is not modeled. Additionally, the modeling of accident conditions in the PRA does not go into the detail of including pressurizer instrumentation. The only association with instrumentation which is modeled is the personnel response to adverse conditions and indications which is currently undergoing revision.

Failure to test the subject instruments will not introduce an unreviewed safety question or pose a significant hazard. The turbine pressure instrumentation serves a controlling function as an input to indicate secondary plant load. The pressurizer water level function serves a high level reactor trip. The trip function is backup to the high pressurizer pressure and low steam generator level reactor trip protection circuits. Therefore, even if the instruments failed to perform as designed, the impact would be

minimal. The functions of these instruments were discussed with the WPSR fuels group who perform Kewaunee accident analysis. The conclusions drawn were that failures of the instruments would have no or minimal impact on accident analyses.

5. As described above, the instrumentation involved have no or minimal impact on accident analyses. Neither instrument is relied upon to mitigate or preclude a release to the environment. Therefore, failure to perform the required tests will not involve adverse consequences to the environment.
6. No additional compensatory measures are planned beyond existing practice and requirements. The instrumentation involved are continually indicated in the control room. Both instrument circuits are checked against redundant channels on a shiftly basis. Although these checks are full loop performance checks and do not specifically check setpoints and calibration, they would provide indication of channel drift.
7. The basis for the duration of this request is the predicted weather conditions for the area. The immediate weather forecast is for temperatures in the mid 90's for Friday with 70-80°F temperatures predicted through Wednesday, July 19, 1995.

Given the temperature conditions predicted and the restricted availability of WPSRs coal fired generating unit, the 10 day duration is justified.

Although a duration of 10 days is requested, it is our intent to perform the required testing as soon as practicable. It is anticipated that testing will be able to be performed during the weekend when electrical load is at a minimum. This brackets two weekends which are typically times of lower electrical demand. The weather forecast indicates that temperatures will decline beginning Saturday. Ten days should provide ample time to schedule testing with consideration of weather and availability of other generating units.

8. Kewaunee's Plant Operations Review Committee was convened to discuss this request immediately prior to the NRC teleconference on July 13, 1995 at 1345. The committee concurred with the conditions and basis for submitting this request.
9. Kewaunee is not in a startup mode. Therefore, this request does not need to address the criteria in Section B of the inspection manual.
10. This request does not involve a license amendment. Therefore, no marked up TS pages are included or required by this request.



11. No additional information was specifically asked to be submitted beyond that which is included in this request.

Although not specifically asked to be submitted, during the teleconference additional questions were asked which will be discussed here.

Q. Are any other tests scheduled which would place the plant in a similar condition, or are any other TS limits for surveillance being approached?

A. No

Q. Why not perform the testing in the evening when the grid loading is less?

A. Although loading would be less the consequences of a trip would still be felt the following day. The time to recover from a trip to a return to full power would easily carry into grid loading conditions where demand is high. The predicted weather conditions for the 14th are the same as today and the loading is anticipated to be similar.

The only gain which would be afforded by testing at night would be the time available to plan actions in a response to a loss of Kewaunee generating capability. At this time, it is still expected that some amount of firm loads would need to be shed.