



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**  
REGION II  
245 PEACHTREE CENTER AVENUE NE, SUITE 1200  
ATLANTA, GEORGIA 30303-1257

July 26, 2012

Mr. George Hamrick, Vice President  
Carolina Power and Light Company  
Shearon Harris Nuclear Power Plant  
P. O. Box 165, Mail Code: Zone 1  
New Hill, North Carolina 27562-0165

**SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) FOR SHEARON HARRIS  
NUCLEAR POWER PLANT, UNIT 1 [NOED NO. 12-2-001]**

Dear Mr. Hamrick:

By letter dated July 24, 2012, you requested that the NRC exercise discretion to not enforce compliance with the actions required in Shearon Harris Nuclear Power Plant, Unit 1 (HNP) required action of Technical Specification (TS) 3.8.1 A.C. Sources – Operating. Your letter documented information previously discussed with the NRC staff in a telephone conference on July 21, 2012, at 5:00 p.m. (all times refer to Eastern Daylight Time). The principal NRC staff members who participated in the telephone conference are listed in the Enclosure. The NRC staff determined that the information in your letter requesting the NOED was consistent with your oral request.

To summarize, you stated that, on July 19, 2012, at 4:00 a.m., Emergency Diesel Generator B (B-EDG) was removed from service for routine maintenance. Shearon Harris Nuclear Power Plant, Unit 1 (HNP), entered Technical Specification (TS) 3.8.1, "A.C. Sources - Operating," TS 3.8.1.1, Action b.3, which requires the inoperable EDG to be restored to operable status within 72 hours (i.e., on July 22, 2012, at 4:00 a.m.). On July 19, 2012, B-EDG was being barred locally as part of post-maintenance testing. During the barring, water was observed issuing from the 5L cylinder. Investigation has determined that the cause of the water intrusion is a cracked cylinder head of the 5L cylinder. At the time of your request, repair efforts were complete, however, the time needed to complete the operability testing associated with the planned and emergent maintenance may not have been sufficient to preclude exceeding the existing allowed out-of-service time (AOT). You requested that a NOED be granted pursuant to the NRC's policy regarding exercise of discretion for an operating facility, set out in Section 3.8 of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, and that the NOED be effective until July 22, 2012, at 4:00 p.m. This letter documents our telephone conversation of July 21, 2012 at 5:00 p.m., when we orally granted your NOED request. We understand that the condition which prompted your request for this NOED was corrected allowing HNP to exit from the TS action listed above at 1:50 a.m. on July 22, 2012. Because the TS AOT was not exceeded, this NOED was not needed in order to comply with the existing TS.

On July 19, 2012, at 4:00 a.m. EDT, B-EDG was removed from service for unrelated routine maintenance. On July 19, 2012, at approximately 11:46 p.m., restoration from maintenance revealed that the 5L cylinder on B-EDG had water intrusion that was later confirmed to be from a crack in the cylinder head. You informed us that there have been no similar failures associated with the HNP EDG cylinder heads. Due to the emergent nature of the failure and lack of historical problems associated with the EDG cylinder heads, you stated that the need for an NOED could not have been reasonably avoided. The cracked head was replaced and the cylinder liner inspected to confirm there were no additional sources of leakage.

The NRC staff determined that the requested NOED was necessary to avoid an unnecessary transient as a result of compliance with the license conditions and, thus, minimize potential safety consequences and operational risks (Part 9900, Technical Guidance, Operations – Notices of Enforcement Discretion, Section B.2.1, criterion 1.a). The NRC staff's basis for this discretion considered: (1) your commitment to defer non-essential surveillances and other maintenance activities in the switchyard to reduce the likelihood of a loss of offsite power; (2) your commitment to defer non-essential surveillances and other maintenance activities on risk-significant equipment including, A-EDG and its auxiliaries (i.e., including emergency service water), Turbine-Driven Auxiliary Feedwater Pump (TDAFWP), Dedicated Shutdown Diesel Generator (DSDG), Essential train A AC/ DC power, Division A Switchgear, and Diesel-driven Fire Pump; (3) to review and brief operator actions related to connection of the DSDG to station battery chargers; (4) to review and brief operator actions related to restoration of power using the start-up transformers in the event of an automatic transfer failure; (5) to protect against maintenance and surveillances that could result in a reactor trip; (6) to protect against maintenance and surveillances that could result in loss of main Feedwater; (7) to protect breakers from the Unit Auxiliary Transformers and Startup Transformers to 1D and 1E buses; (8) to walk-down the alternate seal injection system for challenges to functionality; (9) to verify grid conditions are stable; (10) to verify that your calculated Incremental Conditional Core Damage Probability and Incremental Conditional Large Early Release Probability values did not exceed the threshold guidance provided in Inspection Manual Part 9900 Technical Guidance and were consistent with values calculated by NRC regional analysts; (11) to assure that the cause and proposed path to resolve the situation were understood such that there was a high likelihood that planned actions to resolve the situation could be completed within the proposed NOED time frame; (12) to assure that the noncompliance would not be of potential detriment to the public health and safety; and (13) independent verification of some of these conditions and actions by our inspection staff.

On the basis of the NRC staff's evaluation of your request, we have concluded that granting this NOED is consistent with the Enforcement Policy and NRC staff guidance and has no adverse impact on public health and safety or the environment. Therefore, as we informed you at 6:15 p.m., on July 21, 2012, we exercised discretion to not enforce compliance with TS 3.8.1.1, Action b.3 for the period from July 22, 2012, at 4:00 a.m., until July 22, 2012, at 4:00 p.m. As stated during the conference call and in your letter, you have determined that a follow up license amendment is not necessary; however, you plan to perform a study to evaluate extended TS Completion Times for the EDGs and associated equipment. The NRC staff agrees with this determination.

G. Hamrick

3

Because you did not use the extended allowed outage time granted by this NOED, enforcement action related to this matter is not anticipated.

Sincerely,

*/RA/*

Richard P. Croteau, Director  
Division of Reactor Projects

Docket No.: 50-400  
License No.: NPF-63

cc w/encl: (See page 4)

G. Hamrick

3

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Sincerely,

*/RA/*

Richard P. Croteau, Director  
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Docket No.: 50-400  
License No.: NPF-63

cc w/encl: (See page 4)

PUBLICLY AVAILABLE

NON-PUBLICLY AVAILABLE

SENSITIVE

NON-SENSITIVE

ADAMS:  Yes

ACCESSION NUMBER: \_\_\_\_\_

SUNSI REVIEW COMPLETE  FORM 665 ATTACHED

OFFICE	RII:DRP	RII:DRP	NRR	RII:DRP	RII:DRP		
SIGNATURE	Via email	RAM /RA/	Via email	Via email	EFG /RA for/		
NAME	JDodson	RMusser	SCoffin	CEvans	RCroteau		
DATE	07/26/2012	07/26/2012	07/26/2012	07/26/2012	07/26/2012		
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY

DOCUMENT NAME: G:\DRP\IRPB4\HARRIS\NOED 12-2-001.DOCX

G. Hamrick

4

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(cc w/encl continued next page)

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5

(cc w/encl continued)

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G. Hamrick

6

Letter to George Hamrick from Richard P. Croteau dated July 26, 2012

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) FOR SHEARON HARRIS  
NUCLEAR POWER PLANT, UNIT 1 [NOED NO. 12-2-001]

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RIDSNRRDIRS

PUBLIC

RidsNrrPMShearonHarris Resource

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