



South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

December 11, 2012
NOC-AE-12002929
10 CFR 2.201

Attention: Document Control Desk
U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001


South Texas Project
Units 1 and 2
Docket Nos. STN 50-498, STN 50-499
Reply to Notice of Violation EA-12-227

Reference: NRC letter dated November 20, 2012, "South Texas Project Electric Generating Station – NRC Problem Identification and Resolution Inspection Report 05000498/2012007 and 05000499/2012007 and Notice of Violation" (ML12325A789)

STP Nuclear Operating Company (STPNOC) has reviewed the Notice of Violation (NOV) contained in the Inspection Report referenced above and pursuant to 10 CFR 2.201 and NOV EA-12-227 submits the attached reply as Attachment 1 to this letter.

Corrective actions will be implemented in accordance with the STP Corrective Action Program. Commitments are included in Attachment 2 to this letter.

If you have any questions or require additional information regarding this letter, please contact Ken Taplett at (361) 972-8416 or me at (361) 972-7867.


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Attachments: 1. Reply to Notice of Violation EA-12-227
2. List of Commitments

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Attachment 1

Reply to Notice of Violation EA-12-227

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I. Restatement of Violation:

During an NRC inspection conducted from September 17 through October 4, 2012, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

License Condition 2.E requires, in part, that the licensee implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report through Amendment 55 and the Fire Hazards Analysis Report through Amendment 7 and as approved in the Safety Evaluation Report (NUREG-0781) dated April 1986 and its supplements. Section 9.5.1 of the Final Safety Analysis Report states the Operations Quality Assurance Plan ensures that regulatory requirements and commitments concerning fire protection are satisfied during plant operations. The Operations Quality Assurance Plan further states that procedures shall provide administrative controls that include taking actions to assure timely corrective action on conditions adverse to quality.

Contrary to the above, from May 18, 2006 to October 4, 2012, the licensee failed to implement and maintain in effect all provisions of the approved fire protection program. The licensee failed to implement timely corrective actions to correct conditions adverse to the fire protection provisions of its Operations Quality Assurance Plan in order to ensure that regulatory requirements and commitments concerning fire protection were satisfied during plant operations. Specifically, the licensee did not meet the license basis requirement to be able to shut down the plant by taking a single operator action in the control room and it failed to assure timely corrective action was taken following identification of this condition on May 18, 2006. The licensee entered this deficiency into its corrective action program as CR 12-27648.

This violation is associated with a Green Significance Determination Process finding.

II. STP Nuclear Operating Company (STPNOC) Position:

STPNOC concurs with the violation.

NRC Integrated Inspection Report 05000498/2006002 and 05000499/2006002 (ML061390160) dated May 18, 2006 documented a Green non-cited violation of 10 CFR Part 50, Appendix R, Section III.L.1, because the thermal-hydraulic analysis for demonstrating that safe shutdown conditions could be achieved for the alternate shutdown capability was inconsistent with actions allowed in the South Texas Project licensing basis for a control room evacuation. Specifically, the analysis inappropriately credited certain manual actions from the control room that are required to be performed in the field.

NRC Triennial Fire Protection Inspection Report 05000498/2011006 and 05000499/2011006 (ML11223A193) dated August 10, 2011 documented a Green

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non-cited violation involving the failure to implement and maintain in effect all provisions of the approved fire protection program. During this inspection, the team identified that the licensee had failed to implement timely corrective actions to correct conditions adverse to fire protection.

STPNOC submitted license amendment requests on February 4, 2008 (ML080390483) and on June 2, 2011 (ML11161A143) to resolve the violation documented in NRC Integrated Inspection Report 05000498/2006002 and 05000499/2006002. Both amendments requested the approval of additional operator actions performed within the control room prior to evacuation in the event of a fire. Each license amendment request was subsequently withdrawn.

The additional operator actions taken in the control room prior to evacuation that support the thermal-hydraulic analysis for ensuring safe shutdown are included in the Control Room Evacuation procedure 0POP04-ZO-0001. The actions are backed up at alternate control stations outside the control room from circuits that are isolated from the effects of fire in the control room after control is transferred. The required completion times for actions performed within the control room and the backup actions outside the control room have been timed and validated. Training and practice on the control room evacuation procedure is done at a frequency consistent with that established in existing training programs on abnormal procedures in compliance with 10 CFR 50.120. During the 2011 Triennial Fire Protection inspection [Reference: Inspection Report 05000498/2011006 and 05000499/2011006 (ML11223A193)], the inspection team performed timed operator walk-downs of the alternative shutdown procedure (i.e. the control room evacuation procedure). The team determined that operators completed the manual actions inside and outside of the control room in the amount of time provided in the June 2, 2011 license amendment request and the facility's thermal-hydraulic analysis.

III. Reason for Violation:

The cause of the untimely resolution of two non-cited violations associated with the Fire Protection Program and operator actions in response to a control room fire is the condition was given a low priority for resolution and lacked adequate Management oversight. The Condition Reports (CRs) that tracked resolution of the violations were classified at a Condition Adverse to Quality, Department Level (CAQ-D). A classification of the CRs at a Condition Adverse to Quality, Station Level (CAQ-S) per the Condition Reporting Process procedure 0PGP03-ZX-0002 places a higher priority for completing actions, including those actions supporting inputs to the license amendment request (LAR) to ensure timely resolution. Actions tracking the inputs necessary to prepare the two LARs were frequently extended without direct Management interaction. 0PGP03-ZX-0002 requires that a Manager own and manage the resolution of a CAQ-S CR.

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IV. Corrective Actions which have been taken by the licensee and results achieved:

OPGP03-ZX-0002 was revised to require that Green NRC non-cited violations be classified as CAQ-S, Station level CRs. CAQ-S level CRs and actions have timeliness procedural requirements to monitor the resolution of issues including approval of the Condition Review Group (CRG) for extension of action. The CRG is a designated management group that provides oversight of the Corrective Action Program. In addition, CAQ-S CRs are required to be owned by a STPNOC Manager.

A pre-licensing meeting was held with the NRC staff on October 11, 2012 to discuss a proposed LAR to resolve the alternate shutdown capability fire protection issue. In the meeting, STPNOC described additional analyses that will be performed and submitted for review to justify approval of the control room operator actions. The meeting resulted in an understanding of the information that the NRC requires to complete their review of the LAR.

STPNOC understands that the scope of the additional analyses to support a LAR should provide the bounding case and consider a concurrent loss of offsite power. The analyses should demonstrate that adequate defense-in-depth and safety margin exists for assuring that fire safe shutdown can be achieved in the event the control room operator actions are not performed prior to evacuation. Analytical work has been initiated and resources have been allocated.

V. Corrective Actions which will be taken:

STPNOC plans to schedule a second pre-licensing meeting with the NRC staff prior to submitting an LAR to the NRC to present the results of analyses to support justification for the control room operator actions. STPNOC plans to submit a LAR for NRC review and approval by March 28, 2013. NRC review and approval of an LAR normally occurs within a year of submittal by the Licensee. STPNOC plans to request an expedited review due to the age of this condition.

Any unresolved NRC non-cited violations that originated prior to 2011 that are not classified at a CAQ-S level or higher will be evaluated to determine if actions support timely resolution of the condition. The results will be provided to the CRG by February 28, 2013 for intervention, if warranted.

The CRG periodically reviews open CRs initiated for NRC non-cited violations. A determination will be made by February 28, 2013 of any changes to this review so that the oldest issues associated with unresolved NRC non-cited violations that are currently not classified at a CAQ-S level or higher level are highlighted to alert the CRG that intervention is warranted.

Until STPNOC gains NRC approval for crediting the control room operator actions, compensatory measures will be taken starting in 2013 to conduct annual training for licensed operators on the operator actions included in the control room evacuation

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procedure, 0POP04-ZO-0001, required to be performed in the control room prior to evacuation.

VI. Date of Full Compliance:

Full compliance with South Texas Project Fire Protection Program will be achieved when a license amendment to revise the Fire Protection Program Alternative Shutdown Capability is approved and implemented. This is expected to be completed by April 30, 2014.

Attachment 2

List of Commitments

List of Commitments

The following table identifies those actions committed to by STPNOC in this document. Any statements in this document with the exception of those in the table below are provided for information purposes and are not considered commitments. Please direct questions regarding these commitments to Ken Taplett at (361) 972-8416.

Commitment	Scheduled Completion Date	Condition Report
STPNOC will submit a License Amendment Request to the NRC for approval of the revised South Texas Project Fire Protection Program related to the Alternate Shutdown Capability for crediting additional operator actions in the control room prior to evacuation.	March 28, 2013	12-27648-5
Until STPNOC gains NRC approval for crediting additional control room operator actions, compensatory measures will be taken starting in 2013 to conduct annual training for licensed operators on the operator actions included in the control room evacuation procedure, OPOP04-ZO-0001, required to be performed in the control room prior to evacuation.	April 30, 2014	12-27648-13
Implement the License Amendment to revise the South Texas Project Fire Protection Program related to the Alternate Shutdown Capability.	April 30, 2014	12-27648-9