



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 3, 1999

Mr. D. E. Young, Vice President  
Carolina Power & Light Company  
H. B. Robinson Steam Electric Plant,  
Unit No. 2  
3581 West Entrance Road  
Hartsville, South Carolina 29550

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR CAROLINA POWER & LIGHT  
COMPANY REGARDING H. B. ROBINSON STEAM ELECTRIC PLANT UNIT 2  
(NOED NO. 99-6-006)

By letter dated July 31, 1999, you requested that the U.S. Nuclear Regulatory Commission (NRC) exercise discretion not to enforce compliance with the actions required in H. B. Robinson Steam Electric Plant (HBR), Unit 2, Technical Specification (TS) 3.7.8. Your letter documented information previously discussed with the NRC in a telephone conference on July 31, 1999, at approximately 9:45 p.m. (EST). The principal NRC staff members who participated in that telephone conference included Sheri Peterson, Acting Director, Project Directorate II; Charles Casto, Deputy Director, Division of Reactor Projects, Region II; Mark Reinhart, Section Chief, Probabilistic Safety Assessment Branch; James Tatum, Plant Systems Branch; Binoy Desai, Senior Resident Inspector, HBR; and Robert Gallo, Emergency Officer. You stated that on July 31, 1999, at approximately 3:30 p.m. (EST), the Service Water (SW) temperature exceeded the 95°F temperature limit of TS 3.7.8 "Ultimate Heat Sink (UHS)." The current Completion Time for restoring SW temperature to within 95°F is 8 hours. Upon exceeding this Completion Time, the TS require the plant to be in MODE 3 within 6 hours, and in MODE 5 within 36 hours. You requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to the NRC's policy regarding exercise of discretion for an operating facility, set out in Section VII.c. of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. The requested NOED would allow 72 hours to restore the UHS temperature to within the limits of Condition 3.7.8.A (i.e., 95°F). If restoration does not occur within 72 hours, the plant would be placed in MODE 3 within 6 hours and in MODE 5 within 36 hours. You requested that this 72-hour restoration provision remain in effect until the NRC approves your July 30, 1999, exigent TS amendment request to adopt the 72-hour Completion Time. This letter documents our telephone conversation on July 31, 1999, when we orally issued this NOED at approximately 10:30 p.m.(EST).

A severe and sustained period of hot weather in the area of HBR, combined with the thermal and hydrological characteristics of the UHS, have resulted in a situation where, on occasion, the existing 8-hour Completion Time is not of sufficient duration to allow UHS temperature to return below 95°F. Additionally, an extended period of this severely hot weather may result in several long temperature excursions above 95°F and could result in unwarranted plant power reductions and shutdowns during a time of record energy demand.

Long-term resolution of this situation has been proposed in previous submittals which include revising UHS Required Actions and Completion Times in the event that SW temperature exceeds the design limit, and increasing the UHS Limiting Condition for Operation (LCO)

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temperature value from 95°F to 97°F. Specifically, on March 26, 1999, a Technical Specification change request was submitted that would establish permanent Required Actions and Completion Times in the event that SW temperature exceeds 95°F. The March 26, 1999, submittal is being reviewed by the NRC Staff in conjunction with an industry Technical Specification Task Force item. Also, on May 27, 1999, a TS change request was submitted to increase the maximum allowable UHS temperature from 95°F to 97°F. Due to the nature and complexity of this May 27, 1999 submittal, NRC approval of this proposed amendment was requested by June 30, 2000.

For the duration of the NOED, you have proposed compensatory measures which include monitoring SW system temperatures hourly when temperature is in excess of 95°F. Should temperature exceed 99°F, the plant will perform the Required Actions specified within existing LCO 3.7.8, Condition B (i.e. MODE 3 within 6 hours and MODE 5 within 36 hours). Also, during periods when SW system temperatures exceed 95°F, administrative controls will be implemented to restrict maintenance and operational activities that have a risk of adversely affecting plant reliability.

The NRC staff evaluated your safety rationale for the requested NOED and verified that your request not to enforce compliance with the 8-hour Completion Time of TS 3.7.8 until the exigent amendment request to change the Completion Time to 72 hours is processed, involves minimal increase in risk to the safe operation of HBR. The SW temperature is an input to the containment analysis contained in Final Safety Analysis Report (FSAR) Section 6.2. The SW temperature is also a design assumption for the spent fuel pool cooling system (SFPCS), auxiliary feedwater (AFW) system, CCW system and its loads, the emergency diesel generators (EDGs), containment air recirculation cooling (CARC) system, room coolers for certain safety-related areas, and other non-safety-related systems. Where components rely upon SW temperature to maintain the components within operating temperature limits, your evaluation determined that the components could withstand SW temperatures up to 99°F.

Since the summer of 1998, you have further evaluated the capability of components cooled by the SW to perform their intended function. Some components, such as the EDGs, Containment Air Recirculation System Fan Coolers, Steam Driven Auxiliary Feedwater Pump, and CCW System (including Spent Fuel Pool Cooling), were specifically reevaluated because of the complex effect of operation at a higher SW temperature. In addition, the ability to achieve cold shutdown following a fire and a station blackout were evaluated at a higher SW temperature. These calculations and evaluations show that these components are fully capable of performing their intended safety function up to a SW temperature of 99°F.

In order to avoid transients associated with plant derating in the event of any unusually hot and dry weather that you might encounter this summer, the staff concludes that the 72-hour Completion Time requested in the NOED should be allowed. The 72-hour Completion Time of Action A.1 for being slightly above the design basis temperature is acceptable on a temporary basis because 1) the SW-cooled equipment has been analyzed and found to remain within the manufacturer's limits in the event of an accident, 2) the probability of a design-basis accident occurring during the 72-hour period is small, and 3) compensatory measures will be implemented to assure continued functionality of the UHS and to minimize plant transients. Based on these considerations, the staff concluded that Criterion 1 of Section B and the applicable criteria in Section C.4 to NRC Manual Chapter 9900, "Technical Guidance,

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Operations - Notice of Enforcement Discretion," were met. Criterion 1 of Section B states that for an operating plant, the NOED is intended to avoid an undesirable transient as a result of forcing compliance with the license condition, and thus minimize the potential safety consequences and operational risks.

On the basis of the staff's evaluation of your request, we have concluded that a NOED is warranted because we are clearly satisfied that this action involves minimal or no safety impact, is consistent with the enforcement policy and staff guidance, and has no adverse impact on public health and safety. Therefore, it is our intention to exercise discretion not to enforce compliance with TS 3.7.8 until the exigent TS amendment request to revise TS 3.7.8, which you submitted on July 30, 1999, is processed. The staff plans to complete its review and issue the license amendment within 4 weeks of the date of this letter.

As stated in the Enforcement Policy, action will be taken, to the extent that violations were involved, for the root cause that led to the noncompliance for which this NOED was necessary.

Sincerely,

Original signed by:

Herbert N. Berkow, Director

Project Directorate II

Division of Licensing Project Management

Office of Nuclear Reaction Regulation

Docket No: 50-261

cc: See next page

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