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50-388 Susquehanna Steam Electric Station, Unit 2, Pennsylv 05000388
AUTH. NAME AUTHOR AFFILIATION
HEHL, C.W. Region 1 (Post 820201)
RECIP. NAME RECIPIENT AFFILIATION
BYRAM, R.G. Pennsylvania Power & Light Co.

SUBJECT: Forwards insp repts 50-387/98-08 & 50-388/98-08 on
980601-30 & NOV. Purpose of insp was to review issues re mod
of EDG fuel oil sys in 1990 & subsequent controls imposed
upon diesel day tank volume.

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August 6, 1998

EA 98-300

Mr. Robert G. Byram
Senior Vice President - Nuclear
Pennsylvania Power & Light Company
2 North Ninth Street
Allentown, Pennsylvania 18101

SUBJECT: NRC SPECIAL INSPECTION REPORT 50-387/98-08, 50-388/98-08;
NOTICE OF VIOLATION; AND EXERCISE OF ENFORCEMENT DISCRETION

Dear Mr. Byram:

On June 30, 1998, the NRC completed a special inspection at your Susquehanna Steam Electric Station (SSES) 1 & 2 reactor facilities. The purpose of this inspection was to review the issues related to the modification of the emergency diesel generator fuel oil system in 1990, and the subsequent administrative controls imposed upon the diesel day tank volume. We also reviewed the planned and completed corrective actions for these issues. The enclosed report presents the results of this inspection. The inspectors discussed the findings of this inspection with Mr. R. Saunders, Vice President Nuclear Operations, and others of your staff at the exit meeting on July 2, 1998.

Based on the results of this inspection, the NRC has determined that two violations of NRC requirements occurred. The first violation was for failure to effect timely resolution of a nonconformance in the emergency diesel generator fuel oil system and is cited in the enclosed Notice of Violation (Notice). The circumstances surrounding this violation are described in detail in the subject inspection report. This violation is of concern because the nonconformance was originally identified by your staff in 1990, but remained uncorrected and was re-identified in 1998, by the NRC.

The second violation was for a failure to meet the requirements of 10 CFR 50.59, in that you did not obtain NRC approval prior to implementing a plant modification which involved an unreviewed safety question. After consideration of this issue, the NRC has concluded that this issue would be normally classified as a Severity Level IV violation. However, after consultation with the Director, Office of Enforcement, I have been authorized to not issue a Notice of Violation in accordance with the provisions provided in Section VII.B.6 of the NRC's Enforcement Policy. This decision for the 50.59 issue was made after consideration that: (1) this 8-year old issue did not represent a significant unreviewed safety question, because it involved an insignificant reduction of a margin of safety defined in a TS basis, and (2) PP&L, although incorrect in its determination that prior NRC approval was not required, did inform the NRC by letter of its determination to perform the modification prior to submitting a TS change.

9808130273 980806
PDR ADOCK 05000387
Q PDR

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IE:01

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You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In the PP&L July 1, 1998 document provided to the resident inspector, "Evaluation of NRC Questions on Emergency Diesel Generator Fuel Oil Day Tanks," which is attached to the inspection report, your staff indicated that PP&L would "not implement the same modification today without requesting a Tech Spec change from the NRC." In your response to this letter, we request that you confirm that the PP&L 50.59 safety evaluation process has the necessary provisions to assure that in future modifications that create a condition that would cause technical specifications to be non-conservative, PP&L would obtain NRC approval prior to implementation of the modification. In addition, you are requested to identify and evaluate any similar occurrences, where a license amendment submittal has not already been made, where administrative controls are being used to supplement technical specification requirements because the technical specification requirement is either non-conservative or insufficient to verify compliance with the associated design basis.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), and your response will be placed in the NRC Public Document Room (PDR).

Sincerely,

Original Signed by:

Charles W. Hehl, Director
Division of Reactor Projects

Docket Nos.: 50-387;50-388
License Nos: NPF-14, NPF-22

Enclosures:

1. Notice of Violation
2. Inspection Report 50-387/98-08, 50-388/98-08

Robert G. Byram

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cc w/encls:

R. F. Saunders, Vice President - Site Operations

G. T. Jones, Vice-President - Engineering and Support

G. Kuczynski, General Manager - SSES

J. M. Kenny, Supervisor, Nuclear Licensing

G. D. Miller, General Manager - Nuclear Engineering

R. R. Wehry, Nuclear Licensing

F. P. Arcury, Nuclear Services Manager, General Electric

C. D. Lopes, Manager - Nuclear Security

A. Male, Manager, Nuclear Assessment Services

H. D. Woodeshick, Special Assistant to the President

J. C. Tilton, III, Allegheny Electric Cooperative, Inc.

Commonwealth of Pennsylvania



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Comments incorporated



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