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 RECIP. NAME: JOHNSON, A.R. RECIPIENT AFFILIATION: Project Directorate I-3

SUBJECT: Responds to NRC 9920330ltr re violations noted in Insp Rept 50-244/92-01. Corrective actions: SMA torque switches for EQ MOVs have been replaced per Procedure M-64.2EQ.RG&E maintains no violation of NRC requirements has occurred.

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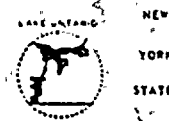
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May 6, 1992

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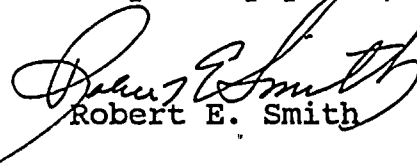
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R.E. Ginna Nuclear Power Plant  
Docket No. 50-244

Dear Mr. Johnson:

By letter dated March 30, 1992, transmitting Inspection Report 50-244/92-01, a Notice of Violation relative to 10CFR50.49(d) environmental qualification files was issued.

In our attached response, RG&E provides the basis for concluding that no violation of NRC requirements occurred. We trust that this information effectively responds to your concerns.

Very truly yours,

  
Robert E. Smith

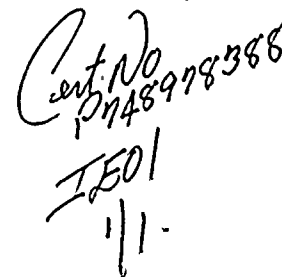
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xc: Mr. Allen R. Johnson (Mail Stop 14D1)  
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Washington, D.C. 20555

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ATTACHMENT 1

Responses to Apparent Violation

RESTATEMENT OF APPARENT VIOLATION

As a result of the inspection conducted on January 6-10, 1992, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10CFR Part 2, Appendix C (Enforcement Policy) (1991), the following apparent violation was identified:

10CFR 50.49(d) requires that the environmental qualification files for safety-related equipment be kept current and in an auditable form for the entire period during which the covered item is installed in the nuclear power plant.

Contrary to the above, as of January 6, 1992, the equipment qualification file for the Limitorque Corporation supplied SMA torque switches installed in the safety-related motor operated valves 860 A, C, and D was not established and, therefore, was not maintained current and in an auditable form.

This is a Severity Level IV Violation (Supplement I)

1. THE REASON FOR THE APPARENT VIOLATION

RG&E does not agree that a violation of NRC requirements occurred. RG&E agrees 10CFR 50.49(d) requires the environmental qualification files for safety-related equipment be kept current and in an auditable form for the entire period during which the covered item is installed in the nuclear power plant. We assert, however, that the Limitorque operator file (EEQ Package #6) was maintained current for all significant information available to RG&E. Furthermore, the qualification file in 1988 addressed the qualification requirements for Limitorque operators as a unit, as qualified by Limitorque report B0003. It did not address piece parts individually (except for the type of motor). A detailed evaluation of parts of the operator was only performed if equipment was modified. Torque switch requirements were inserted into the package when the torque switches were replaced (1990).

As stated in the RG&E EQ Analysis, EWR 4237.35, Environmental Qualification Analysis Of SMA Type Torque Switches, the initial environmental qualification of these motor operators was based on information provided by Limitorque for the motor operator as a unit. It is clear from this information that there is no basis for either RG&E or the NRC to have known of the potential presence of an untested type of torque switch. In its February 9-13, 1987 inspection of RG&E environmental qualification files the NRC inspectors stated (Inspection Report No. 50-244/87-03) regarding Limitorque motor operators specifically: "No open items/concerns were noted during the file review for the valve operators."



At the time of issuance of the August 1988 Limitorque Corporation maintenance bulletin on SMA torque switches, RG&E was already well underway with formulation of a comprehensive maintenance program to address all established motor operator issues, including replacement of torque switches. Further formal documentation of the situation was not considered necessary for the following reasons:

1. The Limitorque maintenance bulletin did not require immediate action, and torque switches for RG&E in containment motor operators had been replaced two (2) years earlier. The only qualification parameter for SMA torque switches in the affected motor operators was a harsh radiation environment. Indeed, RG&E inclusion of MOVs 860A, C, and D motor operators in its environmental qualification files on the basis of a harsh radiation environment is in itself very conservative.
  - a. The motor operators including torque switches see a service life radiation dose of less than 10 mrad/hour, or  $3.5 \times 10^3$  rads over 40 years.
  - b. The torque switches for MOV's 860A, C, and D will actually never be required to perform their function in a harsh environment. These valves must open prior to any recirculation fluid passing through them. Since they must open prior to flow through them, they will not see any accident radiation dose prior to performance of their safety function. Voluntary maintenance of them to the qualification level of a full post accident radiation total integrated dose constitutes a margin which RG&E maintains beyond the requirements of 10CFR 50.49.
2. Timeliness of RG&E corrective action taken for SMA type torque switches is fully consistent with the potential impact of the concern for the following reasons:
  - a. The Primary Valve Refurbishment program, a five-year project consisting, in part, of the complete refurbishment of all Ginna motor operated valves, including replacement of obsolete torque switch designs, was in the preparation stage for the 1989 refueling outage when the 1988 Limitorque Maintenance Update was received. During the 1989 and 1990 refueling outages, all MOVs containing SMA style torque switches were identified and are being replaced in accordance with the Primary Valve Refurbishment program schedule. MOVs 860 A, C and D torque switches were replaced in 1990. RG&E maintains that the timeliness of this action was appropriate and fully met the recommendations contained in the Limitorque Maintenance Update.





- b. The source of the torque switch discrepancy (Maintenance Update) is not a document which is processed or prioritized as are documents which typically contain safety or regulatory compliance issues (e.g. Information Notice, NRC Bulletin, INPO SOERs, Part 21 notifications) and therefore did not raise a high level of concern in the review process of the document. The Part 21 notification from DC Cook Nuclear Power Plant to the NRC (which was not formally transmitted to RG&E) did not result in a part 21 notification to RG&E from Limitorque. Limitorque identified the issue only in a maintenance update which is typically not the source of significant safety issues. An Information Notice from the NRC (such as IN 89-43 dealing with other SMA torque switch problems) to nuclear utilities identifying an NRC concern based on the DC Cook part 21 report, which would have placed a higher priority in a replacement schedule, was not issued.
  - c. The deficiency was not a substantial safety hazard at the time of its discovery because, if uncorrected, the phenolic material of the torque switch would not have caused the switch to fail to adequately perform its safety function.
3. RG&E maintains that the timeliness of the RG&E 10CFR Part 21 notification, reported in May 1990, regarding motor operator loose screws was appropriate for the following reasons:
- a. Inspection of all Ginna station MOVs for SMA style torque switches was not completed until the end of the 1990 refueling outage (4/90). A full assessment of the loose mounting hardware was then performed and 10CFR Part 21 notification was provided to the NRC in May of 1990.
  - b. Current RG&E procedures specify a 60-day time limit between the time of discovery of a potential 10CFR Part 21 concern and completing the evaluation and determining the need to report the concern under 10CFR Part 21 requirements. This time limit, however, was not in place in the Regulation itself nor at Ginna station until late 1991.
  - c. The deficiency was not a substantial safety hazard at the time of its discovery for the following reasons:
    - 1. The deficiency if uncorrected (degree of looseness identified at Ginna Station) would not have caused the switch to fail to adequately perform its safety function.



Maintenance Supervision was nevertheless notified of these deficiencies as they were discovered for trending purposes, and immediate corrective action was taken to tighten the hardware until replacement switches could be procured and installed.

2. From a 50.49 standpoint, the SMA torque switches were fully qualified during their installation since the degradation mechanism RG&E identified (capscrew looseness) did not involve accelerated degradation when exposed to a harsh environment.

2. THE CORRECTIVE STEPS THAT HAVE BEEN TAKEN AND THE RESULTS ACHIEVED

As stated in the Inspection Report (92-01), the qualification of the SMA torque switches has been established by EQ Analysis (EWR 4237.35). The SMA torque switches for EQ MOVs have been replaced per procedure M-64.2EQ. Note also that RG&E is modifying all safety-related motor operators (not only the EQ operators) to the stringent material requirements associated with our EQ program, as an added conservatism.

3. THE CORRECTIVE STEPS WHICH WILL BE TAKEN TO AVOID FURTHER VIOLATIONS

RG&E maintains that no violation of NRC requirements has occurred. Nonetheless, all SMA torque switches for EQ MOVs have been replaced. RG&E will continue to assess potential safety and regulatory compliance issues based on the methodology in which they are brought to our attention. RG&E does not consider a "maintenance update" to be an appropriate method of identifying a potential safety or regulatory compliance issue.

4. THE DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Again, RG&E maintains that no violation of NRC requirements occurred. For information, replacement of SMA torque switches was successfully completed for MOV's 860A, C, and D on 4/17/90. At that point, all Limitorque motor operators included in the RG&E environmental qualification file were fully equipped with Limitorque certified qualified SMB type torque switches.



ATTACHMENT 2

Clarifications to Inspection Report No. 50-244/92-01

Inspection Report Statement

On page 18, Section 4.6, paragraph 4, the Inspection Report states:

"The licensee also stated that, subsequent to the receipt of the above notifications, RG&E re-reviewed ....."

Clarification

RG&E believes this sentence should read:

"The licensee also stated that, subsequent to the receipt of the August 1988 Limitorque maintenance bulletin, RG&E re-reviewed ....."

Note: RG&E did not receive the DC Cook Nuclear Power Plant 10CFR Part 21 notification in April 1988. The notification of potential presence of untested SMA torque switches was reported to the NRC at that time, but not to RG&E. The NRC did not issue any document identifying this issue to the industry.

Inspection Report Statement

On page 18, Section 4.6, the last two lines of paragraph 5, the Inspection Report states:

"..... (3) The analysis did not discuss seismic vibration, even though it is specifically required by 50.49."

Clarification

RG&E believes this sentence is in error.

Note: 10CFR 50.49(c) states requirements for (1) dynamic and seismic qualification of electric equipment important to safety,..... are not included within the scope of this section.

62-11-38

