

NUCLEAR REGULATORY COMMISSION

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Mr. J. V. Parrish (Mail Drop 1023) Chief Executive Officer Washington Public Power Supply System P.O. Box 968 Richland, Washington 99352-0968

# SUBJECT: SUMMARY OF MEETING WITH WASHINGTON PUBLIC POWER SUPPLY SYSTEM ON JULY 31, 1997

Dear Mr. Parrish:

A Regulatory Interface Workshop, open to public observation, was held on July 31, 1997, in the NRC Region IV office, in Arlington, Texas, with you and members of your staff and NRC senior managers and staff. This workshop was conducted to identify and discuss areas in which communications and interactions between the Washington Public Power Supply System (Supply System) and the NRC could be improved. The goal of the workshop was to assure that perspectives were communicated and understood. A listing of those attending the workshop is provided in Enclosure 1. Documents used during the meeting (Agenda and Common Themes) as well as the documents used to develop the common themes are provided in Enclosure 2. Please note that the agenda for the meeting was revised on July 29, 1997, and that the preliminary information included in Enclosure 3 was not used during the meeting.

The discussions during the workshop were viewed to be of benefit in understanding the background behind the areas of concern. It was clear that, in order for the regulatory interface to be effective, a change was needed in the way some interactions were occurring. The NRC staff explained its priorities for the review of license submittals and emphasized its need to deal with final, in lieu of draft, documents. The NRC staff stated that if time constraints made it necessary to submit draft information, then the information should be promptly updated, if necessary.

The NRC staff noted the Supply System acknowledgment that, in some cases, the regulatory interface had not been as effective as desired. During the meeting, ideas were exchanged on actions which would assist in understanding the NRC priorities and the status of its reviews, as well as, the Supply System's needs and priorities. The Supply System explained that future scheduling activities would have to provide time for NRC review. The NRC staff acknowledged the need for clear and timely communication of inspection findings. Further, the NRC staff stated its goal to maintain a regulatory relationship with the Supply System that was consistent with that maintained with other licensees.

Those involved in the workshop expressed the expectation that improvements would occur and that the meeting was useful to determine what changes would be most beneficial. It was agreed that further examples of interface problems would be immediately identified.



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and discussed. It was concluded that this area of regulatory interface may be a topic in the next planned WNP-2 Oversight Panel meeting, if warranted.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC's Public Document Room.

Should you have any questions concerning this matter, we will be pleased to discuss them with you.

Sincerely, Coma Thomas P. Gwynn, Dijector Division of Reactor Projects

Enclosures:

- 1. Attendance List
- 2. Presentation Documents and Background Material (used)
- 3. Preliminary Background Material (not used)

Docket No.: 50-397 License No.: NPF-21

cc: Chairman Energy Facility Site Evaluation Council P.O. Box 43172 Olympia, Washington 98504-3172

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Mr. Greg O. Smith (Mail Drop 927M) WNP<sup>4</sup>2 Plant General Manager Washington Public Power Supply System P.O. Box 968 Richland, Washington 99352-0968 Washington Public Power Supply System -3-

Mr. David A. Swank (Mail Drop PE20) Manager, Regulatory Affairs Washington Public Power Supply System P.O. Box 968 Richland, Washington 99352-0968

Mr. Albert E. Mouncer (Mail Drop 396) Chief Counsel Washington Public Power Supply System P.O. Box 968 Richland, Washington 99352-0968

Mr. Paul Inserra (Mail Drop PE20) Manager, Licensing Washington Public Power Supply System P.O. Box 968 Richland, Washington 99352-0968

Perry D. Robinson, Esq. Winston & Strawn 1400 L Street, N.W. Washington, D.C. 20005-3502 Washington Public Power Supply System -4-



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bcc distrib. by RIV: Regional Administrator DRP Director Branch Chief (DRP/E, WCFO) Senior Project Inspector (DRP/E, WCFO) Branch Chief (DRP/TSS) WCFO File W. Bateman, NRR (13 E16) T. Colburn, NRR (13 E16) R. Zimmerman, NRR (12 G18)

Resident Inspector DRS-PSB MIS System RIV File M. Hammond (PAO, WCFO) T. Hiltz, OEDO (5 E6) A. Howell, D:DRS D. Chamberlain, DD:DRS J. Edgerly, DRP

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#### OFFICIAL RECORD COPY

## ENCLOSURE 1 ATTENDEES AT NRC/SUPPLY SYSTEM WORKSHOP

#### JULY 31, 1997

#### NRC

E. W. Merschoff, Regional Administrator

R. P. Zimmerman, Associate Director for Projects, NRR

T. P. Gwynn, Director, Division of Reactor Projects

A. T. Howell, Director, Division of Reactor Safety

W. H. Bateman, Director, Project Directorate IV-2, NRR

D. D. Chamberlain, Deputy Director, Division of Reactor Safety

H. J. Wong, Chief, Project Branch E

T. G. Colburn, Project Manager, NRR

G. D. Replogle, Resident Inspector

J. Edgerly, Resident Inspector Development Program

#### Washington Public Power Supply System

J. V. Parrish, Chief Executive Officer

P. R. Bemis, Vice President Nuclear Operations

R. L. Webring, Vice President Nuclear Support

J. H. Swailes, Engineering General Manager

D. A. Swank, Regulatory Affairs Manager

P. J. Inserra, Licensing Manager

P. Berghausen, Consultant

#### Others

R. Mazurkiewicz, Bonneville Power Administration, Chief Operations

J. Zeller, Manager, Washington Energy Facility Site Evaluation Council

# ENCLOSURE 2

- 1. Agenda
- 2. Common Themes
- 3. NRC Document WNP-2 Reactor Feedwater Pump Trip Test; Common Themes
- 4. Supply System Revised NRC Document Common Themes

# AGENDA FOR REGULATORY INTERFACE WORKSHOP NRC AND WASHINGTON PUBLIC POWER SUPPLY SYSTEM

# JULY 31, 1997

# 1:00 OPENING REMARKS AND INTRODUCTIONS

ELLIS MERSCHOFF, REGIONAL ADMINISTRATOR

VIC PARRISH, CHIEF EXECUTIVE OFFICER

ROY ZIMMERMAN, ASSOCIATE DIRECTOR FOR PROJECTS, NRR

# 1:10 DISCUSSION OF COMMON THEMES

PAT GWYNN, DIRECTOR, DIVISION OF REACTOR PROJECTS

ROD WEBRING, VICE PRESIDENT, OPERATIONS SUPPORT

BILL BATEMAN, PROJECT DIRECTORATE IV-2, NRR

ART HOWELL, DIRECTOR, DIVISION OF REACTOR SAFETY

DAVE SWANK, MANAGER, REGULATORY AFFAIRS

- 1:10 1:30 CONCERN A TIMELINESS OF LICENSING SUBMITTALS
- 1:30 1:50 CONCERN B SUPPORT FOR NRC INSPECTIONS
- 1:50 2:10 CONCERN C INTEGRATION OF REGULATORY AND PLANT SCHEDULES
- 2:10 2:30 CONCERN D ACCURACY AND FORMALITY OF COMMUNICATIONS

# 2:30 - 2:40 BREAK

- 2:40 3:00 CONCERN E COMMUNICATIONS AND UNDERSTANDING OF ISSUES
- 3:00 3:20 CONCERN F PROACTIVE RESPONSE
- 3:20 CLOSING REMARKS ELLIS MERSCHOFF VIC PARRISH ROY ZIMMERMAN

## NRC AND WASHINGTON PUBLIC POWER SUPPLY SYSTEM

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#### **REGULATORY INTERFACE WORKSHOP - JULY 31, 1997**

#### COMMON THEMES

- A. Concern The licensee appears not to understand the need to allow sufficient time for NRC review of license or TS amendments in its schedule.
  - Late request for ISI weld inspection relief the licensee submitted relief request on 2/19/97 for approval by 4/17/97, but noted that approval by 3/17/97 would result in cost savings by reduction of resources for performance of the inspections; the need to conduct the inspections or seek relief was known a year earlier; the normal time for the submission of ISI relief requests is about 6 months prior to the time approval is needed
  - Information was provided late for completion of the MCPR TS amendment review and then there were discussions of why the NRC was holding up startup; significant NRC overtime resources used to process TS amendment
  - 1. The Supply System agrees that it needs to be more aware of regulatory time constraints and processing requirements with regard to license and/or TS amendments when developing implementation schedules.
  - 2. The Supply System is aware that regulatory time constraints are important and should be incorporated into our planning. This problem will be addressed, but will not be solved in the near term. Siemens Safety Limit, for example, will challenge regulatory time processing requirements.
  - 3. Suction Strainers also create unique challenges, but may not have to be reviewed under 18 months depending upon Position taken by NRC relative to Utility Resolution Guidance document.
  - 4. We would propose to meet with the NRC periodically to review our long range plans to discuss potential licensing impacts.
- B. Concern The licensee appears in some instances not to place a high priority on support of NRC inspections.
  - W. Jones arrived at WNP-2, but the licensee was not prepared to support his inspection
  - The licensee's final response to questions related to the RFP event was provided on 6/25/97, 3 days after the start of the followup inspection.
  - M. Tschiltz communicated documentation needs in support of an inspection of the high pressure core spray system approximately 3 weeks before the inspection; however, information was not provided to him until his arrival onsite and after discussions with the system engineer.

- 2. The Supply System recognizes the need to consistently support NRC inspection efforts. Significant Supply System support has been provided in the last year for major inspections such as core design inspection 96-11, design inspection 96-201, and MCPR safety limit inspection 97-11.
- 3. When Good Communication occurs regarding need to accommodate workloads and schedule, both parties are better served. For example, postponement of a recent follow-up inspection until after plant start-up allowed better Supply System support for inspector needs.
- 4. The NRC six month inspection schedule provides limited insight into future inspection activity. For example, the recent inspection on surveillance testing was not on the six month schedule and required Supply System support on short notice.
- C. Concern The licensee does not effectively integrate regulatory schedules with actual plant operations.
  - During the W. Jones RFP inspection, the date for submittal of the written responses to the meeting summary questions was postponed several times (beyond the originally proposed startup date). NRC inspection plans were based on the projected restart schedule. There appeared to be a weakness in estimating the engineering resources needed to complete the evaluation.
  - During the NRC's review of the ASD amendment last year, personnel on the licensing staff indicated a need for the amendment by June 1, 1996. It was several days after June 1 that the plant actually restarted.
  - 1. The Supply System agrees that in some instances it has not effectively correlated scheduling regulatory activities with actual plant operations. The Supply System recognizes the need to become more accurate in projecting the WNP-2 plant restart date when it impacts NRC resources.
- D. Concern The licensee appears not to recognize the need for accurate and formal communications in some instances in support of resolution of regulatory issue.

- Partial and draft information provided to support early NRC review without apparent appreciation for need to provide the information formally (RFP and core performance inspections).
- Information provided in the May 30. 1997, RFP meeting was later shown to need clarification as to its limitations or was shown to be wrong.

- 1. The Supply System does recognize the need for accurate and, where appropriate, formal communications. The Supply System does not believe, however, that the information provided during the May 30 meeting was inaccurate. Oral communication on complex issues needs to be frequent and interactive to assure that communication on such issues has been effective and has assured a mutual understanding of the intended message.
- E. Concern In some instances communication of NRC issues did not appear to be fully effective in that issues did not appear to be well understood by licensee management even when briefings are provided to the licensee's staff by the NRC inspectors.
  - NRC staff concerns on MCPR limits discussed during the exit briefing appeared to be not understood by licensee management, even after NRC briefings were conducted.
  - The NRC staff received comments that some issues related to the core performance inspections were outside the inspection scope and should be covered as a special inspection.
  - During the corrective actions inspection, inspector statements were attributed which implied a negative comparison between other plants and WNP-2 and other broad negative comments. These were attributed during discussions between the inspector and plant management.
  - 1. Issues need to be raised for discussion at the earliest possible time. The "formulation of issues" process should always include an opportunity for discussion with the other party.
  - 2. Not all issues can be resolved to a point of mutual satisfaction, however, when issues are contested, each party should have a good understanding of the basis for the position taken by the other party. An effort for timely resolution of an issue identified during the MCPR inspection was diminished when the fuel vendor traveled to Washington DC and was not afforded an opportunity to meet with NRR personnel.
- F. Concern The licensee appears to be reactive to NRC concerns rather than proactive in determining the course of action to take and then advising the NRC.
  - RCIC downgrade licensee appeared to wait until NRC declared that the RCIC system had been improperly downgraded before initiating actions for resolution.
    - Power Uprate The engineering problems revealed in the A/E inspection and the RFP event related to the power uprate should have demonstrated to the



licensee the need for additional review of the cavitation interlock and other interlocks affected by the power uprate modification. It appeared that corrective actions were not focused on this issue until questions were raised by the NRC.

1. The Supply System agrees that it is not proactive enough and can improve in this area. However, certain information provided during event investigation and analysis is preliminary and needs to be treated as such until complete information is developed. The Supply System believes that successful interactions with the NRC have permitted the avoidance of actions which may have otherwise drained important regulatory and corporate resources. For example preliminary information from security incidents are shared with the NRC prior to any formal reporting process or investigation completion. This enhances confidence in the Supply System's ability to resolve problems in a timely fashion.

# WNP-2 REACTOR FEEDWATER PUMP TRIP TEST

#### **Background/Problem Statement -**

In the 1996 refueling outage, the licensee installed the digital feedwater (DFW) control system and adjustable speed drives (ASD) for the reactor recirculation pumps. These modifications were made to improve plant performance and provide enhanced plant reliability. As part of post-modification testing, the licensee planned to perform a trip of a reactor feedwater pump (RFP) at about 100 % power to demonstrate the capability to cope. with such a pump trip without a reactor scram from a low reactor vessel level condition, as described in the FSAR.

This test was part of the post-modification testing program, but was deferred by the licensee until March 27, 1997, the end of the operating cycle following the installation. This test resulted in the expected runback of the recirculation pumps to 27 Hz as designed; however, a second runback of the recirculation pumps to 15 Hz occurred. This was due to the satisfaction of parameters for the delta-T cavitation interlock. This second runback caused the reactor to enter a region close to the prohibited region (Region A) of the power-to-flow map. The operators manually tripped the reactor as directed by plant procedures due to the belief of the operators that the reactor had entered the prohibited region.

There were several regulatory issues of significance related to the event: adequacy of the licensee's design evaluations for modifications which affected plant response to a RFP trip (ASD, DFW, and power uprate); response of the plant to enter the prohibited region of the power-to-flow map on a relatively high probability plant transient event (loss of a RFP); conformance of actual plant response to design assumptions; adequacy of the post-modification testing performed; and adequacy of the licensee's planned corrective actions.

There was a clear need for the NRC to understand the event and the adequacy of previous modifications, and for assurance that adequate corrective actions had been taken. This had to be completed prior to the license's restart from the refueling outage.

#### <u>Timeline -</u>

1993	Licensee initiated plans for performing power uprate, ASD, and DFW control system modifications						
1995 Refuelii Outage (R10)	ng Power uprate modifications implemented						
3/96 - 6/96	ASD/DFW system modification made (R11)						
6/3-7/96	NRC conducted inspection of the ASD/DFW modifications in the areas of operations, maintenance, and engineering (IR 96-07, issued 7/17/96)						
8/96 - 9/96	NRC conducted a review of portions of post modification testing of the ASD and DFW modifications, and identified an unresolved item related to deferring						

the RFP trip test until the end of the operating cycle without a safety evaluation (IR 96-17, issued 10/8/96) [Issue 1]

- 1/10/97 IR 96-24 issued which closed the open item in IR 96-17 based on comparable response times of the ASD modification and the previous flow control valve system
- 3/27/97 RFP trip test conducted (resident inspector observed the test from the control room)

Call with NRC and licensee personnel to discuss the event

- 3/31/97 & Followup discussions with NRC and licensee personnel on the licensee's event evaluation plans, which includes an event evaluation team and also an independent evaluation team review
- 4/9/97 The licensee submitted to NRC its plans for the event evaluation and schedule for completion
- 4/28/97 The licensee submitted LER 97-004 related to the event which states that the second runback caused entry into Region A [Issue 2]
- 4/29/97 NRC sent a letter describing its plans for a followup inspection and a public meeting in late May
- 5/12-16/97 NRC followup inspection conducted (W2 Jones team leader)
- 5/30/97 Public meeting held in Arlington, TX with NRC and licensee [Issues 3 and 4]
- 6/3/97 D. Chamberlain and W. Jones call with D. Swank and J. Swailes to discuss potential unreviewed safety question aspects of the event.
- 6/4/97 NRC issued Meeting Summary with 6 questions and issues raised by the NRC staff. The NRC intent was to obtain written responses to the questions which would provide the bases for the W. Jones followup inspection. The meeting summary and questions had been discussed with licensee managers at the time of issuance.
- 6/6/97 Call with D. Chamberlain, W. Jones, and D. Swank confirming intention to perform followup inspection the week of 6/9 (the inspection was delayed until 6/11 at the request of the licensee). Commitment from D. Swank to call W. Jones on 6/9 to confirm 6/11 trip.
- 6/9/97 Jones did not receive a call from D. Swank and so Jones called to J. Arbuckle to confirm plans for the 6/11 inspection. Licensee indicated that they would be ready for the followup inspection and would be able to support inspection continuation over the weekend if necessary. A followup call was made from W. Jones to J. Artuckle's voicemail to provide W.

Jones' pager number for any last minute changes to the inspection schedule. There was no further communications from the licensee prior to arrival on site.

- approx. H. Wong call to D. Swank brought out that licensee personnel had not
  6/9/97 planned a written response. Based on the call, licensee personnel indicated that a written response would take a week or so to be issued to the NRC.
  [Issue 5]
- 6/11-12/97 W. Jones and P. Gage onsite for followup inspection to resolve inspection restart issues; licensee review efforts were found to be not yet complete. [Issue 6]
- 6/23-26/97 W. Jones onsite on Monday morning for followup inspection. [Issue 7]
- 6/25/97 Licensee issued response to the 6/4/97 meeting summary questions and issues (during the W. Jones inspection).

#### SUMMARY OF ISSUES

#### 1. Communications of Licensee Management Positions

The resident inspector learned that the need for performance of the RFP trip test was being questioned by licensee personnel. This caused the resident inspector to question the licensee's intent to conduct the RFP trip test. There was not clear knowledge of the licensee's intentions. The PORC decided that performance of the test was warranted, but licensee management was still having personnel evaluating the need for performance of the test.

The resident inspector believed that the reactor recirculation system runback response after the ASD modification was slower than with the previous flow control valves. The inspector was not convinced that there had been adequate evaluation of the plant response due to this runback speed difference (described in NRC Inspection Report 50-397/96-17).

#### 2. Change in Information in LER

LER 97-004 was found later to be inaccurate in that it stated that the second runback caused entry in Region A of the power-to-flow map; further review demonstrated that the second runback brought the reactor close to Region A, but did not cause entry into the region.

3. Accuracy of Statements

Licensee personnel made a statement during the 5/30/97 open, public meeting that other transients would also cause entry into the prohibited region of the power-toflow map. This statement was later found to need further clarification in that for the most recent operating cycle there were no other feedwater pump trip transients which would cause entry into the prohibited region of the power-to-flow map. This was identified during the Jones followup inspection on 6/23-26/97.

Licensee personnel also responded to direct questions during the 5/30/97 meeting that a RFP trip from operation at the 100% rod line would not result in entry into the prohibited region. RIV staff disagreed with this position during the meeting. Based on the licensee's core operating limits report and abnormal operating procedures reviewed during the followup inspection, the plant would have entered Region A of the pow-to-flow map on the 100 % rod line. These two issues were discussed with J. Swailes during the followup inspection.

#### 4. Fulfillment of Independent Evaluation Team Charter

During the 5/30 meeting, the NRC brought out that the Independent Evaluation Team (IET) did not appear to fulfill its charter in that significant questions raised by the IET had not been resolved. 5. Formal Communications

Even though the questions in the NRC's 6/4/97 meeting summary had been discussed at the time of issuance of the letter, licensee personnel did not recognize the need to provide a written response. The response was provided after the arrival of W. Jones onsite. The final response was not provided until 6/25 (three days after the start of the followup inspection). Background information was provided on Monday morning at the start of the inspection.

6. Inspection Trip Coordination

Trip to WNP-2 to resolve issues as early as possible was found to be unnecessary and nonproductive.

7. Formal Communications

During the W. Jones followup inspection, Jones had to work with partial responses to the questions because the licensee had not completed the work for all questions prior to Jones' arrival on-site. The initial responses were draft which required almost exclusive use of the background information to resolve issues until the final document was provided. While review of the background information was necessary, the delay in the final document reduced the inspection efficiency.

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#### COMMON THEMES

- Α. Concern - The licensee appears not to understand the need to allow sufficient time for NRC review of license or TS amendments in its schedule.
  - Late request for ISI weld inspection relief the licensee submitted relief request on 2/19/97 for approval by 4/17/97, but noted that approval by 3/17/97 would result in cost savings by reduction of resources for performance of the inspections; the need to conduct the inspections or seek relief was known a year earlier; the normal time for the submission of ISI relief requests is about 6 months prior to the time approval is needed
  - Information was provided late for completion of the MCPR TS amendment review and then there were discussions of why the NRC was holding up startup; significant NRC overtime resources used to process TS amendment
  - During the NRC's review of the licensee's response time testing program with the NRC position being finalized, the licensee appeared to do little advance planning in anticipation of the need for a Notice of Enforcement Discretion or explore other regulatory means to comply with the staff's position.
- Concern The licensee appears in some instances not to place a high priority on support of NRC inspections.
  - W. Jones arrived at WNP-2, but the licensee was not prepared to support his inspection
  - The licensee's final response to questions related to the RFP event was provided on 6/25/97, 3 days after the start of the followup inspection.
  - M. Tschiltz communicated documentation needs in support of an inspection of the high pressure core spray system approximately 3 weeks before the inspection; however, information was not provided to him until his arrival onsite and after discussions with the system engineer.
- C. Concern - The licensee does not effectively integrate regulatory schedules with actual plant operations.
  - During the W. Jones RFP inspection, the date for submittal of the written responses to the meeting summary questions was postponed several times (beyond the originally proposed startup date). NRC inspection plans were based on the projected restart schedule. There appeared to be a weakness in estimating the engineering resources needed to complete the evaluation.
  - During the NRC's review of the ASD amendment last year, personnel on the licensing staff indicated a need for the amendment by June 1, 1996. It was several days after June 1 that the plant actually restarted.

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During NRC's review of the licensee's response time testing amendment, licensing personnel indicated that the amendment was needed by June 2, 1997, or TS surveillances would be missed. The actual date that the amendment was needed was June 11, 1997.

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- D. Concern The licensee appears not to recognize the need for accurate and formal communications in some instances in support of resolution of regulatory issue.
  - Partial and draft information provided to support early NRC review without apparent appreciation for need to provide the information formally (RFP and core performance inspections).
  - Information provided in the May 30. 1997, RFP meeting was later shown to need clarification as to its limitations or was shown to be wrong.
  - During a meeting in October 1996, on response time testing, the licensee claimed that the proposed response time testing was a alternative form of testing rather than an "elimination" of the testing. The 50.59 evaluation for the proposed testing described the testing as being "elimination" of the sensor.
- E. Concern In some instances communication of NRC issues did not appear to be fully effective in that issues did not appear to be well understood by licensee management even when briefings are provided to the licensee's staff by the NRC inspectors.
  - NRC staff concerns on MCPR limits discussed during the exit briefing appeared to be not understood by licensee management, even after NRC briefings were conducted.
  - The NRC staff received comments that some issues related to the core performance inspections were outside the inspection scope and should be covered as a special inspection.
  - During the corrective actions inspection, inspector statements were attributed which implied a negative comparison between other plants and WNP-2 and other broad negative comments. These were attributed during discussions between the inspector and plant management.
- F. Concern The licensee appears to be reactive to NRC concerns rather than proactive in determining the course of action to take and then advising the NRC.
  - Response time testing the licensee appeared to be waiting until the NRC declared the position in writing before initiating actions for resolution; several discussions were conducted to notify licensee managers of the potential NRC position being finalized.

- RCIC downgrade licensee appeared to wait until NRC declared that the RCIC system had been improperly downgraded before initiating actions for resolution.
- Power Uprate The engineering problems revealed in the A/E inspection and the RFP event related to the power uprate should have demonstrated to the licensee the need for additional review of the cavitation interlock and other interlocks affected by the power uprate modification. It appeared that corrective actions were not focused on this issue until questions were raised by the NRC.

# NRC AND WASHINGTON PUBLIC POWER SUPPLY SYSTEM

# REGULATORY INTERFACE WORKSHOP - JULY 31 1997

#### COMMON THEMES

- A. Concern The licensee appears not to understand the need to allow sufficient time for NRC review of license or TS amendments in its schedule.
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  - Information was provided late for completion of the MCPR TS amendment review and then there were discussions of why the NRC was holding up startup; significant NRC overtime resources used to process TS amendment
  - During-the NRC's-review-of-the-licensee's-response-time-testing-program with-the-NRC-position-being-finalized, the-licensee-appeared-to-do-little advance-planning-in-anticipation-of-the-need-for-a-Notice-of-Enforcement Discretion-or-explore-other-regulatory-means-to-comply-with-the-staff's position-
  - The Supply System agrees that it needs to be more aware of regulatory time constraints and processing requirements with regard to license and/or TS amendments when developing implementation schedules.

2. The Supply System is aware that regulatory time constraints are important and should be incorporated into our planning. This problem will be addressed, but will not be solved in the near term. Siemens Safety Limit, for example, will challenge regulatory time processing requirements.

 Suction Strainers also create unique challenges, but may not have to be reviewed under 18 months depending upon Position taken by NRC relative to Utility Resolution Guidance document.

4. We would propose to meet with the NRC periodically to review our long range plans to discuss potential licensing impacts.

- B. Concern The licensee appears in some instances not to place a high priority on support of NRC inspections.
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- 3. When Good Communication occurs regarding need to accommodate workloads and schedule, both parties are better served. For example, postponement of a recent follow-up inspection until after plant start-up allowed better Supply System support for inspector needs.
- 4. The NRC six month inspection schedule provides limited insight into future inspection activity. For example, the recent inspection on surveillance testing was not on the six month schedule and required Supply System support on short notice.
- C. Concern The licensee does not effectively integrate regulatory schedules with actual plant operations.
  - During the W. Jones RFP inspection, the date for submittal of the written responses to the meeting summary questions was postponed several times (beyond the originally proposed startup date). NRC inspection plans were based on the projected restart schedule. There appeared to be a weakness in estimating the engineering resources needed to complete the evaluation.
  - During the NRC's review of the ASD amendment last year, personnel on the licensing staff indicated a need for the amendment by June 1, 1996. It was several days after June 1 that the plant actually restarted.
  - During-NRC's review-of-the-licensee's-response-time-testing-amendment, licensing-personnel-indicated that-the-amendment-was-needed-by-June-2, 1997, or TS-surveillances-would-be-missed...The-actual-date-that-the amendment-was-needed-was-June-11, 1997.
  - 1. The Supply System agrees that in some instances it has not effectively correlated scheduling regulatory activities with actual plant operations. The

Supply System recognizes the need to become more accurate in projecting the WNP-2 plant restart date when it impacts NRC resources.

- D. Concern The licensee appears not to recognize the need for accurate and formal communications in some instances in support of resolution of regulatory issue.
  - Partial and draft information provided to support early NRC review without apparent appreciation for need to provide the information formally (RFP and core performance inspections).
  - Information provided in the May 30. 1997, RFP meeting was later shown to need clarification as to its limitations or was shown to be wrong.
  - During-a meeting-in-October-1996, on-response-time-testing, the-licensee olaimed-that-the-proposed-response-time-testing-was-a-alternative-form-of testing-rather-than-an-"elimination"-of-the-testing. The-50.59-evaluation for the-proposed-testing-described-the-testing-as-being-"elimination"-of-the sensor.

1. The Supply System does recognize the need for accurate and, where appropriate, formal communications. The Supply System does not believe, however, that the information provided during the May 30 meeting was inaccurate. Oral communication on complex issues needs to be frequent and interactive to assure that communication on such issues has been effective and has assured a mutual understanding of the intended message.

- E. Concern In some instances communication of NRC issues did not appear to be fully effective in that issues did not appear to be well understood by licensee management even when briefings are provided to the licensee's staff by the NRC inspectors.
  - NRC staff concerns on MCPR limits discussed during the exit briefing appeared to be not understood by licensee management, even after NRC briefings were conducted.
  - The NRC staff received comments that some issues related to the core performance inspections were outside the inspection scope and should be covered as a special inspection.
  - During the corrective actions inspection, inspector statements were attributed which implied a negative comparison between other plants and WNP-2 and other broad negative comments. These were attributed during discussions between the inspector and plant management.

- 1. Issues need to be raised for discussion at the earliest possible time. The "formulation of issues" process should always include an opportunity; for discussion with the other party.
- 2. Not all issues can be resolved to a point of mutual satisfaction, however, when issues are contested, each party should have a good understanding of the basis for the position taken by the other party. An effort for timely resolution of an issue identified during the MCPR inspection was diminished when the fuel vendor traveled to Washington DC and was not afforded an opportunity to meet with NRR personnel.
- F. Concern The licensee appears to be reactive to NRC concerns rather than proactive in determining the course of action to take and then advising the NRC.
  - Response-time-testing—the-licensee-appeared to be waiting-until-the-NRC declared-the-position-in-writing-before-initiating-actions-for-resolution;-several discussions-were-conducted-to-notify-licensee-managers-of-the-potential-NRC position-being-finalized.--
  - RCIC downgrade licensee appeared to wait until NRC declared that the RCIC system had been improperly downgraded before initiating actions for resolution.
  - Power Uprate The engineering problems revealed in the A/E inspection and the RFP event related to the power uprate should have demonstrated to the licensee the need for additional review of the cavitation interlock and other interlocks affected by the power uprate modification. It appeared that corrective actions were not focused on this issue until questions were raised by the NRC.

1. The Supply System agrees that it is not proactive enough and can improve in this area. However, certain information provided during event investigation and analysis is preliminary and needs to be treated as such until complete information is developed. The Supply System believes that successful interactions with the NRC have permitted the avoidance of actions which may have otherwise drained important regulatory and corporate resources. For example preliminary information from security incidents are shared with the NRC prior to any formal reporting process or investigation completion. This enhances confidence in the Supply System's ability to resolve problems in a timely fashion. ENCLOSURE 3

## CRITICAL PROBLEM STATEMENT

The Supply System implemented the guidance of NEDO-32291 and the associated NRC safety evaluation using the 10CFR50.59 process instead of the Technical Specification (TS) amendment process. This resulted in a failure to meet the Technical Specification requirements.

#### TIME LINE

#### June 1995

The NRC issued TS Amendment 139 to WNP-2 to relocate response time limit tables from the TS to the FSAR in accordance with GL 93-08.

#### December 1995

The Supply System ITS submittal dockets the intent to implement NEDO-32291 under 10CFR50.59.

#### March 1996

WNP-2 implemented a change in the method used to verify compliance with Technical Specification surveillance requirements for response times in accordance with the provisions of 10CFR50.59 following the NRC approved guidance in NEDO-32291.

#### <u>July 1996</u>

NRC Draft SE for the ITS acknowledges acceptance of implementation under 50.59.

#### August 1996

The NRC staff expresses concern about implementation of the NEDO without prior approval.

#### September 1996

The NRC staff conducts a special inspection at WNP-2 regarding the implementation of NEDO-32291 without prior NRC approval. Issues left unresolved at the end of the inspection included:

- 1. Could the Supply System legally implement the change in the methods used to perform response time tests under the provisions provided by 50.59?
- 2. Was the change in method actually an elimination of a test required by the Technical Specification?
- 3. Could the Supply System move information contained in the FSAR to other licensee controlled documents (LCS)?
- 4. Could the change to qualitative testing be made to components not specifically included in the NEDO?

5. Was the 50.59 adequate and accurate in the determination that there was no unreviewed safety question?

#### October 1996

NRC and Supply System management and technical personnel meet at NRR to review the RTT verification program in more detail, including implementation of the NEDO.

#### November 1996 to March 1997

Meetings and other conversations were conducted between the Supply System and the staff, each party attempting to clarify why the action taken in implementing the NEDO was or was not acceptable.

Although stated as a goal in the October 4 meeting by both parties, an agreement is not reached on appropriate wording for inclusion in the ITS.

#### March 1997

The NRC notified the Supply System that the approach used in implementation of the NEDO was not in accordance with the Technical Specification.

The Supply System requested and received the NOED. This was followed by a request for amendment to the Technical Specification requesting NRC approval of the implementation of the NEDO.

#### April 1997

The NRC requested and the Supply System provided additional information in support of the Technical Specification amendment request.

#### <u>Mav 1997</u>

An NRC OI investigation was initiated into potential wrong doing associated with the implementation of the NEDO under the provisions of 50.59.

#### June 1997

The NRC approved the amendment request. In transmitting Amendment 150 the NRC noted that the need for the additional information was based on inadequate submittals and that this had delayed the subsequent approval of the request.

#### ISSUES THAT CONTRIBUTED TO COMMUNICATION DIFFICULTIES

As the inspectors left site following the September 1996 Special Inspection, they indicated that no conclusions had been reached and that there were no safety concerns. The Supply System was told that an exit meeting would be held prior to issuing the inspection report. To date, the NRC has not held an exit meeting or issued an inspection report for the inspection conducted in September 1996.

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The NRC stated that because the NEDO clearly stated that a license amendment would be necessary, that the WNP-2 Technical Specification amendment request would have to be approved prior to implementation of the NEDO. The Supply System believed the "clarity" of the need for an amendment was negated by the relocation of the pages that were to be changed from the Technical Specifications to the FSAR.

In December 1996, the RTT changes to reflect implementation of the NEDO were withdrawn from the ITS in Rev C, as requested by the NRC staff. There was not sufficient time to review the RTT change as part of the ITS review. The fact that the Supply System did not have documentation prepared to resolve the RTT issue in the November 1996 to March 1997 timeframe appeared to disappoint Region IV NRC staff.

The NRC stated their opinion of the Supply System performance in response to the NRC requests. The original submittal had been developed using the guidance provided by the NEDO and the NRC SER for the NEDO and very closely followed submittals from plants that had received NRC approval of NEDO implementation. The additional information requested had not been requested of other plants and was not discussed in the NEDO. The Supply System failed to submit the information in the original request because it was not recognized that this information would be required to support the amendment request.

The Supply System has not been provided feedback concerning the findings of the NRC OI investigation.

#### **COMMON THEMES**

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There appear to be significantly more issues that are viewed by the staff as unreviewed safety questions than was previously true.

The staff positions on issues scem to vary significantly from plant to plant and Region to Region. We go to other plants or read about issues at other plants that are handled differently elsewhere.

The WNP-2 annual refueling outage poses some unique challenges to our relationship.

#### SUCCESSES

- Debris Filters
- ASD Amendment Request
- ITS Amendment Request -
- Containment Flange Issue
- Keep Fill Pumps

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