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 FACIL:50-397 WPPSS Nuclear Project, Unit 2, Washington Public Powe 05000397  
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 HOWELL,A.T. Region 4 (Post 820201)  
 RECI?NAME RECIPIENT AFFILIATION  
 PARRISH,J.V. Washington Public Power Supply System

SUBJECT: Forwards insp rept 50-397/97-13 on 970715-0802 & notice of violation.Insp involved follow up of 25 open items including 4 violations & 8 unresolved items.Three violations adequately addressed.

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
811 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON TEXAS 76011-8064

February 9, 1998

EA 97-573  
EA 97-612

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

**SUBJECT: NRC INSPECTION REPORT 50-397/97-13, NOTICE OF VIOLATION AND EXERCISE OF ENFORCEMENT DISCRETION**

Dear Mr. Parrish:

An NRC inspection was conducted July 15 through August 2, 1997, at your Washington Nuclear Project-2 reactor facility. Additional inspection was conducted in the NRC Region IV office. An additional exit meeting that provided the final results of this inspection were conducted by telephone on January 12, 1998, with Mr. P. Bemis and other members of your staff. The enclosed report presents the scope and results of that inspection.

This inspection involved follow up of 25 open items including 4 violations and 8 unresolved items. Your staff had taken adequate corrective actions for 3 of the violations. However, we are concerned with your corrective actions taken with regard to the violation that involved an inadequate corrective action. Specifically, your staff did not take adequate corrective action with respect to assuring that all plant operators completed the required reading regarding a fire protection issue. This issue was identified in 1995 and was reviewed by the NRC in 1996. At that time, a violation was cited for inadequate corrective actions when it was determined that the required reading was not completed for all the operators. In this inspection, it was found that this condition continued when it was again found that the required reading had not been completed for all operators. This continuing problem was identified as a violation as discussed below.

Two of the unresolved items were determined to be violations of NRC requirements. The circumstances surrounding these violations are described in detail in the enclosed report. The first violation identified three examples of inadequate corrective actions. This included the example where the corrective actions, involving operator-required reading, was not completed. The second violation involved seven examples of a failure to update your licensing basis as required by 10 CFR 50.71(e). This violation would be classified at Severity Level IV and normally would be cited because it was identified by the NRC. However, the NRC is exercising discretion in accordance with Section VII.B.3 of the Enforcement Policy and is not taking formal enforcement action (EA 97-612). Specifically, the NRC recognizes that you have a

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comprehensive program underway to review and update your Final Safety Analysis Report. This program was described in Letters G02-97-022 dated February 7, 1997, which provided information pursuant to 10 CFR 50.54(f) and G02-97-120 dated June 16, 1997, in response to the open items identified in NRC Inspection Report 50-397/96-201. It is the NRC's view, given the scope and schedule for completing this review, that these Final Safety Analysis Report discrepancies likely would have been identified through your Final Safety Analysis Report review program.

The first violation is cited in the enclosed Notice of Violation (Notice). Please note that you are required to respond to the violation 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 insure compliance with regulatory requirements.

Based on the results of this inspection, two apparent violations were identified (EA 97-573) and are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. The first apparent violation involved the failure to perform an adequate safety evaluation in accordance with the requirements of 10 CFR 50.59. The violation involved the downgrading of the reactor core isolation cooling system from a safety-related system to a non safety-related system without NRC approval. This downgrading may have increased the probability of occurrence of a malfunction of equipment important to safety previously evaluated in the Final Safety Analysis Report and increased the possibility for a malfunction of a different type than any evaluated previously in the Final Safety Analysis Report. Therefore, this downgrade apparently constituted an unreviewed safety question in accordance with the requirements of 10 CFR 50.59.

The second apparent violation involved the failure to maintain the acceptance criteria for the opening stroke-time testing of six reactor core isolation cooling system valves and the failure to maintain inservice testing of Valve RCIC-V-45 as required by 10 CFR 50.55a(f). These failures appear to be the result of the reactor core isolation cooling system downgrading activities.

We have reviewed your Letter G02-97-228, dated December 23, 1997, subject; "WNP2, OPERATING; LICENSE NPF-21, CLARIFICATION OF RCIC SAFETY SYSTEM CLASSIFICATION - RESPONSE TO 96-TIA-005 AND AMENDED RESPONSE TO NRC INSPECTION REPORT 96-11 STAFF COMMENT ON RCIC," and discussed the letter with the NRC program office. As the result of this review and discussions, we concur with your positions that the reactor core isolation cooling system was identified as a nonsafety-related system when utilized for the loss-of-feedwater event, that the reactor core isolation cooling system was not an emergency core cooling system, that the automatic depressurization system is now the single failure backup to the high pressure core spray system, and that the reactor core isolation cooling



system was not the designated coping system for station blackout. However, we also noted that you concluded that the reactor core isolation cooling system was classified as a safety-related system to provide a backup to the high pressure core spray system for the control rod drop design basis event and that approval of the classification downgrade was not docketed by the NRC. We also acknowledge your actions to restore the reactor core isolation cooling system to a safety-related classification.

The circumstances surrounding these apparent violations and the significance of the issues were discussed with members of your staff at the final inspection exit meeting conducted on January 12, 1998. A Notice of Violation is not presently being issued for these inspection findings. Before the NRC makes its enforcement decision, we are providing you an opportunity, within 30 days of the date of this letter, to either (1) respond to the apparent violations addressed in this inspection report or (2) request a predecisional enforcement conference. Please contact Mr. Thomas Stetka at (817) 860-8247 within 7 days of the date of this letter to notify the NRC of your intended action.

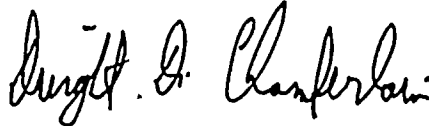
If you decide to respond to the apparent violations, your response should be clearly marked as a "Response to Apparent Violations in Inspection Report 50-397/97-13," and should include: (1) the reason for the apparent violations, or, if contested, the basis for disputing the apparent violations, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response should be submitted under oath or affirmation and may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a predecisional enforcement conference.

In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

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 (if you choose to provide one) will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

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

Sincerely,



fr Arthur T. Howell III, Director  
Division of Reactor Safety

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

Enclosures:

1. Notice of Violation
2. NRC Inspection Report  
50-397/97-13
3. Letter G02-97-228, dated December 23, 1997

cc w/enclosures:

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Washington Public Power Supply System -5-

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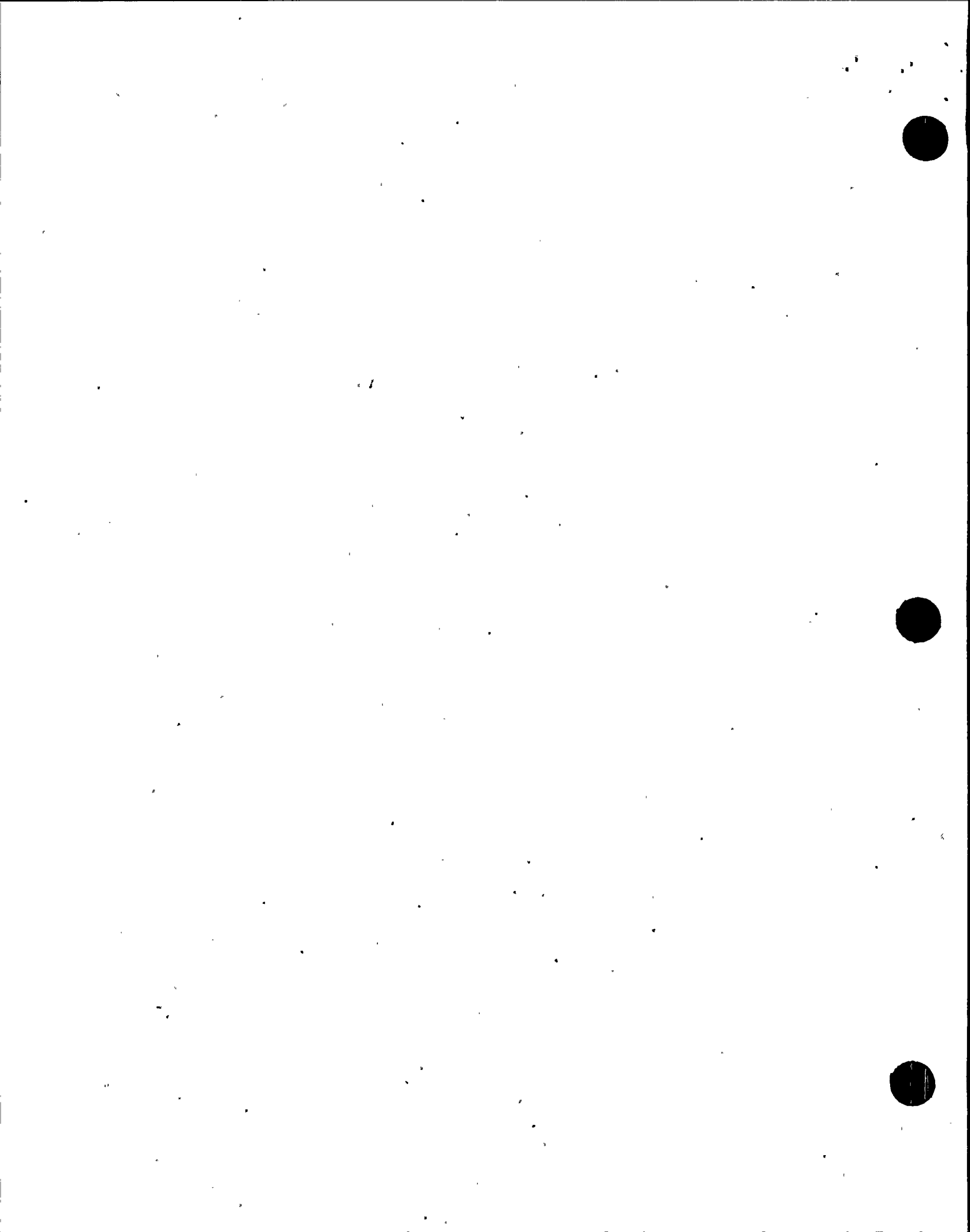
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