



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064

APR 3 1995

Arizona Public Service Company  
ATTN: William L. Stewart  
Executive Vice President, Nuclear  
P. O. Box 53999  
Phoenix, Arizona 85072-3999

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR ARIZONA PUBLIC SERVICE COMPANY  
(APS) REGARDING PALO VERDE NUCLEAR GENERATING STATION UNIT 1  
(NOED TRACKING 95-4-0002)

By letter dated March 30, 1995, APS requested that the NRC exercise enforcement discretion not to enforce compliance with the actions required in Technical Specification (TS) 3.8.4.1 related to containment penetration overcurrent protection devices. That letter documented information previously discussed with the NRC in a telephone conversation on March 30, 1995, at 10 a.m. (MST). You requested that a NOED be issued and be effective until April 4, 1995, at 2 p.m. (MST), at which time Unit 1 will be in cold shutdown with TS 3.4.8.1 no longer applicable.

APS stated that the need for this NOED occurred when, during performance of a design bases evaluation of electrical penetrations, it was discovered that certain penetrations did not have the required backup overcurrent protection. The need for an NOED arises now based on the desire not to deenergize these 34 circuits while in Mode 4 during the shut down of Unit 1 for its refueling outage scheduled to begin on April 1. The plan for Unit 1 to be in Mode 4 to perform steam generator cleaning at elevated temperatures necessitated an extension of the time (42 hours) for the plant to be in cold shutdown. Based on our telephone discussions, we understand that these 34 circuits have at least one installed overcurrent protective device. We understand that you have committed to take steps to minimize work activities which could cause a fault in these circuits during the time of the NOED. In addition, you state that a shift briefing will be conducted of the potential affects of an overcurrent event on the circuits and that a PRA evaluation of the situation of extending the time to achieve cold shutdown has concluded that this situation is of low risk.

The staff has evaluated your proposal and accepts the arguments provided in support of the request. The benefits of performing steam generator chemical cleaning are greater than the risk associated with potential electrical faults that could result in penetration damage while in Mode 4. Alternative approaches to modify the protection circuitry at power to support the extended shutdown or require an undesirable thermal transient to comply with the TS before steam generator chemical cleaning were not considered viable risk options.

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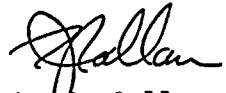
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On the basis of the staff's evaluation of your request, the conduct of shift briefings, and the actions to minimize work activities which could cause an electrical fault, the staff has concluded that the exercise of enforcement discretion is warranted because we are clearly satisfied that this action involves minimal or no safety impact and has no adverse impact on public health and safety. Therefore, it is our intention to exercise discretion not to enforce compliance with TS 3.8.4.1 until April 4, 1995, 2 p.m. (MST). This letter documents our telephone conversation on March 31, 1995, 12 noon (MST), when we orally issued this notice of enforcement discretion.

However, as stated in Appendix C to 10 CFR Part 2, enforcement action will normally be taken, to the extent that violations were involved, for the root cause that led to the noncompliance for which this discretion was used.

Sincerely,



L. W. Callan  
Regional Administrator

Docket: 50-528  
License: NPF-41

cc:  
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Phoenix, Arizona 85007

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ATTN: T. E. Oubre, Esq.  
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Rosemead, California 91770

Arizona Radiation Regulatory Agency  
ATTN: Aubrey V. Godwin, Director  
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Maricopa County Board of Supervisors  
ATTN: Chairman  
111 South Third Avenue  
Phoenix, Arizona 85003

Arizona Public Service Company

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Palo Verde Services  
ATTN: Curtis Hoskins, Executive  
Vice President and  
Chief Operating Officer  
2025 N. 3rd Street, Suite 220  
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Akin, Gump, Strauss, Hauer and Feld  
El Paso Electric Company  
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Arizona Public Service Company  
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bcc to DMB (IE51) *1/10*

bcc distrib. by RIV:

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