

# CATEGORY 1

## REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR: 9701270102    DOC. DATE: 97/01/20    NOTARIZED: NO    DOCKET #  
FACIL: 50-400 Shearon Harris Nuclear Power Plant, Unit 1, Carolina    05000400  
AUTH. NAME    AUTHOR AFFILIATION  
ROBINSON, W.R.    Carolina Power & Light Co.  
RECIP. NAME    RECIPIENT AFFILIATION  
Document Control Branch (Document Control Desk)

SUBJECT: Responds to NRC 961220 ltr re violations noted in insp rept  
50-400/96-10. Corrective actions: submitted proposed amend to  
TS 3/4.7.5 re ultimate heat sink, reviewed other active TS  
interpretations & revised Procedure AP-107.

DISTRIBUTION CODE: IE01D    COPIES RECEIVED: LTR 1 ENCL 1 SIZE: 4  
TITLE: General (50 Dkt)-Insp Rept/Notice of Violation Response

NOTES: Application for permit renewal filed.    05000400

	RECIPIENT		COPIES		RECIPIENT		COPIES		
	ID	CODE/NAME	LTTR	ENCL	ID	CODE/NAME	LTTR	ENCL	
	PD2-1	PD	1	1	LE,N		1	1	O
INTERNAL:	ACRS		2	2	AEOD/SPD/RAB		1	1	Y
	AEOD/TTC		1	1	DEDRO		1	1	
	FILE CENTER		1	1	NRR/DISP/PIPB		1	1	
	NRR/DRCH/HHFB		1	1	NRR/DRPM/PECB		1	1	1
	NRR/DRPM/PERB		1	1	NUDOCS-ABSTRACT		1	1	
	OE DIR		1	1	OGC/HDS2		1	1	
	RGN2	FILE 01	1	1					D
EXTERNAL:	LITCO BRYCE, J H		1	1	NOAC		1	1	O
	NRC PDR		1	1					C
									U
									M
									E
									N
									T

NOTE TO ALL "RIDS" RECIPIENTS:  
PLEASE HELP US TO REDUCE WASTE! CONTACT THE DOCUMENT CONTROL DESK,  
ROOM OWFN SD-5 (EXT. 415-2083) TO ELIMINATE YOUR NAME FROM  
DISTRIBUTION LISTS FOR DOCUMENTS YOU DON'T NEED!

TOTAL NUMBER OF COPIES REQUIRED: LTTR 19 ENCL 19



Carolina Power & Light Company  
PO Box 165  
New Hill NC 27562

William R. Robinson  
Vice President  
Harris Nuclear Plant

JAN 20 1997

SERIAL: HNP-97-008  
10 CFR 2.201

United States Nuclear Regulatory Commission  
ATTENTION: Document Control Desk  
Washington, DC 20555

SHEARON HARRIS NUCLEAR POWER PLANT  
DOCKET NO. 50-400/LICENSE NO. NPF-63  
REPLY TO NOTICE OF VIOLATIONS (NRC INSPECTION REPORT NO. 50-400/96-10)

Dear Sir or Madam:

Attached is Carolina Power & Light Company's reply to the Notice of Violations described in Enclosure 1 of your letter dated December 20, 1996.

Questions regarding this matter may be referred to Ms. D. B. Alexander at (919) 362-3190.

Sincerely,

MGW

Attachment

c: Mr. J. B. Brady (NRC Resident Inspector, HNP)  
Mr. N. B. Le (NRR Project Manager, HNP)  
Mr. L. A. Reyes (NRC Regional Administrator, Region II)

9701270102 970120  
PDR ADDCK 05000400  
Q PDR

1/1  
1001

**REPLY TO NOTICE OF VIOLATIONS  
NRC INSPECTION REPORT NO. 50-400/96-10**

**Reported Violation A:**

10 CFR 50, Appendix B, Criterion XVI requires that measures be established to assure that conditions adverse to quality such as deficiencies, deviations, and nonconformances are promptly identified and corrected. These requirements are further delineated in Section 12 of the licensee's corporate Quality Assurance Program Manual, Revision 18 and in Administrative Procedure AP-615, Condition Reporting, Revision 20.

10 CFR 50.36 defines Limiting Conditions for Operation as the lowest functional capability or performance levels of equipment required for safe operation of the facility.

Contrary to the above, from June 28, 1995 to October 12, 1996, the licensee failed to promptly correct a condition adverse to quality related to the discovery that the Ultimate Heat Sink Technical Specification Limiting Condition for Operation values was inadequate to provide adequate emergency service water system flow for safe operation of the facility. Instead of promptly submitting a Technical Specification change, the licensee established an administrative limit to replace the inadequate Ultimate Heat Sink Limiting Condition for Operation value.

This is a Severity Level IV violation (Supplement I).

**Denial or Admission of Violation:**

The violation is admitted.

**Reason for the Violation:**

Although an administrative limit was implemented with a Technical Specification Interpretation (TSI 95-003), the required Technical Specification change was not adequately prioritized with other work and was not promptly submitted to the NRC.

**Corrective Steps Taken and Results Achieved:**

A proposed amendment to Technical Specification 3/4.7.5, "Ultimate Heat Sink," was submitted to the NRC on October 31, 1996 which reduces the maximum allowable water temperature from 95°F to 94°F and increases the minimum main reservoir level from 205.7 feet to 215 feet.

Other active Technical Specification Interpretations (TSI) were reviewed to determine if similar conditions existed. One (1) additional instance was found in which a TSI implemented a more conservative value for the Limiting Condition of Operation than the Technical Specification. TSI 94-002 implements a greater power reduction and lower reactor trip setpoints for power range neutron flux for continued operation with inoperable main steam safety valves. This TSI was implemented in response to Westinghouse Nuclear Safety Advisory Letter 94-001 and NRC Information Notice 94-60.

The applicable sections of NRC Inspection Report 50-400/96-10 regarding this violation have been reviewed by Harris Licensing personnel. The requirements of 10 CFR 50.36 and expectations regarding the use and limitations for TSIs have been discussed with the Harris Licensing personnel. Completion of these actions for Licensing personnel currently on leave will be accomplished upon their return to work.

Procedure AP-107, "Technical Specification Interpretations," has been revised to clarify the purpose and limitations of TSIs. TSIs may be used to impose more conservative limiting conditions of operations as an interim measure to prevent operating the plant in a condition that is outside design basis. However, if the current LCO does not meet the requirements of 10 CFR 50.36, a license amendment request shall be prepared and submitted to the NRC within 60 days.

Corrective Steps That Will Be Taken to Avoid Further Violations:

A proposed amendment to Technical Specification 3/4.7.1, "Turbine Cycle Safety Valves," which decreases the maximum allowable power range neutron flux reactor trip when operating with inoperable main steam safety valves will be submitted to the NRC by February 28, 1997.

Date When Full Compliance Will Be Achieved:

Full compliance with Appendix B Criterion XVI with regard to LCOs or proposed LCOs meeting the requirements of 10 CFR 50.36 will be achieved with the submittal of the proposed amendment to Technical Specification 3/4.7.1. Submittal to the NRC is expected by February 28, 1997.

Reported Violation B:

10 CFR 50.71(e) states that the Final Safety Analysis Reports shall be updated annually or six months after each refueling outage. The revision must reflect all changes up to a maximum of 6 months prior to the date of filing.

Contrary to the above, on April 12, 1996, the licensee failed to submit an adequate FSAR update related to the emergency service water system and ultimate heat sink. FSAR Amendment 46 updated ultimate heat sink temperatures and minimum emergency service water system component flows but did not state that when using the main reservoir these values were predicted on level being at least 215 feet. The FSAR and Technical Specification 3.7.5 state that the minimum main reservoir level for safe operation of the facility is 205.7 feet.

This is a Severity Level IV Violation (Supplement I).

Denial or Admission of Violation:

The violation is admitted.

Reason for the Violation:

FSAR Section 2.4.11.7, Heat Sink Dependability Requirements, was viewed as a description of the minimum reservoir volume required to ensure adequate heat removal after a design basis accident. The description has included a reservoir level, 205.7 feet, required to ensure adequate volume in the main reservoir, since initial development. FSAR Sections 9.2.1, Service Water System, and 9.2.5, Ultimate Heat Sink describe other features of the systems required to ensure safe shutdown, including component flow rates and maximum allowable temperatures. Although the minimum required levels for the Main or Auxiliary Reservoirs are not included in these sections, the sections contain inference to FSAR section 2.4.11 for allowable minimum flows and levels. The failure to update Section 2.4.11 to include the revised reservoir levels prior to issuance of FSAR Amendment 46 was an oversight by engineering and regulatory affairs to ensure internal consistency in the FSAR.

Corrective Steps Taken and Results Achieved:

An FSAR change request (RAF 2180) was processed and approved on October 22, 1996, which revised Section 2.4.11 to include the Ultimate Heat Sink minimum level of 215 feet.

Corrective Steps That Will Be Taken to Avoid Further Violations:

The Harris Plant FSAR Improvement Plan review as presented to the NRC staff on May 30, 1996 and on August 22, 1996 is continuing. The plan includes reinforcement of expectations regarding the use and accuracy of the FSAR, performance of initial reviews of FSAR sections by knowledgeable individuals, and selected detail reviews. The initial FSAR reviews are expected to be complete by September 1, 1997.

Date When Full Compliance Was Achieved:

Full compliance was achieved on October 22, 1996 when the revision to FSAR Section 2.4.11 was approved.