

February 9, 1995

NOED 95-2-004

Carolina Power & Light Company
ATTN: Mr. W. R. Robinson
Vice President - Harris Plant
Shearon Harris Nuclear Power Plant
P. O. Box 165, Mail Code: Zone 1
New Hill, NC 27562-0165

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) FOR CAROLINA POWER AND LIGHT (CP&L) COMPANY REGARDING SHEARON HARRIS NUCLEAR POWER PLANT

Gentlemen:

Your letter dated February 7, 1995, documented your oral request that the NRC exercise discretion not to enforce compliance with the actions required in the following Technical Specification (TS):

TS 3.3.1, Table 3.3-1, "Reactor Trip System Instrumentation", to permit the automatic trip logic to remain in the bypass condition for up to 12 hours per train in lieu of the specified 2 hours per train.

TS 3.3.2, Table 3.3-3, "Engineered Safety Features Actuation System Instrumentation", all Actions to permit all Engineered Safety Feature (ESF) related items and Actions to be extended 10 days with individual actuation system logic allowed to remain in the bypass condition for up to 12 hours per train in lieu of the specified 2 hours per train.

This NOED was requested to implement and test modifications to provide electrical isolation between the Class I solid state protection system (SSPS) power supplies and the anticipatory turbine trip channels.

Information was previously discussed with the NRC in telephone conversations on February 7, 1995, at 11:00 a.m. and 12:15 p.m. At 10:55 a.m., you declared both trains of solid state protection system (SSPS) inoperable and entered the appropriate action for TS 3.3.2. You requested that a NOED be issued and be effective for the period 10:55 a.m. on February 7, 1995, until 10:55 a.m. on February 17, 1995.

The description of the events leading up to the request for a NOED involved the notification to CP&L by the NRC on February 2, 1995, of a potential vulnerability that had been identified in the industry with respect to damaging the SSPS power supplies following a main steam line break (MSLB). After a review was conducted, CP&L proposed to implement a design change to eliminate this potential vulnerability. During the period of the NOED, we understand that the following compensatory measures are or will be taken:

1. The design change will be performed only on one channel of one train of the SSPS at a time. This will provide assurance that at

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- least one train of SSPS would perform its required function to mitigate the consequences of postulated accidents.
- 2. Optional train-related maintenance and surveillance testing will be minimized, and suspended when possible, until implementation of the modification.
- 3. Plant evolutions significant to risk will be avoided.
- 4. An Operations Order was prepared describing the condition and the proper implementation of the emergency procedure for responding to a MSLB that effects the SSPS. The operators on shift will be briefed on the scenario of concern, how to identify the scenario, and mitigating actions to take.
- 5. Activities on the turbine deck that could result in damage to the steam lines (such as movement of loads over the high pressure turbines) will be restricted until implementation of the above mentioned design change.
- 6. Lessons learned from the Salem modification installation will be reviewed and incorporated into the Harris modification implementation.

The NRC staff accepts the safety rationale of the consequences of the proposed actions provided in your enclosed letter, and concurs that you have satisfied explicit criteria in the Enforcement Policy (10 CFR Part 2, Appendix C, Section VII.C) for an operating plant, in that approval of your request will minimize the potential safety consequences of unnecessary plant transients and the accompanying operational risks and impacts associated with continued operation.

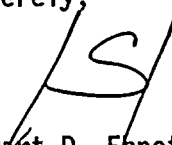
On the basis of the staff's evaluation of your request, including the compensatory measures as previously stated, the staff concluded that the issuing of enforcement discretion was warranted because we are satisfied that this action involves minimal or no safety impact and, thereby, has no adverse impact on public health and safety. Therefore, it is our intention to exercise discretion not to enforce compliance with TS 3.3.1, Table 3.3-1 and TS 3.3.2, Table 3.3-3 for the period from 10:55 a.m. on February 7, 1995, until 10:55 a.m. on February 17, 1995, or until the modification is completed, whichever is shorter. It is also our intention to permit the automatic logic to remain in the bypass condition for up to 12 hours per train in lieu of the specified 2 hours per train during this 10 day period. This letter documents our telephone conversation on February 7, 1995, at 12:15 p.m. between W. Robinson, CP&L, and E. Merschoff, NRC.

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However, as stated in 10 CFR Part 2, Appendix C, 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,



Stewart D. Ebneter
Regional Administrator

Docket Nos. 50-400
License Nos. NPF-63
NOED 95-2-004

Enclosure: CP&L Letter dated
February 7, 1995

cc w/encl: H. W. Habermeyer, Jr.
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cc w/encl: (cont'd - See page 4)

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