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       50-260 Browns Ferry Nuclear Power Station, Unit 2, Tennessee      05000260  
       50-296 Browns Ferry Nuclear Power Station, Unit 3, Tennessee      05000296  
 AUTH. NAME      AUTHOR AFFILIATION  
 REYES, L.A.      Region 2 (Post 820201)  
 RECIP. NAME      RECIPIENT AFFILIATION  
 ZERINGUE, O.J.      Tennessee Valley Authority

SUBJECT: Closes apparent violation EEI 260,296/97-10-04 re insp rept  
 50-259/97-10, 50-260/97-10 & 50-296/97-10 on 971025.

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November 26, 1997

EA 97-475

Tennessee Valley Authority  
ATTN: Mr. O. J. Zeringue, Chief  
Nuclear Officer and  
Executive Vice President  
6A Lookout Place  
1101 Market Street  
Chattanooga, Tennessee 37402-2801

SUBJECT: EXERCISE OF ENFORCEMENT DISCRETION  
(NRC INSPECTION REPORT NO. 50-259, -260, -296/97-10)

Dear Mr. Zeringue:

On October 25, 1997, the Nuclear Regulatory Commission (NRC) completed an inspection at your Browns Ferry facility. You were informed of the inspection findings in an exit interview conducted on October 28, 1997. The results of that inspection were documented in NRC Inspection Report No. 50-259, -260, -296/97-10 issued on November 24, 1997.

During the inspection, the NRC examined Tennessee Valley Authority's (TVA) review of procedural controls for containment isolation valve (CIV) alignments. On May 12, 1997, TVA identified that plant operating procedures permitted purging or inerting of the drywell and the suppression chamber simultaneously. In this condition, a single failure in the common power supply to the inboard CIVs in these lines, with both valves open, could result in a bypass path such that steam from a design basis loss of coolant accident (LOCA) would not be directed under the suppression chamber water surface. For this postulated event, containment pressure could exceed the design pressure of 62 psig.

Based on the information developed during the inspection, the NRC has determined that a violation of NRC requirements occurred. 10 CFR 50, Appendix B, Criterion III, Design Control, requires that measures shall be established to assure that the design basis of safety-related systems is correctly translated into procedures. In this case, the requirements of Appendix B, Criterion III, were not met due to your failure to place procedural restrictions on the operation of two primary CIVs associated with the containment purge path to ensure that the pressure suppression function of the containment was not degraded. A violation involving a safety-related system which is unable to perform its intended safety function under certain conditions is generally characterized as a Severity Level III violation in accordance with the "General Statement of Policy and Procedures for Enforcement Actions" (Enforcement Policy), NUREG-1600. However, as provided in Section VII.B.3 of the Enforcement Policy, the NRC may refrain from issuing a Notice of Violation (Notice) and proposing a civil penalty for a Severity Level III violation which involves old design issues.

9712050195 971126  
PDR ADOCK 05000259  
G PDR



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After review of this violation and consultation with the Director, Office of Enforcement, the NRC has concluded that while a violation did occur, enforcement discretion is warranted and issuance of a Notice is not appropriate in this case. The specific bases for the decision to exercise enforcement discretion are: (1) TVA identified the deficiency through a questioning attitude after review of operating experience data from another facility; (2) actions were promptly initiated to prevent the valves from being simultaneously opened, and operating instructions and plant procedures were subsequently formally revised to prohibit simultaneous purging or venting; (3) the issue was not likely to be identified by routine surveillance or quality assurance reviews; (4) the valve configuration issue is considered an old design issue in that, although the operation of the purge valves, including stroke time issues and positions at power, have been reviewed extensively in the past by the NRC and the licensee, the potential bypass path had not been recognized since initial licensing and there had been no prior notice so that TVA could have reasonably identified the violation earlier; and, (5) the issue was reported to the NRC in Licensee Event Report (LER) 50-259/97-003 which was submitted on September 9, 1997.

This letter closes apparent violation EEI 260,296/97-10-04, and no formal response to the apparent violation is required. NRC's final evaluation of your corrective actions will be addressed during the review and closeout of LER 50-259/97-003.

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 Public Document Room.

Sincerely,

Original signed by  
Luis A. Reyes

Luis A. Reyes  
Regional Administrator

Docket Nos. 50-259, 50-260, 50-296  
License Nos. DPR-33, DPR-52, DPR-68

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cc cont'd: See page 3



TVA

3.

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TVA

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