DCD

JUL 29 1988

Docket No. 50-255

Consumers Power Company
ATTN: David P. Hoffman
Vice President
Nuclear Operations
212 West Michigan Avenue
Jackson, MI 49201

Gentlemen:

NRC Inspection Report No. 88-008 dated April 22, 1988 transmitted two Notices of Violation and requested a written response. Consumers Power Company responded to these violations by letter dated May 23, 1988. Violation 1 pertains to containment penetration 33 and the failure to identify the conflict between the FSAR classification and actual use as an unreviewed safety question (URSQ). Violation 2 regards the performance of a surveillance test that was improperly executed.

Several concerns and inadequacies with your response and corrective actions were identified during the review of your response. Our primary concern is the appearance of the inability to conduct an adequate 10 CFR 50.59 evaluation. These issues are enumerated in the attachment to this letter and it is requested pursuant to 10 CFR 2.201 that you respond in writing within 30 days of the date of this letter.

Sincerely,

Edward G. Greenman, Director
Division of Reactor Project

Attachment: Comments and
Questions on Violations 1 & 2

cc w/attachment:
Mr. Kenneth W. Berry, Director
Nuclear Licensing
Gerald B. Slade, General Manager
DCD/DCB (RIDS)
Licensing Fee Management Branch
Resident Inspector, RIII
Ronald Callen, Michigan
Public Service Commission
Michigan Department of
Public Health

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Violation 1

1. In the section titled "Corrective Actions Taken and Results Achieved" of your response to Inspection Report No. 88008 dated May 23, 1988, no explanation is given relating to: 1) the cause for dropping, without proper review, the proposed modification of January 6, 1982, which had been initiated to resolve the conflict between FSAR commitments and operational requirements; 2) why both the Safety Evaluation (SE) completed at the time of the proposed modification and the revised SE completed on March 13, 1988, failed to identify the issue as an Unresolved Safety Question (URSQ).

2. In the same section of your response, the reasoning used to determine that an URSQ does not exist are both faulty and inaccurate. First, the system in question, though not directly connected to the primary coolant system (PCS) as pointed out in your response, does not preclude the application of 10 CFR 50, Appendix A design criteria to the penetration. The level of commitment to containment design criteria is not evident and further, it is not clear given the leakage history of certain check valves, that this line should be considered not connected to the PCS. Second, administrative controls are not "in place" that would require an operator to "remain at the valve during flushing and sampling." Third, the approval of only a one hour LCO for a Safety Injection Tank operability indicated the high significance placed on its safety function and does not indicate that the NRC had reviewed the containment isolation aspect.

3. Other concerns have also resulted from a critique of your 10 CFR 50.59 review and associated safety evaluation completed on the same date as the response in question and which concluded that an URSQ does not exist.

   a. In the discussion of the first possible scenario (Item 2 of the SE) where the operability of the Safety Injection Tank (SIT) system is evaluated for consequences of an accident, the conclusion appears to be based on subjective reasoning instead of quantitative analysis or calculations.

   b. Several questions need to be addressed relating to the discussion of the second possible accident scenario (Item 2 of the SE) and in the evaluation of the operability of the containment system.

      (1) It is argued that postulating the failure of the presumably unprotected drain line is not probable and no mention is made as to how this event would relate to the design criteria to which Palisades is committed.

      (2) In lieu of an evaluation on the impact on 10 CFR 100 limits, a PRA analysis (which has neither been reviewed nor approved by the NRC) is used to argue that since containment is postulated to fail early in the PRA analysis, the failure of this penetration would have no effect on offsite dose, when in reality, a two inch hole in containment provides a leakage pathway far in excess of that allowed by the Palisades FSAR to meet the 10 CFR 100 offsite dose limits.

(3) The NRC has not and would likely not approve the continued use of an operator not located in ready access to the isolation valves and dedicated to the purpose of valve closure.

(4) Standard Technical Specifications (TS) make provisions for opening certain manual isolation valves under administrative control, but only after review and approval by the NRC. Although approval after review may seem likely, it is inappropriate for an SE to presume approval or acceptability of an unreviewed safety question and render a conclusion that the issue is not an URSQ.

(5) The second and third paragraphs of Item 2 have conflicting statements with respect to the size of the penetration (one inch flow restriction, two inch hole).

c. Item 4 of the SE pertaining to the consequences of a malfunction of equipment addressed only the operability of the Safety Injection Tank, but not the consequences of the failure of the containment isolation valves to isolate containment.

d. Item 6 again presumes the acceptability of manual operation of the isolation valves. It is not clear whether the operability of the containment system was considered.

e. Item 7 discusses the margin of safety as reduced, but not significant. The logic of Item 2 does not adequately explain how it can be considered insignificant. The SE further states that the basis for the TS is affected (requires a change), yet does not identify the issue as an URSQ.

Violation 2

1. Corrective actions include training on MI-39 but no commitment was made as to who will be included nor was a completion date established.

2. Please advise us as to the status and completion dates of actions on the QA and HPE recommendations.