

BALTIMORE GAS AND ELECTRIC COMPANY

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ARTHUR E. LUNOVALL, JR.
VICE PRESIDENT
SUPPLY

May 14, 1980

U.S. Nuclear Regulatory Commission
Region I
631 Park Avenue
King of Prussia, PA 19406

Docket Nos. 50-317
50-318
License Nos. DPR-53
DPR-69

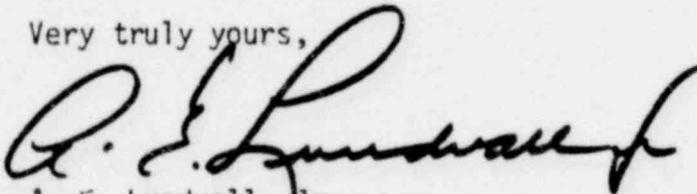
ATTENTION: Mr. Eldon J. Brunner, Chief
Reactor Operation and Nuclear
Support Branch

Gentlemen:

This refers to your Inspection Report 50-317/80-01; 50-318/80-01, which transmitted items of apparent noncompliance with NRC requirements. Enclosure (1) to this letter is a written statement in reply to the items noted in your letter of April 22, 1980.

Should you have further questions regarding this reply, we will be pleased to discuss them with you.

Very truly yours,



A. E. Lundvall, Jr.
Vice President-Supply

AEL/RED/gla

Enclosure

ENCLOSURE (1)

REPLY TO NRC: IE REGION I LETTER OF APRIL 22, 1980
APPENDIX A, NOTICE OF VIOLATION

Item A

On February 6, 1980, NPE-0 Standing Instruction 80-1 was issued to require that whenever a diesel starts due to an emergency start signal (ESS), before that diesel is shutdown, the signal reset must be verified locally at the Engineered Safety Features Cabinet. Revision 12 to OI-21, Diesel Generators, has been issued to include a similar precaution in the "shutdown" section.

Item B

The applicability of the reporting requirement set forth by Technical Specification 6.9.1.8.f to this situation was the subject of detailed discussions between our staff, your resident inspector and Mr. E. C. McCabe, Jr., of your staff. It has been our practice in the past to make reports under this paragraph if the provisions of Technical Specification 3.0.3 were applicable. That is, if a personnel error or procedural inadequacy prevented an LCO and/or associated "Action" requirement from being satisfied because of circumstances in excess of those addressed in the specifications, we consider this reporting requirement to apply.

This reporting philosophy was derived in part from the obvious logic used in writing the Technical Specification LCO/Action Statements; each Action Statement allows a limited degradation in redundancy below that assumed in the SAR. The SAR generally assumes that all redundant systems are operable prior to the time of the accident. Then, at the time the accident is imposed, a single failure is presumed to occur which removes a certain portion of the redundant equipment from service. A known, pre-existing condition, such as a low pressure SI pump out of service for repair, does not constitute the single failure; the failure is presumed to occur at the time of the accident. By limiting the time any redundant piece of equipment or system can be out of service, the Action Statements of the Technical Specifications limit exposure to situations wherein an accident condition could occur and a presumed single failure plus pre-existing condition would render an entire safety function inoperable.

Such philosophy is rather straight-forward and can readily be applied to systems such as Safety Injection and Boric Acid. The AC power sources are more complex and require a more complex sequence of Action Statements. The logic used to derive these Action Statements is explained in Regulatory Guide 1.93, Availability of Electric Power Sources. This guide states that the two hours allowed to restore at least one source of onsite power is considered to result in less risk than would be associated with an immediate shutdown. Such judgment was evidently made based on probabilistic analysis, similar to the probabilistic approach which allows any redundant components or system to be out of service for a limited time, even though such a pre-existing condition would not satisfy the single failure criteria applied in the SAR.

ENCLOSURE (1)

REPLY TO NRC: IE REGION I LETTER OF APRIL 22, 1980
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It is our understanding that the LCO/Action Statements in the Technical Specifications provide an envelope in which continued plant operation does not jeopardize the basic probability assumptions made to support the SAR. So long as the Action Statements are fulfilled, the operation of systems and equipment are within the overall assumptions made to protect the health and safety of the public. Therefore, we do not believe the event described by your report to have been reportable under Technical Specification 6.9.1.8.f and request that you reconsider the issuance of this item of noncompliance.

Item C

Until the end of 1978, it had been our practice to assemble a summary of Technical Specification violations noted in NRC inspection reports and present this summary to the POSRC on a periodic basis. This summary included recommendations to prevent recurrence as they were made in our letters of reply to the inspection reports. Since replies to the NRC inspection reports must generally be submitted within a relatively short time from receipt of the report (20 days), these replies are not reviewed by the POSRC prior to their being sent. The summary reviews by the POSRC were made after the fact and could not alter or add to the actions committed to in the letters of reply and, as such, were of no real value.

After consideration of this situation early in 1979, it was noted that in most all cases the responsibilities of the POSRC as set forth in Technical Specification 6.5.1.6 literally requires a "review". However, paragraph e (as stated in your Notice of Violation) does not require that a "review" be performed, it requires that ". . . the POSRC shall be responsible for investigation of all violations of the Technical Specifications . . .". At this time, based on the literal statement of the specification, we determined that it was not in fact necessary for the POSRC, as a body, to review the Technical Specification violations covered by NRC inspection reports and the corresponding letters of reply. It is our opinion that the Chief Engineer, as Chairman of the POSRC, does in fact discharge this responsibility (as an agent of the committee) by directing the investigations to be performed and forwarding the results to the Manager - Electric Production Department and to the Chairman - OSSRC, in the form of letters of reply to NRC inspections. Consequently, we request that you reconsider the issuance of this item of noncompliance.