

JAN 13 1981

50-247

Mr. Marvin Lewis
6504 Bradford Terrace
Philadelphia, PA 19149

Dear Mr. Lewis:

I am pleased to respond to your letter to Victor Stello, Jr., Director of NRC's Office of Inspection and Enforcement. In your letter you requested a copy of our letter to Consolidated Edison Company of New York regarding the leakage of river water into the containment building at the Indian Point Unit 2 Nuclear Power Plant (IP-2). I believe the correspondence to which you refer is our letter to Consolidated Edison, dated December 11, 1980, regarding the event which forwards a notice of violation and proposes imposition of a civil penalty. Enclosed is a copy of our December 11, 1980 letter and Consolidated Edison's response.

You also asked if the NRC was getting a project going to avoid repetition of the flooding event at other plants. As a result of the incident at IP-2, the NRC issued IE Bulletin No. 80-24, Prevention of Damage Due to Water Leakage Inside Containment (copy enclosed). The purpose of the bulletin is to direct all licensees of nuclear power plants to take action and to report information to the NRC. Information reported will be used by the NRC to formulate any long term generic corrective actions that may be necessary. The bulletin requires short term actions which will preclude IP-2 type events at other plants in the interim pending identification and accomplishment of any longer term generic actions.

I trust that the above information and enclosures are responsive to your request.

Sincerely,

J. H. Sniezek, Director
Division of Resident and Regional
Reactor Inspection, IE

Enclosures:

1. Letter to Consolidated Edison
Co. of NY, dated 12/11/80
2. Response from Consolidated Edison
Co. of NY, dated 1/5/81
3. IE Bulletin 80-24 * See Previous Concurrence.

WPU:SM	RRRI:IE	RRRI:IE	DD:RRRI:IE	D:RRRI:IE
1/2/80	PfMcKee*	EBBlackwood*	ELJordan*	JHSniezek
MCKEE3	1/ /81	1/ /81	1/ /81	1/ /81

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Central Files

Mr. Marvin Lewis

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JAN 13 1981

50-247

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REGISTRATION SERVICES UNIT

NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

Docket No. 50-247
EA 81-11

DEC 11 1980

Consolidated Edison Company of
New York, Inc.
ATTN: Mr. Arthur Hauspurg
President
4 Irving Place
New York, New York 10003

Gentlemen:

On October 17, 1980, the operators at Indian Point Unit 2 discovered that leaks in a fan cooler unit had resulted in service water flooding of the reactor vessel pit and vapor containment floor. This further resulted in the wetting of the lower part of the hot reactor vessel by cold river water which contained a high concentration of chloride ions.

The matter was brought to our attention by your telephone notification to our Senior Resident Inspector on October 20, 1980. Based on a subsequent telephone conversation on October 21, 1980, as documented in our letter to you dated October 22, 1980, you agreed to make certain determinations regarding the cause of the occurrence, report these determinations to us, and obtain NRC concurrence prior to restart of Indian Point Unit 2. From October 22, 1980 to November 21, 1980, the NRC conducted an investigation of the circumstances surrounding this event. At a public meeting in White Plains, New York, on November 5, 1980, you stated that the plant would remain shutdown for correction of identified problems including replacement of the cooling coils for the five fan cooler units, until approximately June, 1981.

The results of our investigation, which include identification of violations which directly contributed to the flooding event, show that the management control system at Indian Point Unit 2 was not functioning in an acceptable manner. Your failure to evaluate modifications to the service water piping by the long term use of epoxy materials, identify and correct the root cause of the numerous leaks in this system, identify the potential significance of the flooding on plant operations, evaluate the consequences of the flooding prior to reactor startup on October 20, 1980, and promptly report the flooding to the NRC, show that management at all levels is not directing the proper level of attention to operation of Indian Point Unit 2. Failure by management to identify and address the problems associated with these items is viewed as a serious matter.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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Further, our review of the circumstances surrounding the flooding event identified four unreviewed safety questions; ie, (1) partial submergence of the hot reactor vessel in cold brackish river water, (2) partial submergence of the stainless steel incore instrument conduits in brackish river water, (3) potential post-Loss of Coolant Accident (LOCA) water levels in containment in excess of the assumptions used in the Safety Analysis Report (SAR), and (4) potential post-LOCA water boron concentrations less than the assumptions used in the SAR. Your response to this letter should include a description of the results of your investigation and resolution of these issues, assuming (1) plant conditions discovered on October 17, 1980, and (2) plant conditions which could have developed, had the plant again been returned to power without discovery of the leakage and flooding problems.

We propose to impose civil penalties in the amount of \$210,000 for the violations described in Appendix A. These violations have been categorized into the levels described in accordance with the Interim Enforcement Policy as published in Federal Register Notice (45 FR 66754) dated October 7, 1980. The history of fan cooler unit service water leaks at Indian Point Unit 2 indicates that additional occurrences of leakage should have been expected. Detection of these leaks required routine vapor containment inspection or maintaining the vapor containment sump pumps operable. Your failure to identify and correct the causes of leakage, to require routine vapor containment inspections, or to establish adequate controls to insure Sump Pump operability, led directly to the flooding event. Since management could reasonably have been expected to have taken effective corrective measures and did not, civil penalties have been increased by 25 percent above those listed in Table I of the Interim Enforcement Policy with respect to the violations enumerated in Section II of Appendix A.

Civil penalties have also been assessed for your failure to notify the NRC of the conditions associated with the flooding event within the time limits prescribed by law. Also, civil penalties have been assessed for violations with respect to the use of Shift Technical Advisors as outlined in Appendix A.

A Notice of Deviation is enclosed which describes the failure to maintain the containment sump pump floats in accordance with the manufacturer's instructions and periodic operation of the pumps with their discharge valves closed. The failure to maintain a proper guide for the lower float rod resulted in a malfunction of the float for one pump, an event which contributed to the flooding of containment.

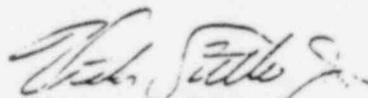
Your response to this letter should emphasize and include a detailed description of plans and actions to improve your management control system.

Your written reply to this letter, combined with our evaluation of your response to questions previously requested of you regarding the flooding event, will be considered in determining whether any further enforcement action, such as modification, suspension, or revocation of your license, may be required to assure future compliance.

You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendices A and B.

In accordance with Section 2.790 of the NRC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosures will be placed in the Commissioner's Public Document Room.

Sincerely,



Victor Stello, Sr.
Director
Office of Inspection
and Enforcement

Enclosures:

1. Appendix A - Notice of Violation and Proposed Imposition of Civil Penalty
2. Appendix B - Notice of Deviation

cc w/encls:

L. O. Brooks, Project Manager, IP Nuclear
W. Monti, Manager - Nuclear Power Generation Department
M. Shatkouski, Plant Manager
J. M. Makepeace, Director, Technical Engineering
W. D. Hamlin, Assistant to Resident Manager (PASNY)
J. D. Block, Esquire, Executive Vice President - Administration
Joyce P. Davis, Esquire
Brent L. Brandenburg, Assistant General Counsel

NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY

Consolidated Edison Company
of New York, Inc
Indian Point 2

POOR ORIGINAL

Docket No. 50-247
License No. DPR-26
EA 81-11

The NRC conducted an investigation into the flooding of containment at Indian Point 2 on October 22, 1980 through November 21, 1980. This investigation found that the management system, which is designed to prevent or mitigate a serious safety event, was not able to perform its intended function under the conditions preceding and during the containment flooding. As a result, the NRC proposes to impose a civil penalty in accordance with the Interim Enforcement Policy as published in the Federal Register October 7, 1980 (45 FR 66754). Pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (42 USC 2282, P. L. 96-295), and 10 CFR 2.205 of the Commission's Regulations, in the amount set forth below for the following violations:

I. The Commission regulations and the facility license require the licensee to report occurrences important to safety as indicated below.

A. 10 CFR 50.72(a), "Notification of significant events", requires that:

"Each licensee of a nuclear power reactor, licensed under para. 50.21 or para. 50.22 shall notify the NRC Operations Center as soon as possible and in all cases within one hour by telephone of the occurrence of any of the following significant events and shall identify that event as being reported pursuant to this section:

(3) Any event that results in the nuclear power plant not being in a controlled or expected condition while operating or shutdown."

Contrary to the above, the following condition was not reported within one hour of identification:

The discovery on October 17, 1980 of unexpected conditions not specifically considered in the safety analysis report or technical specifications that required remedial action to prevent existence or development of an unsafe condition, specifically the existence of: a flooded reactor vessel pit, about four inches of river water on the vapor containment floor, and steam exiting the instrument thimble holes.

The containment flooding condition was found on October 17, 1980, but not reported to the NRC until October 20, 1980, which did not comply with the one hour reporting requirements of 10 CFR 50.72. Each day that the violation continued constitutes a separate violation for the purpose of computing the civil penalty.

This is a Severity Level III violation (Supplement I.C.2 of the Interim Enforcement Policy) Applying the civil penalty for each day that the violation continued results in a civil penalty of - \$120,000.

B. Technical Specification 6.9.1.7.1 states, in part, that:

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APPENDIX B
NOTICE OF DEVIATION

POOR ORIGINAL

Consolidated Edison Company
of New York, Inc.
Indian Point Unit 2

Docnet No. 50-247
License No. DPR-26

Based on the results of an NRC investigation conducted during the period October 22, 1980 to November 21, 1980, it appears that one of your activities was not conducted in accordance with standard industry practice or manufacturer's recommendations as indicated below:

Contrary to standard industry practice and the manufacturer's Technical Manual, "Goulds Installation, Operation, and Maintenance Instructions for Vertical Sump Pumps, Models 3171, 3172, 3173, 3174" the containment sump pump float rods were not attached or guided at the bottom from October 17, 1980 through October 20, 1980. This contributed to sump pump inoperability during the containment flooding incident. Also, contrary to guidance on page 9 of the manufacturer's Technical Manual, the pumps were not prevented from running against a shutoff head on September 14, 1980 and September 15, 1980 and at various times from October 17, 1980 to October 19, 1980 when the pump discharge valves were shut and power to the pumps was not secured.

In reply, please comment on this item, including a description of all actions that have been or will be taken to correct the item and prevent recurrence and the date when these actions have been or will be completed.

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