



Carolina Power & Light Company

August 24, 1981

FILE: NC-3513(B)

SERIAL: NO-81-1362

Mr. James P. O'Reilly, Director  
U. S. Nuclear Regulatory Commission  
Region II, Suite 3100  
101 Marietta Street NW  
Atlanta, GA 30303

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 & 2  
LICENSE NOS. DPR-72 AND DPR-62  
DOCKET NOS. 50-325 AND 50-324  
RESPONSE TO INFRACTIONS OF NRC REQUIREMENTS

Dear Mr. O'Reilly:

The Brunswick Steam Electric Plant (BSEP) has received IE Inspection Reports 50-324/81-13 and 50-325/81-13 and finds that it does not contain any information of a proprietary nature.

The report identified one item that appears to be in noncompliance with NRC requirements. This item and Carolina Power & Light Company's response are addressed in the following text:

Violation: (Severity Level IV)

Technical Specification 6.8.1 requires that written procedures shall be implemented for test activities of safety related equipment. 10CFR50, Appendix J requires a primary containment integrated leak rate test (ILRT) be conducted per the requirements specified therein.

Contrary to the above, as of June 11, 1981, the Brunswick ILRT procedure was inadequate in that it did not specify the requirements for venting and draining of certain systems, the addition of certain type C leak rate test results to the integrated leak rate and the procedure included improper valve lineup.

Carolina Power & Light Company's Response

Carolina Power & Light Company denies this is a violation of NRC requirements and requests that this violation be withdrawn. If the violation is not withdrawn, it is requested that it be listed as an unresolved item until CP&L can receive an official interpretation of 10CFR50, Appendix J, Section III(d).

Discussion

In accordance with the requirements of Technical Specification 6.8.1, a written procedure was implemented specifically for the performance of the ILRT in accordance with 10CFR50, Appendix J. The first operational ILRT

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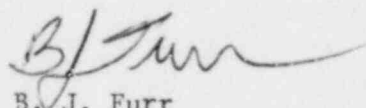
procedure was written and plant approved in October, 1977, in anticipation of the ILRT performed in December of 1977. The procedure was reviewed without comment by an NRC inspector from your office during the performance of Brunswick Unit No. 2's first operational ILRT in 1977. It has, therefore, been CP&L's understanding that its procedure, as written, reflected a valid interpretation of Appendix J and provided for ILRT testing in accordance with requirements of Appendix J.

The general procedure used for the Brunswick Unit No. 1 ILRT in June, 1981 was identical to the earlier version and required no substantive changes due to the similarity of plant design. CP&L was unaware of the NRC's concerns over venting and draining of systems until the day before the scheduled Brunswick Unit No. 1 ILRT at which time an IE inspector revealed to CP&L the existence of an unpublished internal NRC document which contained an interpretation of Appendix J different from that previously communicated to CP&L.

Both the interpretation of Appendix J underlying CP&L's procedure and the interpretation set forth in the NRC document are reasonable constructions of Appendix J. In light of this and the fact that CP&L's procedure had been reviewed by NRC, the reinterpretation was not a proper ground upon which to allege a violation by CP&L unless and until CP&L had been given adequate notice of the reinterpretation.

CP&L intends to revise the Brunswick ILRT procedure to meet the latest interpretation of Appendix J of which CP&L was apprised in June 1981. CP&L reiterates, however, that it does not believe that it should be charged with a violation on the basis of an unpublished interpretation of a Commission regulation of which CP&L had not been given adequate notice.

Yours very truly,

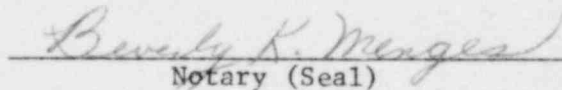


B. J. Furr  
Vice President  
Nuclear Operations

RMP/lr (3905)

cc: Mr. R. A. Hartfield  
Mr. V. Stello

Mr. B. J. Furr, having been first duly sworn, did depose and say that the information contained herein is true and correct to his own personal knowledge or based upon information and belief.

  
Notary (Seal)

My commission expires: November 17, 1982