

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

In the Matter of

Carolina Power and Light Company  
Brunswick Steam Electric Plant  
(Units 1 and 2)

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Docket Nos. 50-324  
50-325  
License Nos. DPR-62  
DPR-71  
EA-82-106

CONFIRMATORY ORDER

I

The Carolina Power and Light Company (CP&L, the "licensee") is the holder of Facility Operating License Nos. DPR-62 and DPR-71 (the "licenses") which authorize the operation of the Brunswick Steam Electric Plant, Units 1 and 2, at steady state reactor core power levels not in excess of 2436 megawatts thermal (rated power). The licenses were originally issued on December 27, 1974 for Unit 2 and September 8, 1976 for Unit 1, and will expire on February 6, 2010 and February 7, 2010 respectively. The facility consists of two boiling light water moderated and cooled reactors (BWRs), located at the licensee's site at Southport, North Carolina.

II

On June 28, 1982, while operating at 80% power, Unit 1 reactor lost voltage to certain emergency electrical busses and tripped. It was returned to power on June 29. The licensee's post-trip evaluation of the event revealed that certain relays associated with the emergency electrical busses of Units 1 and 2, although they functioned properly, had not been tested or calibrated as required by the NRC. On June 30, the licensee requested and was granted, NRC approval for continued operation of Unit 1 while the required tests and calibrations were being performed. On July 2, NRC Region II issued a

Confirmation of Action Letter confirming the licensee's commitment to review Technical Specification testing and calibration requirements and the control systems for assuring that these NRC requirements were met.

On July 15, 1982, Region II was informed that the licensee's review of Technical Specification requirements revealed that additional NRC testing requirements were not met. The testing requirements involved limiting conditions for operation which require plant shutdown within a certain time period if the tests are not conducted satisfactorily. Upon detection of these missed tests, the licensee wrote the necessary procedures and conducted the required tests. The test results showed that the equipment would have functioned properly if called upon to operate.

On July 16, 1982, NRC inspectors on site informed CP&L that containment leakage tests of certain penetrations and valves had not been conducted at the required frequency on Unit 1. On receipt of this information, CP&L determined that the required surveillance testing could not be conducted in a timely manner and Unit 1 was shut down. The licensee had identified in June 1982 its failure to perform the same leakage tests on the same valves on Unit 2. The Region II Administrator and the Executive Vice President of CP&L discussed the situation by telephone. It was agreed that neither unit would be operated until the licensee had completed a comprehensive review of Technical Specification requirements, corrected such violations as might be disclosed by the review, identified the root causes of the violations, and presented the NRC with a proposed revision of its programs to prevent recurrence of similar violations.

On July 20, 1982, NRC Region II issued a Confirmation of Action Letter which confirmed the broad commitments made by the licensee in several previous communications. This letter covered: certain specific assignments of responsibility for the Corporate Nuclear Safety and Corporate Quality Assurance (QA) staffs; implementation of an extensive training program; assignment of a full-time corporate representative on site; establishment of a special corporate panel to review the adequacy of committed corrective actions; and formal notification of Region II before resumption of Unit 1 or Unit 2 power operation.

On August 24, 1982, an Enforcement Conference was held at the Region II office. The Region II Administrator, together with senior Inspection and Enforcement (IE) and Nuclear Reactor Regulation (NRR) officials, reviewed with senior CP&L representatives the NRC inspection findings relating to the facts disclosed since June 28, 1982, expressed NRC concerns about the failure of CP&L controls to prevent the violations indicated by the findings, and asked the licensee what actions had been taken or were planned to establish effective management systems to control safety-related activities. The Executive Vice President of CP&L presented recommendations and conclusions developed by its staff and reviewed by a panel of senior management officers from the nuclear power industry, retained by CP&L to review the adequacy and completeness of actions taken and planned by CP&L and to recommend additional management actions which may be appropriate to assure future compliance with NRC requirements. The Executive Vice President detailed the actions taken by CP&L to implement these recommendations and described actions taken or planned to meet each item identified in Region II Confirmation of Action Letters dated July 2 and July 20, 1982. Beyond the commitments previously made, the licensee described a longer range program

involving extensive re-assignments of corporate and facility staff responsibilities for achieving early and long-range improvement in overall management and operations. The management structure for monitoring the improvement program was presented in detail. The individual responsible for each program objective was named; his task was stated and the expected date of task completion was specified. The current status of achievement of the program objectives was also described. The licensee stated that commitments made during the conference and its improvement program would be further developed to assure completeness, and that the program would be submitted in a report to the Region II Administrator by November 1, 1982.

By letter dated October 29, 1982, the licensee described the improvement program and provided the implementation plan for: ensuring safety and operating efficiency at Brunswick; strengthening management control; reinforcing discipline of operations, procedural compliance, and regulatory sensitivity, focusing attention and resources on long-term needs; and ensuring implementation of specific improvements. In view of the importance of these issues to safe operation, I have determined that these commitments are required in the interest of public health and safety and, therefore, should be confirmed by an immediately effective Order.

### III

Accordingly, pursuant to Sections 103, 161i(3), and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Part 2 and 10 CFR Part 50, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT:

1. The licensee shall implement the Brunswick Improvement Program described in the enclosure to its October 29, 1982 letter to the NRC; a copy of the enclosure is included herein as Attachment 1. The scheduled times for completing specific action item tasks described in the enclosure may be shortened, but shall not be extended without prior written approval by the Region II Administrator. The licensee shall notify the Region II Administrator, within 20 days following the effective date of this Order, of any action item tasks for which scheduled completion dates preceding the date of this Order were not met and establish new completion dates, which are acceptable to the Region II Administrator, for those tasks.
  
2. Following completion of the reviews and assessments identified in Action Items V-5 and VII-1 through VII-5 of the Brunswick Improvement Program, the licensee shall promptly provide copies of all applicable reports on such studies and assessments to the NRC Region II Administrator. Within 60 days from the date that such reports are available to the licensee, the licensee shall inform the Regional Administrator, in writing, of its assessment of each recommendation provided in the reports. The licensee shall include its plans and schedules for implementing each recommendation and, for any recommendation which the licensee decides not to implement, an evaluation which supports that decision. The licensee's plans and schedules for implementation of the recommendations shall be subject to the approval of the Regional Administrator. The scheduled times for completion of actions may be shortened, but shall not be extended without prior written approval by the Region II Administrator.

IV

The licensee may request a hearing on this Order within 30 days of its issuance. A request for a hearing shall be submitted to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555. A copy of the request shall also be sent to the Executive Legal Director at the same address. ANY REQUEST FOR A HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

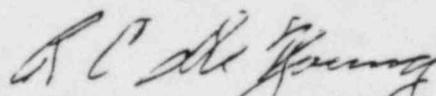
If a hearing is requested, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held, the issue to be considered at such hearing shall be:

Whether, on the basis of the matters set forth in Sections II and III of this Order, this Order should be sustained.

In the event that a need for further action becomes apparent, either in the course of proceedings on this Order or at any other time, the Director will take appropriate action.

IT IS SO ORDERED.

FOR THE NUCLEAR REGULATORY COMMISSION



Richard C. DeYoung, Director  
Office of Inspection and Enforcement

Dated at Bethesda, Maryland  
this 22nd day of December 1982