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Writer's Direct Dial Number:

June 16, 1993
C321-93-2164

Director, Office of Enforcement
U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

Dear Sir:

Subject: Oyster Creek Nuclear Generating Station
Docket No. 50-219
Inspection Report 93-80
Reply to Notice of Violation and Imposition of Civil Penalty
Enforcement Action 93-055

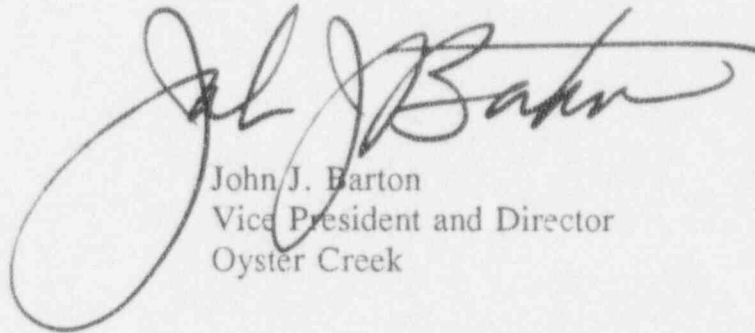
On January 25, 1993, an event occurred at the Oyster Creek Nuclear Generating Station which resulted in a reduction of cooling to the reactor core. This situation was detected and corrected by the plant staff and promptly reported to the USNRC. An investigation was immediately initiated by GPUN to review the causes and implications of the event. The USNRC dispatched an Augmented Inspection Team (AIT) to review this event. AIT findings were documented in Inspection Report 50-219/93-80. Subsequently, an enforcement conference was held on April 2, 1993 at the Region I headquarters.

By letter dated May 17, 1993, the USNRC issued a Notice of Violation (NOV) and Proposed Imposition of Civil Penalty concerning the inadequate temporary procedure change which caused the event. Additionally, the May 17, 1993 NRC letter directed that a response to the NOV, and payment or protest of the civil penalty, be submitted within 30 days. GPU Nuclear does not contest the NOV, and the enclosed check for \$50,000.00 is submitted as payment in full for the civil penalty.

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Attachment I to this letter provides the information required by the NOV. If you should have any questions, or need any additional information, please contact Mr. John Rogers of my staff at 609.971.4893.

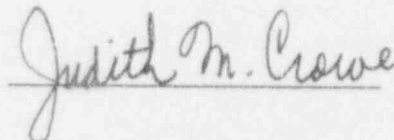


John J. Barton
Vice President and Director
Oyster Creek

JJB/JJR
Attachment
Enclosure

cc: Administrator, Region I
Senior Resident Inspector
Oyster Creek NRC Project Manager

Sworn to and Subscribed here before me this 16th day of June, 1993.



Judith M. Crowe

JUDITH M. CROWE
Notary Public of New Jersey
My Commission Expires 1/25/95

ATTACHMENT I

VIOLATION:

"10 CFR Part 50, Appendix B, Criterion V, states, in part, that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, of a type appropriate to the circumstances. Instructions, procedures, or drawings shall include appropriate quantitative acceptance criteria for determining that important activities have been satisfactorily accomplished.

Contrary to the above, between January 23 and 25, 1993, a procedure for an activity affecting quality, namely Procedure No. 305, Shutdown Cooling System Operations, was neither appropriate to the circumstances nor contained quantitative or qualitative acceptance criteria for determining that an important activity, maintaining reactor water temperature less than 212 degrees F, had been satisfactorily accomplished. A Temporary Procedure Change (TPC) was made to Step No. 4.2.5 of Procedure 305 to allow stopping of all reactor recirculating pumps when reactor water level was less than 185 inches above the top of the active fuel without providing acceptance criteria (i.e., precautions or monitoring criteria) in the TPC to ensure adequate shutdown cooling was maintained. Specifically, the TPC failed to specify an adequate shutdown cooling flow rate to compensate for the change to Step No. 4.2.5, which resulted in reactor water temperature exceeding 212 degrees F for about six hours."

GPU NUCLEAR RESPONSE:

GPU Nuclear concurs in the violation as written.

Reason for the Violation

The violation specified above identifies a temporary procedure change which was made to an operating procedure without providing appropriate acceptance criteria. As stated in Licensee Event Report 93-002, the root cause of the event was personnel error. However, a significant contributory cause was the temporary procedure change (TPC) process which placed great reliance on the performance of the procedure change originator.

The initial screening of the TPC should have identified the need to perform a thorough safety evaluation. A more conservative initial screening may have resulted in additional technical and safety reviews prior to implementation.

The cover letter to the notice of violation discussed the prior opportunity to avoid this event due to the existing information provided in NRC Circular 81-11 and GE SIL 357. As was discussed at the enforcement conference, the TPC was specifically initiated to allow an alternate method to control cooldown from that documented in the two referenced sources. However, GPUN agrees that if the recommendation to monitor reactor vessel external surface temperature had been included in the TPC, rather than implemented externally to the procedure, it would have assisted during this event.

Corrective Actions Taken and Results Achieved

Immediate Actions: Upon discovery of the reduction in cooling, the plant was restored to cold shutdown, and the inadequate temporary change was removed from the procedure. A Post Transient Review Group (PTRG) was established and a detailed review of the event was commenced.

Interim Actions: By letter dated February 5, 1993, GPU Nuclear docketed the following interim corrective actions to ensure compliance until long term corrective actions could be implemented:

1. A Responsible Technical Review (RTR) would be performed prior to the implementation of all substantive temporary changes. The RTR may constitute one of the two required management approvals.
2. Any temporary change which would require a safety evaluation would also require an Independent Safety Review (ISR) in addition to the RTR prior to implementation.
3. The Manager, Safety Review would evaluate the temporary change process and make recommendations for approval.
4. The Group Shift Supervisors (on-shift Senior Reactor Operator) were directed to challenge the need for temporary changes in order to minimize their use. Additionally, personnel were instructed to pursue normal revisions to decrease the number of temporary changes.

In addition to the interim corrective actions in the February 5, 1993 letter, an interim requirement was added for a Shift Technical Advisor review (RTR), prior to implementation, for all temporary changes.

Two subsequent internal reviews in addition to the PTRG were conducted to evaluate this event. Both the Independent Transient Review Group and the Independent Assessment Team provided significant insight and recommendations regarding this event.

These actions were successful in preventing a recurrence of this violation while the more comprehensive long term actions are being developed and implemented.

Long Term Corrective Actions

At the enforcement conference, six specific long term corrective actions were identified. The status of each is summarized below:

1. Procedure 103, "Station Document Control", and Procedure 107, "Procedure Control", were revised to more closely coordinate the requirements for the performance of safety evaluations for procedure changes. The revisions were issued on June 9, 1993.
2. The type of temporary change requiring only two reviewers which resulted in the inadequate cooling event was restricted to changes required for operational urgency. This was documented in GPU letter No. C321-93-2047 dated February 5, 1993. At least one of the reviews will be a formal RTR.
3. Procedure changes which are not urgent require the normal procedure review and approval process. At least one of the reviews will be a formal RTR.
4. Guidance on the "change in intent" of a procedure was added to procedure 107 in the June 9, 1993 revision.

5. Procedure 305 "Shutdown Cooling System Operation" is in the process of a major revision to ensure the procedure is clear in its directions and consistent throughout. The revision is presently scheduled for issuance by July 31, 1993.
6. Guidance and specific review requirements are being communicated to personnel who review and approve procedure revisions through the ongoing safety review training program. Completion of this specific training is projected for July 2, 1993.

Date When Full Compliance was Achieved

Full compliance was achieved on January 25, 1993, when the inadequate temporary change was removed from procedure 305 and the reactor was returned to the cold shutdown condition.