

DEC 16 1993

Docket No.: 50-281  
License No.: DPR-37  
NOED 93-2-008

Virginia Electric and Power Company  
ATTN: Mr. W. L. Stewart  
Senior Vice President - Nuclear  
5000 Dominion Boulevard  
Glen Allen, VA 23060

Gentlemen:

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR VIRGINIA ELECTRIC AND POWER  
COMPANY REGARDING SURRY UNIT 2

By letter dated December 15, 1993, you referred to your request for the U. S. Nuclear Regulatory Commission (NRC) to exercise its discretion not to enforce compliance with the required actions in Technical Specification (TS) 3.12.C.3 which required inoperable control rod assemblies to be restored to operable status within 2 hours or be in Hot Shutdown within the next 6 hours. The discretion would permit continued operation of Surry Unit 2 in POWER OPERATION for an additional 24 hours over the the 2 hours specified in TS 3.12.C.3 to effect troubleshooting and repairs to the Control Rod Drive System. By a telephone call on December 15, 1993, at 11:00 a.m., you informed the NRC that Surry Unit 2 would not be in compliance with TS 3.12.C.3 which requires the plant to be in Hot Shutdown by 4:37 p.m. on December 15, 1993. You provided as justification for continued operation that the affected control rod assemblies, which were immovable on demand from the Control Rod Drive System, were trippable. Hence, the faulted condition did not affect the ability of the control rod assemblies to perform their intended safety function when a safety system setting is reached. In addition, existing analyses established that power and peaking distributions used in the safety analysis were unaffected with any bank of control rod assemblies inserted up to 18 steps. This bounds the present configuration, i.e., Shutdown Bank A Group 2 control rod assemblies inserted 3 steps. As a compensatory action, you indicated that the power level would be maintained stable during the troubleshooting and repair activities.

Based on our review of your justification, including the compensatory measure identified above, we have concluded that this course of action involves minimum or no safety impact, and we are clearly satisfied that this exercise of enforcement discretion is warranted from a public health and safety perspective. Therefore, we will not enforce compliance with TS 3.12.C.3 for the period from 10:37 a.m. on December 15, 1993, to 10:37 a.m. on December 16, 1993. This discretion was granted by the Deputy Regional Administrator and verbally conveyed to D. A. Sommers, Virginia Electric and Power Company, by G. A. Belisle, NRC, on December 15, 1993. It is our understanding that you resolved the problem and exited the TS 3.12.C.3 action statement at 3:06 p.m.

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on December 15, 1993. Therefore, this discretion has been terminated. However, we will consider enforcement action, as appropriate, for the conditions that led to the need for this exercise of enforcement discretion.

Sincerely,

*Orig. signed by  
Stewart D. Ebner*

(for) Stewart D. Ebner  
Regional Administrator

cc: M. L. Bowling, Jr., Manager  
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Robert B. Strobe, M.D., M.P.H.  
State Health Commissioner  
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cc: Cont'd see page 3

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Virginia Electric and  
Power Company

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cc: Cont'd  
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bcc: G. Belisle, RII  
L. Garner, RII  
B. Buckley, NRR  
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RII:DRP  
*WLG*  
LGarner  
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GBelisle  
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RII:DRP  
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MSinkule  
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EMerschoff  
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RII:ORA  
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LReyes  
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*WLG per telecon  
NRR with HBerlow,  
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RII:EICS  
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