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ENERGY**

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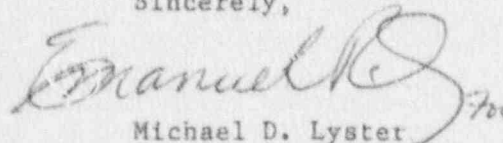
Perry Nuclear Power Plant
Docket No. 50-440
Clarification of Response to
Notice of Violation
50-440/90012-03

Gentlemen:

The attachment to this letter provides clarification of two issues discussed in the Perry response to Notice of Violation 50-440/90012-03, as provided in Letter PY-CEI/NRR-1280 L, dated December 14, 1990. NRC Region III Inspectors H. Walker and J. Holmes requested this clarification in a teleconference with members of the Perry Staff on January 8, 1991.

If you have any questions, please feel free to call.

Sincerely,



Michael D. Lyster

MDL:DWG

Attachment

cc: NRR Project Manager
NRC Resident Inspector Office
USNRC Region III

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During the teleconference on January 8, 1990, Region III personnel identified two (2) issues which required clarification prior to full evaluation of Perry's response to violation 50-440/90012-03. For clarity, the violation is restated in full below.

Violation III - Inadequate Testing of the Electric and Diesel Driven Fire Pumps

Restatement of Violation

Facility Operating License NPF-58, Section 2.C(6) required that the licensee comply with all provisions of the approved fire protection program as described in the Final Safety Analysis Report and approved in the Safety Evaluation Report dated May 1982 and Supplements Nos. 1 through 10 thereto. Final Safety Analysis Report, Section E.2(c) stated that the fire pump conformed to National Fire Protection Association (NFPA) Standard Number 20. NFPA Standard Number 20, Section 11-3.1 required an annual test of the fire pump to determine the ability of the fire pump assembly (pump, driver and controller) to perform satisfactorily at peak loads. Section 11-3.3 required that any significant reduction in the operating characteristics of the fire pump assembly be reported to the owners and that repairs be made immediately. Final Safety Analysis Report, Section E.2(e) indicated that the largest flow demand for a single pump was 3750 gallons per minute at 85 psi.

Contrary to the above:

- a. The electric driven fire pump and the diesel driven fire pump were not adequately tested in that the fire pumps were not tested at shutoff pressure during tests on September 2, 1987; March 12, 1989; and September 9, 1990 (440/90012-03A).
- b. Corrective actions were not initiated after the electric driven fire pump tests dated September 2, 1987; March 12, 1989; and September 9, 1990; indicated significant pressure reduction (30%, 33% and 35% respectively) in the operating characteristics of the fire pump assembly. In addition, the diesel driven fire pump test results dated September 2, 1987; March 12, 1989; and September 9, 1990, did not record the engine speed or the pump speed at over capacity to determine the operating characteristics of the fire pump (440/90012-03B).
- c. The electric fire pump test results dated September 2, 1987, March 12, 1989, and September 9, 1990, and the diesel fire pump test results dated March 12, 1989, did not demonstrate that each fire pump could meet the demand of 3750 gallons per minute at 85 psi (440/90012-03C).

This is a Severity level IV violation (Supplement I).

Both issues requiring clarification were specific to Perry's response to Violation Example 440/90012-03A. This response states, in part, the following:

"The referenced commitment in the USAR, Appendix 9A.5 to Chapter 9, Section E.2(c) had always been interpreted at Perry as referencing to design and installation requirements for the Fire Protection Water Supply Systems. Specifically, E.2(c) of NRC Branch Technical Position APCSB 9.5-1 establishes the NRC position that "Details of the fire pump installation should as a minimum conform to NFPA 20, "Standard for the Installation of Centrifugal Fire Pumps." The Perry response was that "The fire pump installation conforms to NFPA 20." (emphasis added)

Commitments to testing are addressed in 9A.5 section C5 and 9.5.1.4."

During the teleconference, the inspectors expressed concern that, based on this response, the Perry Organization did not understand or accept the violation issued. In contrast, the initial Perry response was intended only to identify that the reference (USAR, Appendix 9A.5 to Chapter 9, Section E.2(c)) stated in the Violation is located in that part of the USAR which is responding to BTP 9.5-1 installation requirements, and that the corresponding Violation (440/90012-03A) referenced testing criterion. Testing criteria are delineated in Sections 9A.5 section C5 and 9.5.1.4., which commit periodic inspections and tests.

The second issue of the inspectors' concern was the understanding of the NFPA code requirements that provided the basis for the violation. The following clarification is provided.

In reviewing records to determine the evolution of Periodic Test Instruction (PTI) P54-P0036 for preparation of Perry's initial response, only the 1983 NFPA 20 code, without benefit of interpretation, was considered. Accordingly, it was concluded that the PTI at the time it was prepared (1985) was in compliance with the provisions of NFPA 20 in effect at the time of test preparation.

It was not clear to the Perry Staff until the teleconference on January 8, 1991, that Violation (440/90012-03A) was based on a 1983 NFPA 20 Formal Code Interpretation (83-2). As a result, Perry's previous response was based on the assumption that the violation centered around present day code requirements. Region III Inspector J. Holmes provided a copy of the subject code interpretation to Perry for review following the telephone conference. The interpretation lists testing at shutoff pressure as a requirement for compliance with the 1983 code.

It should be stated that Perry does not contest the issues addressed or the validity of the violations, as explained by the inspectors during the telephone conference. As delineated in the original response to this violation, the Perry Organization has completed procedural modifications as necessary to include the required testing.