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JUN 16 1994

Docket Nos. 50-352
50-353

Mr. D. M. Smith
Senior Vice President -
Nuclear
PECO Energy
Nuclear Group Headquarters
Correspondence Control Desk
P. O. Box 195
Wayne, PA 19087-0195

Dear Mr. Smith:

SUBJECT: INSPECTION REPORT NOS. 50-352/93-30 AND 50-353/93-30 (REPLY)

This letter refers to your May 13, 1994, correspondence, in response to our April 14, 1994, letter. In your letter, you contested two Level IV violations regarding: 1) failure to properly inspect the air start distribution timing, and 2) failure to implement vendor recommendations regarding tang to air start distributor determination. The Notice of Violation cited the Technical Specification requirements to implement written procedures, and to periodically inspect the diesel generators in accordance with the vendor recommendations as the basis for these violations.

In your letter, you state your basis for contesting the violations is that PECO Energy believes that the inspection and the violations were unwarranted and inconsistent with the Station Blackout and Maintenance Rules. Additionally, you felt our actions were contrary to the entire philosophy of performance-based regulation contained in both rules.

We have reviewed your response to the Notice of Violation (NOV) and deny your request to withdraw the violations.

While the Station Blackout Rule and Maintenance Rule set standards for performance for emergency diesel generators (EDGs) and their supporting systems, they do not exclude those systems and components from detailed NRC inspection. The NRC will continue to conduct inspection activities of all safety-related equipment, and may conduct reactive safety inspections when safety-related equipment failures occur. Further, the degree to which your argument relies on the target values from the NUMARC (now NEI) Guideline is disturbing in two ways. First, although EDG reliability target values have some utility in the context in which they are stated in the Guideline, we must recognize that the database used to draw

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statistical inferences regarding EDG reliability lacks the robustness needed to apply those targets in a way that is devoid of further engineering judgement. Second, your argument is not consistent with our shared tradition of reliance on defense-in-depth measures to assure safe operation.

In the specific case of the October 26, 1993, emergency diesel generator failure at Limerick, the NRC responded with a reactive safety inspection, in part, because, in our judgement, adequate progress was not being made to determine the root cause for the diesel failure and NRC questions regarding potential common mode failures were not being adequately addressed. The decision to conduct this inspection was sound in that the inspection identified inadequate maintenance procedures, inadequate response to vendor information, and inadequate control of a safety-related pipe supports.

We have reviewed the corrective actions for the violations provided in your May 13, 1994, letter. We have determined that the planned corrective actions stated are appropriate. Your corrective actions will be examined during future inspections of your licensed program.

In conclusion, our actions taken in response to your diesel generator failure, were consistent with our statutory safety mission. The inspection results provide additional verification that our decision to conduct the inspection was sound. We will continue to conduct inspection activities of safety-related equipment failures when we believe circumstances warrant that inspection.

The NRC has concluded that these violations occurred as stated, and an adequate basis for withdrawing the violations was not provided. Therefore, within 30 days of this letter, provide the date when full compliance will be achieved.

Sincerely,

Original Signed By:

James T. Wiggins, Acting Director
Division of Reactor Safety

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Mr. D. M. Smith

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cc:

J. Doering, Chairman, Nuclear Review Board
D. R. Helwig, Vice President - Limerick Generating Station
G. A. Hunger, Jr., Manager - Licensing Section
J. L. Kantner, Regulatory Engineer - Limerick Generating Station
Secretary, Nuclear Committee of the Board
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
K. Abraham, PAO (2 w/May 13, 1994 letter)
NRC Resident Inspector
Commonwealth of Pennsylvania (w/May 13, 1994, letter)

bcc w/encl:

Region I Docket Room (with concurrences)
K. Gallagher, DRP
W. Dean, OEDO
F. Rinaldi, NRR
C. Miller, PDI-2, NRR
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NRR:DE

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Sheron

via telecon
5/14/94

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