

February 5, 1996

EA 95-126

Mr. P. M. Beard Jr.
Senior Vice President, Nuclear Operations
ATTN: Manager, Nuclear Operations Licensing, NA2I
Florida Power Corporation
15760 West Power Line Street
Crystal River, FL 34428-6708

SUBJECT: NRC INSPECTION REPORT NO. 50-302/95-22

Dear Mr. Beard:

This refers to a special team inspection conducted on December 11-15, 1995, at the Crystal River facility. The purpose of the inspection was to determine whether operation of Crystal River Unit 3 was safe and in accordance with NRC requirements. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection included selective examinations of procedures and records, and interviews with personnel concerning the facts and circumstances pertaining to control of pressure and level in the reactor coolant system makeup tank.

Based on the results of this inspection, and the results of the inspection described in Inspection Report 50-302/95-13, four apparent violations were identified and are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. In addition, enforcement action is being considered against the licensed operators involved in the apparent violations on September 4 and 5, 1994, which are described below. A synopsis of an NRC investigation of activities related to the September 5, 1994, apparent violations was provided to you by our letter of July 7, 1995. An investigation of activities on September 4, 1994, is in progress and a synopsis of that investigation will be provided to you when the investigation is complete.

With regard to the first apparent violation described in the enclosed report, nine examples of operators exceeding the maximum overpressure curve for the make-up tank while adding hydrogen were identified. Additionally, in the nine examples reviewed by the NRC, the action required by the alarm response procedure was not carried out for periods of time ranging from 30 minutes to 190 minutes.

The second apparent violation concerns two evolutions of September 4 and 5, 1994. These evolutions were also apparent violations of the maximum overpressure curve. Since these evolutions were not required by plant conditions at the time, but were instead initiated by operators for the

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purpose of gathering data relative to the makeup tank curve, they are considered to have been tests or experiments. Performance of tests or experiments without a written safety evaluation which provides the bases for the determination that an unreviewed safety question is not involved is a violation of 10 CFR 50.59.

The third apparent violation, with three examples, involved failures to meet 10 CFR, Part 50, Appendix B, Criterion XVI, Corrective Action, in that once design deficiencies were identified by your staff, they were not adequately corrected in a timely manner.

The fourth apparent violation, with four examples, involved failures to meet the requirements of 10 CFR, Part 50, Appendix B, Criterion III, Design Control, in that the design basis was not correctly translated into drawings, procedures, or instructions, for: (1) operation of the makeup tank; (2) operation of the manual swap over of the Emergency Core Cooling System pumps suction from the borated water storage tank to the reactor building sump; (3) maintaining adequate inventory in the reactor building sump to provide adequate net positive suction head to one low pressure injection pump with the high pressure injection (HPI) pump suction crosstie valve open and supplying two operating High Pressure Injection pumps; and (4) maintaining adequate water quantity in the fire water storage tank.

No Notice of Violation is presently being issued for these inspection findings. In addition, please be advised that the number and characterization of the apparent violations described in the enclosed inspection report may change as a result of further NRC review. A predecisional enforcement conference to discuss these apparent violations will be scheduled at a later date. No response to these apparent violations is required at this time.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

Should you have any questions concerning this letter, please contact us.

Sincerely,

Original signed by:
Albert F. Gibson

Albert F. Gibson, Director
Division of Reactor Safety

Docket No.: 50-302
License No.: DPR-72

Enclosure: NRC Inspection Report 50-302/95-22

(cc w/encl: (See page 3)

cc w/encl:

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- K. Landis, RII
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NRC Resident Inspector
 U.S. Nuclear Regulatory Commission
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