

DUKE POWER COMPANY

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January 17, 1985

Mr. James P. O'Reilly, Regional Administrator
U. S. Nuclear Regulatory Commission
Region II
101 Marietta Street, NW, Suite 2900
Atlanta, Georgia 30323

Re: RII:PKV/PHS
50-413/84-95

Dear Mr. O'Reilly:

Please find attached a response to Violation No. 413/84-95-01 as identified in the above referenced inspection report. Duke Power Company does not consider any information contained in this inspection report to be proprietary.

Very truly yours,

H.B. Tucker

Hal B. Tucker

LTP/mjf

Attachment

cc: NRC Resident Inspector
Catawba Nuclear Station

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DUKE POWER COMPANY
CATAWBA NUCLEAR STATION

Violation 413/84-95-01:

10 CFR 50, Appendix B, Criterion XI as implemented by Duke Power Company (DPC) Topical Report, Duke-1-A, Section 17, paragraph 17.2.11, requires that a test program shall be established to assure that all testing required is identified and performed in accordance with written test procedures which incorporate the requirements and acceptance limits. Also, this criterion requires that test results shall be documented and evaluated to assure that test requirements have been satisfied.

Contrary to the above, a test program has not been established to assure that all testing required to demonstrate that the systems and components perform satisfactorily. Test procedures were not used and the test results were improperly documented and evaluated in the instances cited below.

1. Testing was performed on a modification to the Unit 1 diesel generator turbocharger without using a test procedure (a work request was used in lieu of a test procedure) and, consequently, the results obtained were not properly documented and evaluated to assure that requirements had been satisfied.
2. A modification was performed in the Nuclear Instrumentation System to install a redundant boron dilution alarm in the control room. Procedures to assure that the system would perform satisfactorily in service were not accomplished prior to classifying this system as operable.

These examples are not intended to be all inclusive.

Response:

1. Duke Power admits, that in the example cited as instance 1 in the violation, testing was performed to verify the adequacy of a modification to the Unit 1 diesel generator turbochargers without using a test procedure. However, Duke Power does not agree that the boron dilution alarm as discussed in Section 11 of report 413/84-95, is an example of a failure to implement the requirements of 10CFR50, Appendix B, Criterion XI.

In the Introduction to Appendix B of 10 CFR 50 it is stated:

"Every applicant for an operating license is required to include, in its final safety analysis report, information pertaining to the managerial and administrative controls to be used to assure safe operation. Nuclear power plants and fuel reprocessing plants include structures, systems and components that prevent or mitigate the consequences of postulated accidents that could cause undue risk to the health and safety of the public."

Therefore "important to safety" and "safety related" (as it is used in Appendix B) are synonymous and are interpreted to apply to those systems, structures and components that are needed to mitigate the consequences of an accident that could cause undue risk to the health and safety of the public.

The boron dilution alarm, installed and cited as instance 2 in the Notice of Violation does not serve as a component that mitigates the consequences of an accident. It is therefore "non-safety related" and does not fall under Duke Power's Quality Assurance Program required by Appendix B.

As you know, there is a current controversy surrounding the definition of "Important to Safety" as to whether there exists some classification beyond "Safety Related". Even if one were to recognize that this additional classification exists, Commission statements to date do not indicate that a licensee would have to have an NRC-approved quality assurance program to govern this equipment. Indeed it has been stated that it would be expected that normal licensee administrative controls would provide sufficient quality controls for this type of equipment. This particular modification was designed and installed under guidance existing in Duke Power Company's "Administrative Policy Manual for Nuclear Stations", and it is Duke's position that sufficient quality assurance controls were applied to ensure that the equipment was operable prior to service.

2. The violation occurred because a formal test procedure was not written to ensure proper functioning of the unit one diesel generator turbocharger's lubrication system after a modification to ensure adequate, but not excessive, lubrication was performed. The post-modification testing was documented on a Nuclear Station Work Request.
3. The results of the above tests have been properly documented, evaluated and approved. These results showed that the turbocharger's lubrication system was modified correctly to prevent recurrence of the problem identified in Significant Deficiency Report 413-414/84-05. Also, all Nuclear Station Modifications implemented as of October 25, 1984 on safety-related equipment were reviewed and any retests that were necessary were implemented. Concurrently with this review, all accountable engineers for station modifications were instructed on their responsibilities concerning retest requirements after a modification has been completed.
4. Maintenance Management Procedure (MMP) 1.0 has been revised to more clearly identify that the accountable engineer for a modification is responsible for ensuring that functional verification and retests are identified clearly. Station Directive 4.4.4 (Processing Nuclear Station Modifications) will also be revised to indicate that the accountable engineer for a modification is responsible for ensuring that retests for operability, after a modification is complete, are properly documented. Those two directive changes should preclude further violations.
5. Maintenance Management Procedure 1.0 has been revised. Station Directive 4.4.4 will be revised before March 1, 1985. Catawba Nuclear Station will be in compliance at this time.

*it is a system
that mitigates
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Question?