



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 24, 1996

Mr. D. N. Morey
Vice President - Farley Project
Southern Nuclear Operating
Company, Inc
Post Office Box 1295
Birmingham, Alabama 35201-1295

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) FOR THE SOUTHERN NUCLEAR
OPERATING COMPANY, JOSEPH M. FARLEY NUCLEAR PLANT, UNITS 1 AND 2
(TAC NOS. M95750 AND M95751)

Dear Mr. Morey:

By letter dated June 21, 1996 you requested that the NRC exercise discretion not to enforce compliance with the actions required by Technical Specification (TS) Table 4.3-1, Reactor Trip System Instrumentation Surveillance Requirements, Functional Unit 18. This functional unit addresses the Safety Injection (SI) input from Engineered Safety Features (ESF) and states that a Channel Functional Test is required once per 18 months. In addition, Table Notation 4 to this TS requirement states that a manual ESF functional input check be performed every 18 months. Contrary to this requirement, the manual SI ESF input to the reactor trip system has not been tested within the last 18 months for both Farley units, which requires the plants to enter TS 3.0.3. This LCO requires the plant to take action within one hour to be in hot standby within the next 6 hours. Your letter documented information previously discussed with the NRC staff in a telephone conversation on June 20, 1996, at approximately 9:00 p.m. EDT, in which you stated that, on June 20, 1996, at 6:55 p.m. EDT you entered TS 3.0.3, which would require you to be in hot shutdown on June 21, 1996, at 1:55 a.m. EDT. Your letter also requested that an NOED be issued and be effective for the time period from 1:55 a.m. EDT, June 21, 1996, until a TS change, which you submitted by letter dated June 24, 1996, can be approved. This proposed TS change, when issued, will be in effect until testing can be performed, which will be the spring 1997 refueling outage for Farley Unit 1 and the fall 1996 refueling outage for Farley Unit 2, or prior to entry into Mode 2 following shutdown of either unit for any other reason.

By Generic Letter No. 96-01, the NRC staff requested all licensees of nuclear power reactors to:

- (1) Compare electrical schematic drawings and logic diagrams for the reactor protection system, emergency diesel generator load shedding and sequencing, and actuation logic for the engineered safety features systems against plant surveillance test procedures to ensure that all portions of the logic circuitry, including the parallel logic, interlocks, bypasses and inhibit circuits, are adequately covered in the surveillance procedures to fulfill the TS requirements. This review should also include relay contacts, control switches, and other relevant electrical components within these systems, utilized in the logic circuits performing a safety function.

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- (2) Modify the surveillance procedures as necessary for complete testing to comply with the technical specifications. Additionally, the licensee could request an amendment to the TS if relief from certain testing requirements can be justified.

The Farley review determined that the existing surveillance procedures do not include testing of the manual initiation of reactor trip by the SI handswitch. This switch, when operated, initiates an SI signal and also provides an input to the reactor trip breaker shunt trip coils to open the circuit breakers. The manual SI reactor trip is a back-up to the automatic reactor trip. The plant test procedures do not test both circuits. The SI handswitch contact in the reactor trip circuit apparently was never tested except during pre-operational testing. The design feature of the manually initiated SI reactor trip is to ensure reactor trip in case the reactor trip system (RTS) instrumentation does not automatically trip the reactor or a manual trip is not otherwise accomplished.

The Farley FSAR states that no credit is given for the manual SI input to the reactor trip circuit in any accident or transient analyses. Farley is designed such that one contact of the SI handswitch initiates a turbine trip above 35% power and the turbine trip, in turn, provides a trip signal to the RTS. This feature is currently tested by a surveillance procedure. The plant emergency operating procedures require the operator to verify reactor trip anytime an SI is automatically actuated and prior to manual SI actuation. Since the manual SI initiation of reactor trip is neither credited in the safety analysis nor is it a primary signal for a reactor trip, testing of this feature is not recommended during power operation because of transients that may adversely affect plant safety.

The staff therefore concludes that there is sufficient assurance that an inoperable manual SI reactor trip feature will not adversely affect plant safety until the proposed license amendment can be reviewed and approved.

As a compensatory measure, until the required testing is performed, you committed to review procedural guidance for manual initiation of reactor trips with on-shift licensed crews, including discussions related to the failure to have adequately tested the SI initiation manual handswitch and to ensure that, prior to any manual initiation of SI, the reactor is tripped in accordance with established operating procedures.

The staff has concluded that your request satisfies the criteria for issuance of an NOED as provided in the "NRC Inspection Manual Part 9900 10 CFR Part 2, Appendix C Enforcement Discretion." Specifically, the exercise of enforcement discretion is intended to avoid undesirable transients as a result of forcing compliance with the license condition and, thus, minimize potential safety consequences and operational risks.

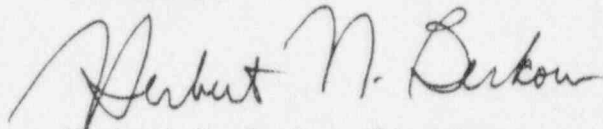
June 24, 1996

On the basis of the staff's evaluation of your request described above, the staff has concluded that the exercise of enforcement discretion is warranted because we are clearly satisfied that this action involves minimal or no safety impact and has no adverse impact on public health and safety. It is our intention to exercise discretion not to enforce compliance with the LCO associated with the TS Table 4.3-1, Functional Unit 18 surveillance requirement related to a manual ESF functional test for the period from 1:55 a.m. EDT June 21, 1996, until issuance of a license amendment that temporarily deletes the surveillance requirement.

On June 24, 1996, you submitted a proposed change to the Farley Units 1 and 2 TS to permit continued operation for the remainder of each units' operating cycle or prior to entry into Mode 2 following shutdown of either unit for any other reason, at which time the required testing will be performed. This submittal will be reviewed by the staff on an expedited basis. This letter documents our telephone conversation on June 20, 1996, at 9:00 p.m. EDT, during which we verbally approved your request for enforcement discretion.

However, as stated in NUREG-1600, "General Policy and Procedures for Enforcement Actions," enforcement action will normally be taken, to the extent that violations were involved, for the root cause that led to the noncompliance for which this discretion was granted.

Sincerely,



Herbert N. Berkow, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-348
and 50-364

NOED No. 96-6-003

cc: See next page

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Company, Inc.

Joseph M. Farley Nuclear Plant

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Original Signed By:

Herbert N. Berkow, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-348
and 50-364

NOED No. 96-6-003

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*See previous concurrence

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