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December 18, 1992
C321-92-2354

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Gentlemen,

Subject: Oyster Creek Nuclear Generating Station
Docket No. 50-219
Reply to a Notice of Violation
NRC Inspection Report 92-21

Attached is our reply to the notice of violation transmitted by NRC letter dated November 18, 1992 (Inspection Report 92-21).

If there are any questions regarding this matter, please call Mr. Michael Heller, Licensing Engineer, at (609) 971-4680.

Sincerely,

J. J. Barton
Vice President & Director
Oyster Creek

Attachment

cc: Administrator, NRC Region I
Senior NRC Resident Inspector
Oyster Creek NRC Project Manager

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ATTACHMENT 1
REPLY TO A NOTICE OF VIOLATION

Violation

"Technical Specification 3.12.C requires that deluge system 9, protecting the fire pond pump house, be operable or within one hour establish a continuous fire watch with backup fire suppression equipment for those areas where redundant components could be damaged.

Contrary to the above, on October 21, 1992, while deluge system 9 was inoperable to allow maintenance on the diesel fire pump discharge valves, no continuous fire watch was established from about 11:00 a.m., on October 21, until 12:50 a.m. on October 22, 1992."

Reply

GPUN concurs with the violation.

The cause of the violation is attributed to an oversight in that the applicability of Technical Specification (TS) 3.12.C was not considered when the diesel fire pumps were initially removed from service. When the out-of-service system configuration was subsequently reviewed, the oversight was corrected.

Our understanding of the applicability of the subject specification,as documented by internal correspondence, had been that a fire watch is not required for an out of service spray/sprinkler system when the equipment protected by the spray/sprinkler system is out of service. Our interpretation was based on the stated objective of the TS, the TS bases, and other regulatory guidance including the Standard BWR Technical Specifications (NUREG-0123). However, we now acknowledge that the specific Oyster Creek TS requirement as worded does not permit this latitude.

TS Section 3.12.C requires the spray and/or sprinkler systems listed in Table 3.12.2 to be operable, otherwise a fire watch is required. Applicability is not specifically defined in the Oyster Creek TS, however, the Standard BWR Technical Specifications state spray/sprinkler specifications are applicable "Whenever equipment protected by the spray/sprinkler systems is required to be OPERABLE". Technical Specification (TS) Section 3.12, "Fire Protection" states the objective of these specifications is "To assure that fire in *safety related* areas is detected and suppressed at an early stage so as to minimize fire damage to *safety related* equipment". The TS basis states, "Fire Protection systems and instrumentation provide for early detection and rapid extinguishment of fires in *safety related* areas thus minimizing fire damage".

On October 21, 1992, both fire diesel pumps and the deluge system protecting the pump house were removed from service to perform valve maintenance. With both fire diesel pumps out of service, TS 3.12.B.3.a applies: "Within 24 hours establish a backup Fire Suppression Water System, or the reactor shall be placed in the cold shutdown condition". Accordingly, the Alternate Fire Water System was placed in service. The fire diesel pumps are not safety related and under these conditions were not relied on for protection of safety related equipment. Therefore, under our prior interpretation, a fire watch was not required.

Full compliance with TS Section 3.12.C was achieved on October 22, 1992 when a fire watch was established at the fire pond pump house.

Based on the above, we consider this to be strictly a TS compliance issue without any safety significance. We believe there is sufficient justification to permit a TS change that would incorporate the applicability statement from the Standard BWR TS thereby allowing adoption of our prior interpretation.

At this time, we do not intend to submit a TS change request for this purpose. TSCR 193 was submitted in April, 1992 to request the fire protection TSs be relocated to the Fire Protection Program in accordance with NRC Generic Letter 86-10. Once this change is approved, appropriate changes to our program will be made under the provisions of 10 CFR 50.59. In the interim, a fire watch will be established whenever a spray/sprinkler system is inoperable regardless of the circumstances.