CP&L

MAY 30 1997

SERIAL: BSEP 97-0221
10 CFR 2.201

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

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 AND 2
DOCKET NOS. 50-325 AND 50-324/LICENSE NOS. DPR-71 AND DPR-62
REPLY TO NOTICE OF VIOLATION

Gentlemen:

On May 2, 1997, the NRC issued a Notice of Violation (NOV) to the Brunswick Steam Electric Plant, Unit Nos. 1 and 2. The NOV contained two specific violations, the bases for which are delineated in NRC Inspection Report Nos. 50-325/97-03 and 50-324/97-03.

Carolina Power & Light (CP&L) Company admits the violations occurred as described in the inspection Report. Enclosure 1 provides the respective responses to the violations in accordance with the provisions of 10 CFR 2.201; Enclosure 2 delineates regulatory commitments contained within the responses.

CP&L finds the Inspection Report does not contain information of a proprietary nature. Please refer any questions regarding this submittal to Mr. Keith Jury, Manager - Regulatory Affairs, at (910) 457-2783.

Sincerely,

William Levis
Director - Site Operations

SFT/sft

Enclosures:
1. Reply to Notice of Violation
2. List of Regulatory Commitments

pc (with enclosures):

U. S. Nuclear Regulatory Commission, Region II
ATTN.: Mr. Luis A. Reyes, Regional Administrator
Atlanta Federal Center
61 Forsyth Street, SW, Suite 23T85
Atlanta, GA 30303

U. S. Nuclear Regulatory Commission
ATTN: Mr. C. A. Patterson, NRC Senior Resident Inspector
8470 River Road
Southport, NC 28461

U. S. Nuclear Regulatory Commission
ATTN.: Mr. David C. Trimble, Jr. (Mail Stop OWFN 14H22)
11555 Rockville Pike
Rockville, MD 20852-2738

The Honorable J. A. Sanford
Chairman - North Carolina Utilities Commission
P.O. Box 29510
Raleigh, NC 27626-0510

ENCLOSURE 1

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 AND 2
NRC DOCKET NOS. 50-325 AND 50-324
OPERATING LICENSE NOS. DPR-71 AND DPR-62
REPLY TO NOTICE OF VIOLATION

VIOLATIONS:

During an NRC inspection conducted from March 3 through April 4, 1997, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

VIOLATION A:

10 CFR 50, Appendix B, Criterion V, requires that activities affecting quality shall be prescribed by documented instructions, procedures or drawings of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures or drawings. Paragraph 5.14.5.1 of CP&L Procedure 0RCI-06.1, Reportable Event Evaluation Criteria and Processing, Revision 13, dated June 20, 1995, requires potentially reportable events to be evaluated to determine if they are required to be reported to NRC under 10 CFR 50.73.

Contrary to these requirements, the effect of the improperly installed seals for the installation of Rosemount transmitters, numbers 2-G31-FT-N012, N036, and N041, on the operability of the Unit 2 reactor water cleanup system was not evaluated for the 30 day reportability requirement to NRC.

This is a Severity Level IV Violation (Supplement I) applicable to Unit 2 (Docket No. 50-324) only.

RESPONSE TO VIOLATION A:

Admission or Denial of Violation:

Carolina Power & Light Company admits the violation.

Reason for Violation:

On January 28, 1997, Engineering personnel identified that the Unit 2 Reactor Water Cleanup (RWCU) system flow transmitter conduit seals were improperly installed. Upon identification of the non-conforming condition, a Condition Report was initiated. On January 31,1997, Licensing personnel reviewed the CR identifying the conduit seal configuration problem and determined that the condition was not reportable in accordance with 10 CFR 50.73 requirements. However, the individual responsible for making the reportability determination for this condition did not obtain proper documentation to support this determination and inappropriately concluded, at that time, that the condition was not reportable. This determination was based on discussions between the Licensing individual and Engineering personnel concerning the existence of a

vendor test report which could possibly provide a basis for the acceptability of the as-found conduit seal configuration. However, at the time the reportability determination was made, the vendor test report had not been received from the vendor nor validated by site Engineering personnel. A Corrective Action Program action item should have been generated to determine and document the past operability of the as-found conduit seal configuration. The configuration problem should have been identified as "potentially reportable" on the Condition Report Assignment form. Following completion of the reportability determination, Engineering personnel received the vendor test report. Following their review of this report it was determined that the report conclusions could not be used as a basis for past operability of the RWCU flow transmitters. A subsequent evaluation determined that the transmitters were in fact operable and therefore, the event was not required to be reported in accordance with 10 CFR 50.73.

Corrective Actions Which Have Been Taken and Results Achieved:

The individual responsible for determining the reportability of the RWCU transmitter conduit seal configuration issue was counseled on the importance of using a valid basis for reportability determinations. In addition, this individual was counseled on the importance of initiating Corrective Action Program action items to ensure formal documented evaluations are performed and used as the basis for reportability determinations when appropriate.

The lessons learned from this event were reviewed with appropriate Licensing personnel to reaffirm the expectations regarding reportability determinations, including ensuring that the necessary evaluations to support reportability conclusions have been performed.

Following the identification of this violation, Licensing issued an action item to track the evaluation of the past operability of the Unit 1 RWCU conduit seal as-found configuration. This evaluation was completed on April 4, 1997, and concluded that the as-found seal configuration was acceptable and that the affected instrumentation was capable of performing its intended safety function. As discussed, a report in accordance with the requirements of 10 CFR 50.73 was not required.

Corrective Steps Which Will Be Taken to Avoid Further Violations:

The importance of documenting and communicating in a timely manner the results of evaluations which could impact event reportability will be reviewed with Engineering personnel.

Date When Full Compliance Will Be Achieved:

Full compliance with the requirements of 10 CFR 50, Appendix B, Criterion V has been achieved.

VIOLATION B:

10 CFR 50, Appendix B, Criterion V requires that activities affecting quality shall be prescribed by documented instruction, procedures or drawings of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures or drawings. CP&L Procedure 0IA-109, Performance of Nuclear Safety Reviews, Revisions 5 through 7, specifies the requirements for performance of safety reviews. Section 5.4 of 0IA-109 specifies the requires use of Attachment C of 0IA-109 to classify items affected by any proposed activity/change to the facility. Paragraph 5.4.1 of 0IA-109 and Question 1 of Attachment C to 0IA-109 asks whether the item, Engineering Service Request (ESR), requires a revision to the UFSAR. ESRs that affect the UFSAR are required to be processed in accordance with CP&L procedure 0RCI-04.1, FSAR Changes. The purpose of procedure 0RCI-04.1 is to update the UFSAR for submittal to NRC per 10 CFR 50.71(e).

Contrary to these requirements, Question 1 of Attachment C was incorrectly answered "No" when attachment C was completed for ESR 96000107. This resulted in failure to update UFSAR figure 8.3.1-9 to reflect the changes caused by the ESR.

This is a Severity Level IV Violation (Supplement I).

RESPONSE TO VIOLATION B:

Admission or Denial of Violation:

Carolina Power & Light Company admits the violation.

Reason for Violation:

The failure to update Updated Final Safety Analysis Report (UFSAR) Figure 8.3.1-9 to reflect changes resulting from ESR 96-00017 is attributed to a lack of attention to detail by individuals responsible for the preparation and review of the ESR.

ESR 96-00017 was developed to permanently disable the Unit 1 Steam Jet Air Ejector Low Pressure Trip function. This modification was previously installed on a temporary basis by ESR 94-00712. During development of the permanent modification, an affected plant drawing was revised to clarify the labeling of an electrical distribution panel circuit. The affected plant drawing is also contained in the UFSAR as Figure 8.3.1-9.

The preparer and safety reviewers of the permanent ESR considered the safety evaluation performed for the temporary modification to be a bounding analysis for the permanent ESR. Procedure 0AI-109, "Performance of Nuclear Safety Reviews," allows the use of a previously performed 10 CFR 50.59 safety evaluation provided a qualified safety reviewer ensures that the previously performed 10 CFR 50.59 safety evaluation fully bounds the current activity being evaluated. The temporary modification safety evaluation did bound the physical wiring changes implemented by the permanent ESR, but did not address the electrical distribution panel circuit labeling change. When the permanent ESR revised the electrical distribution panel circuit labeling, a revision to the associated UFSAR figure was not identified.

Corrective Actions Which Have Been Taken and Results Achieved:

UFSAR Figure 8.3.1-9 has been revised to reflect the electrical distribution panel circuit labeling changes resulting from ESR 96-00017.

The individuals involved with the preparation and review of ESR 96-00017 have been counseled on the importance of thorough and comprehensive review of design changes.

A review of the UFSAR to determine document fidelity with plant operation/configuration is in progress. This review is being performed in accordance with the requirements of 0SP-96-003, "UFSAR Phase 1 Review." This procedure requires the initiation of a Condition Report upon identifying a UFSAR discrepancy to ensure discrepancies are resolved. Additionally, appropriate UFSAR figures were replaced with their applicable Category A plant drawing in revision 15 of the UFSAR.

Corrective Steps Which Will Be Taken to Avoid Further Violations:

The causes and circumstances associated with this event will be reviewed with Engineering personnel responsible for ESR development.

This event will be reviewed by qualified safety reviewers.

Date When Full Compliance Will Be Achieved:

Full compliance with the requirements of 10 CFR 50, Appendix B, Criterion V has been achieved. The above actions will help ensure that additional UFSAR discrepancies and potential errors that may occur during 10 CFR 50.59 evaluations are minimized and identified during the associated review processes.

ENCLOSURE 2

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 AND 2
NRC DOCKET NOS. 50-325 AND 50-324
OPERATING LICENSE NOS. DPR-71 AND DPR-62
REPLY TO NOTICE OF VIOLATION

LIST OF REGULATORY COMMITMENTS

The following table identifies those actions committed to by Carolina Power & Light (CP&L) Company in this document. Any other actions discussed in the submittal represent intended or planned actions by CP&L. They are described to NRC for the NRC's information and are not regulatory commitments. Please notify the Manager - Regulatory of any questions regarding this document or any associated regulatory commitments.

Commitment	Committed date or outage
The importance of documenting and communicating in a timely manner the results of evaluations which could impact event reportability will be reviewed with Engineering personnel.	7/31/97
The causes and circumstances associated with the failure to update UFSAR Figure 8.3.1-9 will be reviewed with Engineering personnel responsible for ESR development.	6/15/97
The event involving the failure to update UFSAR Figure 8.3.1-9 will be reviewed by qualified safety reviewers.	7/31/97