

July 23, 1997

EA 97-332  
EA 97-333

Mr. M. D. Wadley  
Vice President, Nuclear Generation  
Northern States Power Company  
414 Nicollet Mall  
Minneapolis, MN 55401

SUBJECT: NRC INSPECTION REPORT 50-263/97010(DRS) AND EXERCISE OF  
ENFORCEMENT DISCRETION

Dear Mr. Wadley:

On June 27, 1997, the NRC completed a special inspection at your Monticello reactor facility. The purpose of this inspection was to review the events surrounding your discovery of increased head loss across the emergency core cooling system (ECCS) suction strainers, and the resultant effect upon the available net positive suction head (NPSH) for the core spray pumps. The enclosed report presents the results of that inspection.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of a selective examination of procedures and representative records, observations, and interviews with personnel.

During this inspection, we reviewed an issue involving a past design deficiency which could have resulted in operating the plant outside of its design bases. The issue involved the actual head loss across the ECCS strainers, as compared to that specified in the design bases. This issue was identified by your engineering staff and resulted from a good questioning attitude and followup by your staff. We noted that the error in the strainer head loss was made during plant construction and was not likely to have been identified by routine surveillance or quality assurance activities. The issue was appropriately communicated to the NRC, and several telephone conversations were held between your staff and the NRC to assess the significance of the issue. On May 9, 1997, your staff voluntarily shut down the reactor until larger strainers could be installed. These new strainers meet the original design requirement for head loss. We consider the corrective actions taken to be comprehensive and apt to prevent recurrence.

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This design issue is a violation of 10 CFR Part 50, Appendix B, Criterion III, "Design Control," which could be considered for escalated enforcement and subject to a civil penalty. However, after consultation with the Director, Office of Enforcement, I have been authorized to not issue a Notice of Violation and not propose a civil penalty in this case, in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, Section VII.B.3. This decision was made after consideration that (1) the violation was identified by your staff's good questioning attitude during a voluntary initiative; (2) corrective actions, both taken and planned, were comprehensive and timely; (3) the condition was subtle in nature and not likely to be disclosed through routine surveillance or quality assurance activities; and (4) the violation is not reasonably linked to current performance. The exercise of discretion acknowledges your good effort to identify and correct a subtle violation, that would not be identified by routine efforts, before the degraded safety system was called upon.

Also during this inspection, an apparent violation was identified and is being considered for escalated enforcement action in accordance with the Enforcement Policy. This apparent violation concerned use of containment overpressure to ensure adequate NPSH to the ECCS pumps without prior NRC knowledge or approval. This issue was first identified during the safety system operational performance inspection in December 1996, and was left as an unresolved item in Inspection Report 9600C. In May 1997, the NRC determined that Monticello was not given credit, in its licensing basis, to use containment overpressure to satisfy the NPSH requirements of the ECCS pumps. The NRC's concern over the unapproved use of containment overpressure was underscored by your staff's recent recognition of an accident scenario which resulted in a rapid decrease in containment pressure, beyond that which was considered necessary in order to ensure adequate NPSH, especially for the core spray pumps.

NRC is presently reviewing this apparent violation and you will be advised by separate correspondence of the results of our deliberations on this matter. In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. No response regarding this apparent violation is required at this time.

In accordance with 10 CFR 2.700 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), and your response (if you choose to provide one) will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,

/s/ J. A. Grobe

John A. Grobe, Acting Director  
Division of Reactor Safety

Docket No. 50-263  
License No. DPR-22

Enclosure: Inspection Report 50-263/97010(DRS)

cc w/encl: Plant Manager, Monticello  
John W. Ferman, Ph.D.,  
Nuclear Engineer, MPCA  
State Liaison Officer, State  
of Minnesota

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SEE ATTACHED CONCURRENCES

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In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), and your response (if you choose to provide one) will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,

John A. Grobe, Acting Director  
Division of Reactor Safety

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