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Docket No. 50-346

License No. NPF-3

Serial No. 1-806

June 9, 1988

Document Control Desk  
United States Nuclear Regulatory Commission  
Washington, D. C. 20555

Subject: Response to Inspection Report 88006

Gentlemen:

Toledo Edison has received Inspection Report 88006 (Log No. 1-1783 dated April 20, 1988) and provides the following response. Based on our discussion with Mr. F. Jablonski on June 1, 1988, the response to Inspection Report 88-006 was extended to June 10, 1988.

Violation 88006-05:

10CFR50, Apperdx B, Criterion V, requires that activities affecting quality be prescribed by documented instruction, procedures, or drawings and be accomplished in accordance with these instructions, procedures, or drawings. Instructions/procedures or drawings shall include appropriate acceptance criteria for determination that activities have been satisfactorily accomplished.

Contrary to the above, a review of FCR 78-024 pertaining to the installation of containment spray pump oil sightglass assemblies revealed the following:

- a. No design drawings or detailed drawings were used during the installation of the assemblies.
- b. No instructions/procedures were found for installation and inspection.
- c. No design criteria/instructions were utilized in the seismic qualification evaluation.

IEP  
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Response:

Acknowledgment Or Denial of the Alleged Violation

Toledo Edison does not believe the issuance of a Notice of Violation is warranted for the installation of the containment spray pump oil sightglass for the following reasons.

Following the June 9, 1985 event, Toledo Edison initiated a System Review & Test Program (SRTP). The SRTP was established to review the history of systems important to the safe operation of the Davis-Besse Nuclear Power Station (DBNPS). One of the objectives of the SRTP review was to identify problems which may impact the ability of those systems to perform the necessary functions for safe operation of the plant and to propose corrective actions to resolve those concerns. The Containment Spray (CS) system was one of the systems reviewed under the SRTP.

One of the concerns documented during the review of the Containment Spray System was that no documentation was found that listed the vendor, qualification, specification or appropriate installation instructions for the oil level sight glasses added to the pumps in 1977. This concern was documented, its safety significance determined and corrective action proposed. Subsequent reviews confirmed there was no safety concern due to the installed configuration. An engineering calculation, a Facility Change Request (FCR) safety evaluation and the NRC inspection each concluded that: the calculated stresses were below the allowable stresses; the installation was seismically qualified; and the sightglasses could perform their intended function during a seismic event.

Following the June 9, 1985 event, Toledo Edison received and acknowledged violations relating to programmatic control of modifications to the facility. In response to those violations and as part of overall improvement efforts, the processes for the design of modifications, control of work, and reviews for changes to safety related systems have been improved. Nuclear Group Procedure NG-NE-304 requires a safety review and if applicable a safety evaluation for proposed changes to identified systems, structures and components important to safe operation. The Containment Spray System is one of the systems identified in this procedure.

10CFR2 Appendix C, Section V.G.2, Exercise of Discretion, allows the NRC to refrain from issuing a Notice of Violation for violations meeting the following criteria:

- a. (i) NRC has taken significant enforcement action based upon a major safety event contributing to an extended shutdown of an operating reactor or a material licensee (or a work stoppage at a construction site), or the licensee is forced into an extended shutdown or work stoppage related to generally poor performance over a long period; (ii) the licensee has developed and is aggressively implementing during the shutdown a comprehensive program for problem identification and correction; and (iii) NRC concurrence is needed by the licensee prior to restart.

- b. Non-willful violations are identified by the licensee (as opposed to the NRC) as the result of its comprehensive program, or the violations are identified as a result of an employee allegation to the licensee. If NRC identifies the violation, the NRC should determine whether enforcement action is necessary to achieve remedial action.
- c. The violations are based upon activities of the licensee prior to the events leading to the shutdown, and
- d. The non-willful violations would normally not be categorized as higher than Severity Level III violations under the NRC's Enforcement Policy.

The sight glass installation meets the criteria set forth in this section. In keeping with the stated objectives accompanying the revision to this section of the code (i.e. to encourage prompt corrections of existing violations and adverse conditions, to deter future violations and adverse conditions, and to encourage improved performance by the licensee, while at the same time, not discouraging a licensee's aggressive and comprehensive implementation of a structured program to identify and correct problems), Toledo Edison urges the NRC to exercise its authorized discretion to refrain from issuing a violation in this instance.

Violation 88006-10:

10CFR50, Appendix B, Criterion III, requires that measures be established to assure that applicable regulatory requirements and the design basis, as defined in § 50.2 and as specified in the license application, for those structures, systems, and components to which this appendix applies are correctly translated into specifications, drawings, procedures, and instructions. Design changes, including field changes, shall be subjected to design control measures commensurate with those applied to the original design unless the applicant designates another responsible organization.

Contrary to the above, Specifications No. 12501-E-180 was changed administratively to include a revised load profile for the station battery performance test without going through the Facility Change process or applying appropriate design control.

Response:

Acknowledgment or Denial of the Alleged Violation

Toledo Edison acknowledges the alleged violation.

Reason for the Violation

Nuclear Engineering Procedure (NEP)-021, Specifications, controls the revision, review and approval of design specifications. Generically, once a change to a specification is identified, it is evaluated by Design Engineering to determine whether it is a significant change. Depending on the

significance of the change required, the specification change follows 1 of 2 paths. If the change is determined to be significant, the specification undergoes immediate revision and the change is incorporated. When the specification is revised a formal design review is performed. Changes to interfacing plant procedures are identified during the formal design review process.

If the change is determined not to be significant, a Specification Change Notice (SCN) is issued against the specification. A SCN is a document used to temporarily modify the specification instead of revising the specification as described above. SCNs can be used when specification changes, not associated with physical plant modifications, are identified such as typographical errors, incorrect index pages or incorrect information. The SCN is attached to the specification indicating the change to the specification. No formal design review is required. SCNs issued against a specification are incorporated into the specification (by the specification revision process) when a total of five non-plant modification related SCNs are accumulated or one year passes. When the specification is revised the design review is performed.

In the case of the station battery load profile change, it was determined that this change could be processed as an editorial ("incorrect information") SCN (SCN 12501-E-180-01-03). This SCN documented various changes to the load profile but did not change the battery size or result in a physical change to the facility. Therefore per NEP-021, no formal design reviews (including changes to applicable plant procedures) were immediately required for the issuance of SCN 12501-E-180-01-03.

#### Corrective Steps Taken And Results Achieved

Subsequent to this NRC inspection, a more detailed review of the battery load profile was conducted. As a result, Calculation C-EE-002-005, Rev. 0 was performed to better define and document the accident scenario to which the batteries are sized and to incorporate 5th Refueling Outage Modifications affecting the DC system.

Document Change Request (DCR) 88-0158 and USAR Change Notice (UCN) 88-031 were issued to incorporate the new load profile into the affected design documents. This changed the load profile for the Battery Service Test making it the same as that in Specification 12501-E-180. On April 16, 1988 the Battery Service Test was successfully completed.

#### Corrective Steps Which Will Be Taken To Avoid Further Violation

Procedure NEP-021 will be revised to allow the preparation of non-plant modification related SCNs be used only in conjunction with a Document Change Request (DCR) per NG-NE-0312, Design Document Updates and NEP-202, Processing Document Change Request. The DCR is used for "paper work only" design document changes. The use of the DCR process will require a design review to ensure interfacing plant procedures are reviewed for changes. Therefore changes to specifications will undergo the full design review controls imposed by the FCR/MOD or DCR process upon their initiation.

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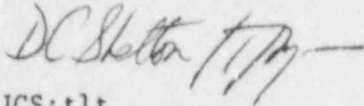
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Date When Full Compliance Will Be Achieved

Full compliance will be achieved upon issuance of EN-DP-01021 RO (NEP-021) by June 20, 1988.

Very truly yours,

A handwritten signature in cursive script, appearing to read "JCS:tlt", with a horizontal line extending to the right.

JCS:tlt

cc: A. B. Davis, Regional Administrator  
A. W. DeAgazio, DB-1 Project Manager  
DB-1 Resident Inspector