

May 6, 1997

EA 97-130

Southern Nuclear Operating Company, Inc.

ATTN: Mr. D. N. Morey

Vice President

Farley Project

P. O. Box 1295

Birmingham, AL 35201-1295

SUBJECT: NOTICE OF VIOLATION  
(NRC INSPECTION REPORT 50-348/97-04 AND 50-364/97-04)

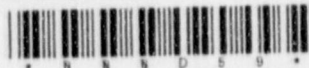
Dear Mr. Morey:

This refers to the inspection completed on March 14, 1997, at Southern Nuclear Operating Company's (SNC) Farley nuclear facility. The purpose of the inspection was to review operation of the penetration room filtration (PRF) system. The results of the inspection were formally transmitted to you by letter dated April 2, 1997. An open, predecisional enforcement conference was conducted in the Region II office on April 18, 1997, with you and members of your staff to discuss the apparent violations, the root causes, and corrective actions to preclude recurrence. A list of conference attendees and copies of NRC slides and SNC's presentation materials are enclosed.

Based on the information developed during the inspection and the information that was provided during the conference, the NRC has determined that violations of NRC requirements occurred. The violations are cited in the enclosed Notice of Violation (Notice), and the circumstances surrounding them are described in detail in the subject inspection report. Violation A involved the failure to prescribe documented instructions or procedures to govern activities affecting quality with regard to operation of the PRF system, as required by 10 CFR 50, Appendix B, Criterion V. The violation resulted in inadequate operating, surveillance, and emergency procedures and a failure to meet Technical Specification (TS) surveillance requirement 4.7.8.b.3. Violation B involved a failure to comply with specific sections of ANSI N510-1980, prescribed as TS surveillance requirements for the PRF system, control room emergency filtration system, and containment purge exhaust filtration. Violation C involved a failure to identify a significant condition adverse to quality, i.e., excessive inleakage into the penetration room boundary. The root cause of Violations A, B and C was the failure to incorporate design and operational characteristics of the PRF system as described in the Final Safety Analysis Report into plant procedures. Violations A, B and C have each been categorized at Severity Level IV.

It is noted that during the predecisional enforcement conference, SNC stated that the procedural issues described in Violation A were considered by SNC to be enhancement issues and not violations of NRC requirements. SNC also maintained, with regard to Violation B, that at the time the ANSI N510-1980 requirements were implemented they were considered to be technical guidance and not verbatim requirements. SNC maintained that failure to strictly comply

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with the ANSI requirements did not affect the ability of the PRF system to perform its intended safety function. SNC further stated that although they agreed that the PRF boundary was degraded, boundary integrity was adequate and the PRF system could still have performed its intended safety function. The NRC is very concerned that degradation of the PRF boundary has occurred over several years with no actions taken by the licensee to identify the fact that degradation existed. The licensee appears to have no method to assure that degradation does not reach a level that would prevent the system from performing its safety function. Although Violations A, B, and C have each been categorized at Severity Level IV, you should be aware that considerable consideration was given to categorizing the violations at Severity Level III and proceeding with escalated enforcement action on this issue.

Violation D described in the enclosed Notice involved fuel movement activities under conditions prohibited by TS 3.9.13. Specifically, your staff performed fuel movement within the Unit 2 spent fuel pit with the A train PRF system inoperable and the B train PRF system not aligned to the spent fuel pool room. The violation has been categorized as a Severity level IV violation. The basis for this violation is further discussed in a March 6, 1997 letter to you from the NRC. In addition, an apparent violation was identified in NRC Inspection Report No. 50-348,364/97-04 for the failure to report this condition. At the predecisional enforcement conference, you indicated that, on November 27, 1996, you requested an NRC interpretation of the TS governing this issue. You based your reporting date on the date of the NRC response, i.e., March 6, 1997, and you submitted Licensee Event Report No. 97-002, which described the event, on April 2, 1997, which is within 30 days of March 6, 1997. The NRC agrees that you reported the situation appropriately, and therefore, this apparent violation is withdrawn.

NRC Inspection Report No. 50-348,364/97-04 also identified an apparent violation for failure to meet the surveillance requirements of TS 4.7.8.b.3. On January 28, 1997, you determined that, due to transposition errors in the test data, the PRF system flow rate had been 5615 cubic feet per minute (cfm) during the December 1, 1992 PRF surveillance test, which was outside the TS SR 4.7.8.b.3 acceptance criteria of 5000 cfm  $\pm$  10 percent. This issue was not the subject of a previous NRC violation or previous licensee finding. Moreover, you have completed corrective action to ensure that the violation will not recur. Therefore, this violation has been categorized as a non-cited violation and is considered closed.

At the predecisional enforcement conference, you also stated that SNC did not agree with the NRC staff conclusion in Section 02.1 of NRC Inspection Report No. 50-348,364/97-04 regarding the need for operation of the PRF during small break loss of coolant accidents. You stated that after a review of the Farley licensing basis, SNC concluded that the PRF system was only required in the event containment pressure caused a containment Phase B isolation signal. This matter is under review by the NRC Office of Nuclear Reactor Regulation, and you will be advised of our determinations in this regard by separate correspondence.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response will be placed in the NRC Public Document Room.

Should you have any questions concerning this letter, please contact us.

Sincerely,

Original Signed by  
Luis A. Reyes

Luis A. Reyes  
Regional Administrator

Docket Nos.: 50-348 and 50-364  
License Nos.: NPF-2 and NPF-8

Enclosures: 1 Notice of Violation  
2 List of Conference Attendees  
3 NRC Presentation Materials  
4 Licensee Presentation Materials

cc w/encls:  
M. J. Ajluni  
Licensing Manager  
Southern Nuclear Operating  
Company, Inc.  
P. O. Box 1295  
Birmingham, AL 35201-1295

R. D. Hill, Jr.  
General Manager, Farley Plant  
Southern Nuclear Operating  
Company, Inc.  
P. O. Box 470  
Ashford, AL 36312

R. Badham, Supervisor  
Safety Audit and Engineering Review  
Farley Nuclear Plant  
P. O. Box 470  
Ashford, AL 36312

cc w/encls: (See page 3)



SNC, Inc.

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 Columbia, AL 36319

*Per D. Nelson e-mail*

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