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Docket Nos. 50-369, 50-370
License Nos. NPF-9, NPF-17

Duke Power Company
ATTN: Mr. H. B. Tucker, Vice President
Nuclear Production Department
422 South Church Street
Charlotte, NC 28242

Gentlemen:

SUBJECT: DENIAL OF VIOLATION
(NRC INSPECTION REPORT NOS. 50-369/86-35 AND 50-370/86-35)

Thank you for your response of January 9, 1987, to our Notice of Violation issued on December 10, 1986, concerning licensed activities conducted at your McGuire facility.

We have evaluated your response and concluded, for the reasons given in the enclosure to this letter, that the violation occurred as stated in the Notice of Violation. Therefore, in accordance with 10 CFR 2.201(a), please submit to this office within 30 days of the date of this letter a written statement that describes: (1) corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations; and (3) the date when full compliance will be achieved.

The response directed by this letter is not subject to the clearance procedure of the Office of Management and Budget issued under the Paperwork Reduction Act of 1980, PL 96-511.

We appreciate your cooperation in this matter.

Sincerely,

ORIGINAL SIGNED BY:
J. NELSON GRACE

J. Nelson Grace
Regional Administrator

Enclosure:
Staff Assessment of Licensee Response

cc w/encl:
J. L. McConnell, Station Manager

bcc w/encl:
NRC Resident Inspector
Document Control Desk
D. Hood, NRR
State of North Carolina

8702190582 870211
PDR ADOCK 05000369
PDR

RII
TPeebles:vh
2/9/87

RII
VLBrownlee
2/9/87

RII
LReyes
2/10/87

RII
GJenkins
2/10/87

RII
MErnst
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ENCLOSURE

STAFF ASSESSMENT OF LICENSEE RESPONSE

The NRC Regional Staff has reviewed and evaluated your response to the Notice of Violation in light of information provided by the NRC Resident Inspectors and contained in the applicable operating procedures.

Step 12 of Enclosure 4.2, "Pre-Heatup Checklist", of McGuire Operating Procedure OP/2/A/6100/01, "Controlling Procedure for Unit Startup", specifically directed that no-load programmed steam generator (S/G) levels be established per OP/2/A/6250/03A, "Steam Generator Cold Wet Layup Recirculation". However, the licensee's response to the violation states that the intent of that step was to have the S/Gs at no-load level, and that, since the S/Gs were already at the specified level, the operator was not in error by signing the step as complete.

If the intent of Step 12 was, indeed, to have the S/Gs at no-load level, then the licensee's intended corrective action of changing OP/2/A/6100/01 to read, "Remove S/G from Wet Layup per OP/2/A/6250/03A (S/G Wet Layup Recirc)", appears inappropriate. The proposed corrective action would change Step 12 to more clearly direct the action which was not properly implemented on November 17, 1986, and resulted in the original violation.

The licensee's response further states that, "OP/2/A/6250/03A has nothing to do with establishing S/G levels." A review of that OP revealed, however, that several steps appear to pertain directly to lowering S/G levels from the wet layup condition. Step 2.1, for example, directs the operator to notify chemistry to sample the S/Gs for activity and chemicals prior to draining them to the turbine building sump. Steps 2.4 and 2.5 instruct the operator how to align the blowdown system to the turbine building basement ditch and then insulate the wet layup recirc (BW) system when S/G levels are below the upper manway cover. Step 2.8 subsequently directs the coordination of raising and lowering S/G water levels with Chemistry until S/G water chemistry is in specification. All these steps lend credence to the NRC's position that Step 12 of Enclosure 4.2 of OP/2/A/6100/01 had the dual function of establishing no-load S/G levels and securing the S/G wet layup recirculation system per OP/2/A/6250/03A.

In their response to the violation, Duke Power Company states that the cause of the incident was an inadequate procedure. Although, it may be true that OP/2/A/6100/01 was deficient in not clearly and unambiguously stating the intent of Step 12 of Enclosure 4.2, the fact remains that the OP was not properly implemented as written. Even though S/G water levels were verified to be at their no-load values, they had not been established per the wet layup recirculation OP. Had the S/G levels been established as directed by Step 12 of the startup OP, then the spill would have been avoided. The licensee's proposal to clarify the intent of Step 12 should prevent the recurrence of this incident in the future.

The licensee is encouraged to counsel their operating staff to exercise caution in interpreting the intent of similar steps in this and other OPs when reference is made to activities performed "per" or "in accordance with" another procedure. Procedures referenced in this manner may often contain hidden intents and objectives which would be missed if the parent step were performed superficially.

The staff concludes that the violation, as stated in the Notice, is valid.