



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

Public

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August 6, 1997

CAL No. RIII-97-009

Mr. John G. Cook
Senior Vice President
Clinton Power Station
Illinois Power Company
Mail Code V-275
P. O. Box 678
Clinton, IL 61727

SUBJECT: CONFIRMATORY ACTION LETTER

Dear Mr. Cook:

In February of this year, NRC inspectors identified deficiencies in Illinois Power's (IP) maintenance program for safety related electrical circuit breakers. Following this finding, IP performed inspections and tests in an effort to establish reasonable assurance that safety related breakers will work when called upon. You reported the completion of sufficient inspections and tests for the establishment of such reasonable assurance during a public meeting on July 3, 1997.

On July 22, 1997, a safety related Westinghouse 4160 volt, 1200 amp breaker failed to open when called upon in service. This breaker had been subjected to the inspections and tests discussed above. On the same day, a non-safety related Westinghouse 4160 volt, 1200 amp breaker failed to close when called upon. As a result of the non-safety related breaker failure, IP identified an error in the applicable maintenance procedure which resulted in mis-adjustment of a critical internal mechanism. During a public meeting on July 31, 1997, IP informed the NRC that in addition to identifying this error, a method to identify the problem which led to the safety related breaker failure of July 22 had been found, and that all necessary corrective actions had been taken for the other safety related Westinghouse 4160 volt breakers. During this meeting, IP informed the NRC that reasonable assurance existed that safety related breakers would function when called upon.

On August 5, 1997, another safety related Westinghouse 4160 volt, 1200 amp breaker failed to open when called upon in service. This breaker had been subjected to the inspections, tests, and corrective actions discussed above.

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Pursuant to a telephone conversation on August 6, 1997, between you and James Caldwell, Deputy Regional Administrator, it is our understanding that you have taken or will take the following actions:

- (1) Preserve the Westinghouse 4160 volt, 1200 amp breaker which failed to open when called upon on August 5, 1997, in its as-failed position until the formation of the team described in item (2) below, and the arrival of the NRC's Augmented Inspection Team (AIT) on site.
- (2) Form an independent investigation team to establish the failure mechanism for this breaker under the observation of the AIT.
- (3) Establish the failure mechanism for this breaker, take effective corrective action to prevent recurrence, and establish a basis for reasonable assurance that all safety related breakers will function when called upon.

In addition, I understand IP will document in a letter to the NRC the results of item (3), and will meet with the NRC to discuss the determinations prior to restarting the Clinton Power Station.

Nothing in this confirmatory action letter is intended to preclude you from taking actions which you deem necessary to place the plant in a safe condition or maintain it in a safe condition in the event of changing conditions.

Pursuant to Section 182 of the Atomic Energy Act, 42 U.S.C. 2232, you are required to:

- (1) Notify me immediately in writing if your understanding differs from that set forth above;
- (2) Notify me if for any reason you cannot complete the actions within the specified schedule and advise me in writing of your modified schedule of the change; and
- (3) Promptly notify me in writing if for any reason you cannot complete the actions discussed above.

Issuance of this Confirmatory Action Letter does not preclude issuance of an order formalizing the above commitments or requiring other actions on the part of the licensee; nor does it preclude the NRC from taking enforcement action for violations of NRC requirements that may have prompted the issuance of this letter. In addition, failure to take the actions addressed in this Confirmatory Action Letter may result in enforcement action.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and your response 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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Sincerely,

/s/ A. Bill Beach
A. Bill Beach
Regional Administrator

Docket No. 50-461
License No. NPF-62

cc: W. D. Romberg, Assistant
Vice President
P. Yocum, Plant Manager
Clinton Power Station
R. Phares, Manager-Nuclear Assessment
J. Sipek, Director - Licensing
Nathan Schloss, Economist
Office of the Attorney General
G. Stramback, Regulatory Licensing
Services Project Manager
General Electric Company
Chairman, DeWitt County Board
State Liaison Officer
Chairman, Illinois Commerce Commission

PLEASE SEE PREVIOUS CONCURRENCES

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OFFICE	RIII	NRR	RIII	RIII	RIII
NAME	Wright/co	Marcus	Clayton/Berson	Grant/Grobe	Caldwell /Beach
DATE	08/ /97	08/ /97	08/ /97	08/ /97	08/ /97

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Sincerely,

A. Bill Beach
Regional Administrator

Docket No. 50-461

cc-w/encl: W. D. Romberg, Assistant
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NAME	Wright/co		Marcus		Clayton/Berson		Grant/Grobe		Caldwell	
DATE	03/6/97		08/6/97		08/6/97		08/6/97		08/6/97	

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J. G. Cook

-4-

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