

William Fernandez II
Resident Manager

June 21, 1989
JAFP 89-0463

United States Nuclear Regulatory Commission
Mail Station P1-137
Washington, D.C. 20555

Attention: Document Control Desk

Subject: RESPONSE TO NOTICE OF VIOLATION
INSPECTION NO. 89-03 (DOCKET 50-333)

Gentlemen:

This responds to the subject inspection dated May 22, 1989 and conducted by Messrs. W. Schmidt and R. Plasse of your office between March 5, 1989 and April 18, 1989 at the James A. FitzPatrick Nuclear Power Plant.

A. Notice of Violation

10 CFR 50.72.(b)(2)(iii) requires in part that the licensee shall notify the NRC Operations Center within four hours of determining that a condition exists that alone could prevent fulfillment of a safety function.

Contrary to the above, on March 9, 1989 the licensee failed to notify the NRC Operations Center within four hours of determining that a condition existed, dealing with potential loss of instrument air, which could have prevented the fulfillment of a safety function of providing cooling for both emergency AC power supplies.

B. NYPA Response to the Notice of Violation

The Authority agrees with the violation.

1. Reason for the Violation

The cause of the violation was misinterpretation of the requirements for reporting contained in 10CFR50.72. The plant staff thought that the purpose of a 10CFR50.72 report was to provide real time information to NRC management concerning ongoing events. In this particular case corrective action was taken several days before a determination was made that the

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event was reportable under 10CFR50.73(a)(2)(v) (similar to 10CFR50.72(b)(2)(iii)). The plant staff mistakenly thought that since the situation had been corrected and a 10CFR50.73 report was being generated that the reporting requirements were satisfied.

2. Corrective Action Taken and Results

Several aspects of 10CFR50.72 reporting requirements were discussed in detail with representatives of Region I during the May 30, 1989 mid-cycle SALP meeting. During this discussion the NRC regional staff clarified the requirements for reporting of past events. Based upon these clarifications, Revision 18 of AD-8.2, "Reporting Variations From Normal Plant Operations and 10 CFR 21 Requirements", was developed and implemented. This revision will prevent future occurrences.

3. Further Corrective Actions to Avoid Further Violations

In addition to the actions already taken above, further training will be provided on 10CFR50 reporting requirements by December 31, 1989 to key management people at FitzPatrick. The NRC Region I staff is requested to address this issue formally with NRR. The Authority feels that this is an industry issue that deserves formal NRC clarification to prevent misunderstanding by other facilities. In particular, the issue of reporting past events should be clarified. (For example: an issue is discovered one month, one year, five years, etc. after being corrected. Should it still be reported under 50.72 and 50.73 requirements?) In addition, the issue of determining at what point in time during an investigation of a potential problem a 10CFR50.72 report is necessary, should also be formally clarified.

C. Notice of Violation

Technical Specification 4.5.C.1 requires that testing be conducted on the High Pressure Coolant Injection (HPCI) system to ensure that it is operable to perform its design function. Technical Specification 4.5.C.1 further requires that testing be conducted to verify that the HPCI system can deliver rated flow against a system head corresponding to a reactor pressure of 1120 psig.

1. Contrary to the above, as of March 5, 1989 the surveillance testing conducted on the HPCI system did not ensure that it was able to perform its design function of injecting to the reactor vessel within thirty seconds of an actuation signal with the injection valve full open.
2. Contrary to the above as of March 5, 1989 the testing has not been conducted to verify that the HPCI system can deliver rated flow at a corresponding system head to a reactor pressure of 1120 psig.

D. NYPA Response to the Notice of Violation

The Authority agrees with the violation.

1. Reason for the Violation

The existing FitzPatrick surveillance program was created approximately 15 years ago. At that time, surveillance tests were intended to demonstrate that the system in question was basically capable of performing its intended function and that redundant systems, trains or components were operable. Surveillance tests did not typically include testing of every conceived function and variable of the system over the entire range of performance. (In fact, many systems are precluded from testing of this type by design.) It was believed then, as now, that surveillance testing is one part of the overall program to ensure equipment can perform as designed. Other parts of the program include maintenance, proper operations, inspections, etc.

Since the FitzPatrick surveillance program was developed, the definition of an adequate surveillance test has evolved. The FitzPatrick procedures have continuously been reviewed and revised over the years to assure that they effectively demonstrate operability and meet the requirements, as interpreted, of the Technical Specifications. This review process has not been formally structured however, and as a result, certain inconsistencies have appeared.

2. Corrective Action Taken and Results

A surveillance test performed on March 8, 1989 proved that the HPCI system was able to perform its design function of injecting to the reactor vessel within thirty seconds of an actuation signal with the injection valve full open. A verification of this has been added to ST-4N, "HPCI Flow Rate and Inservice Test (IST)", which is performed quarterly and ST-4E, "HPCI Subsystem Logic System Functional Test", which is performed semi-annually.

Surveillance Test, ST-4B, "HPCI Pump and MOV Operability Test" was performed on June 8, 1989 which proved HPCI can deliver rated flow at a system head corresponding to a reactor pressure of 1120 psig.

Surveillance Test, ST-24A, "RCIC Pump and MOV Operability" was performed on June 8, 1989 which proved that RCIC could similarly perform.

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The following surveillance tests have been updated to include higher pressure testing:

ST-4B, HPCI Pump and MOV Operability Test

ST-4E, HPCI and SBTG Logic System Functional and Simulated Automatic Actuation Test

ST-4N, HPCI Flow Rate and Inservice Test (IST)

ST-24A, RCIC Pump and Valve Operability Test

ST-24J, RCIC Flow Rate and Inservice Test (IST)

3. Further Corrective Actions to Avoid Further Violations

To address the root cause of the surveillance testing issues the Authority will institute the following program:

- a. Preparation of a formal surveillance program document that sets standards for the scope of each type of surveillance test.
- b. Utilizing this standard, the surveillance tests will be reviewed and updated as needed.

The NRC resident inspector will be provided the schedule and status of conducting this program.

E. Notice of Deviation

As a result of the inspection 88-23 conducted on October 6 to November 25, 1988 and in accordance with NRC Enforcement Policy (10 CFR Part 2, Appendix C) the following deviation was identified:

FSAR, Section 8.4.2.3, specifies that indication of operational status in the control room for each offsite AC reserve power source is continuously provided so that the availability of the sources can be determined.

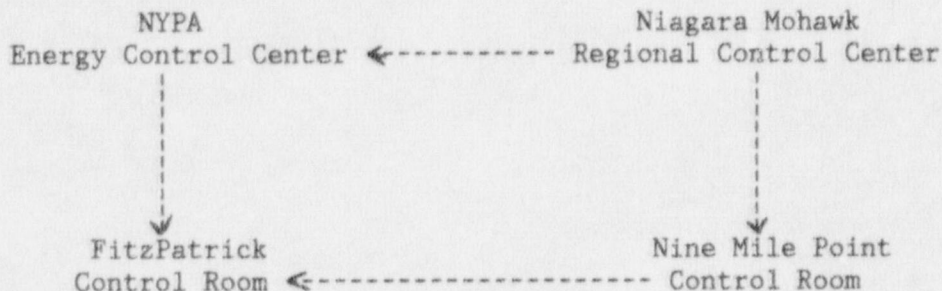
Contrary to the above the indications provided in the control room for the two 115 KV offsite reserve AC power supplies does not continuously provide information on the availability of these sources. As a result, during the loss of offsite power event which occurred on October 31, 1988 the control room operators were not aware of the unavailability of one 115 KV offsite reserve AC power source.

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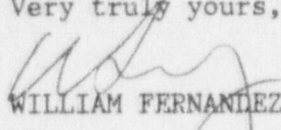
F. NYPA Additional Response to the Notice of Deviation

As discussed during the May 30, 1989 meeting with Region I representatives during the mid-cycle SALP conference, the following agreement between FitzPatrick, Nine Mile Point 1, the NYPA Energy Control Center, and the Niagara Mohawk Regional Control Center is being formalized in procedures. The identifier or initiator of an action that disrupts the flow of power on the 115 KV lines and equipment from Light House Hill switchyard through both plants to South Oswego switchyard shall report the situation to FitzPatrick via two routes. The first route is via the NYPA Energy Control Center to FitzPatrick. The second is via the Nine Mile Point 1 control room to FitzPatrick. The chart below illustrates the flow of information in the case where the Niagara Mohawk Regional Control Center initiates the interruption of power.



Implementing procedures at each facility are currently in draft form and are being approved. In addition, the computer display system for the 115 KV lines at Niagara Mohawk Regional Control Center has been annotated with this reporting system. The formalization of procedures, the dual reporting requirement, and the annotation of the Regional Control Center displays is expected to resolve this issue.

Very truly yours,


WILLIAM FERNANDEZ

WF:RTL:fah

CC: R. Liseno

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NRCI File

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