



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

February 3, 2022

EA-22-008

Mr. Daniel G. Stoddard
Senior Vice President and Chief Nuclear Officer
Dominion Energy, Inc.
Innsbrook Technical Center
5000 Dominion Blvd.
Glenn Allen, VA 23060-6711

SUBJECT: REISSUED - NOTICE OF ENFORCEMENT DISCRETION FOR MILLSTONE
POWER STATION, UNIT 3 (EPID: L-2022-LLD-0000)

Dear Mr. Stoddard:

The U.S. Nuclear Regulatory Commission (NRC) is correcting an error that was identified in the time reported as the Technical Specification (TS) 3.5.2 and TS 3.7.3 limiting condition for operation (LCO) action statement exit time on page 3 of the January 31, 2022, letter that documented approval of the associated Notice of Enforcement Discretion request (Agencywide Documents Access and Management System (ADAMS) Accession No. ML22031A236). The correct exit time for these LCO action statements as reported in Millstone Unit 3 operator log was January 27, 2022, at 8:50 p.m. EST. The NRC has reissued the letter in its entirety to correct the error.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

Daniel S. Collins, Director
Division of Operating Reactor Safety

Docket No. 05000423
License No. NPF-49

Enclosure:
As stated

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SUBJECT: REISSUED - NOTICE OF ENFORCEMENT DISCRETION FOR MILLSTONE POWER STATION, UNIT 3 (EPID: L-2022-LLD-0000) DATED FEBRUARY 3, 2022

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ADAMS ACCESSION NUMBER: ML22034A674

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KING OF PRUSSIA, PENNSYLVANIA 19406-2713

January 31, 2022

EA-22-008

Mr. Daniel G. Stoddard
Senior Vice President and Chief Nuclear Officer
Dominion Energy, Inc.
Innsbrook Technical Center
5000 Dominion Blvd.
Glenn Allen, VA 23060-6711

**SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR MILLSTONE POWER
STATION, UNIT 3 (EPID: L-2022-LLD-0000)**

Dear Mr. Stoddard:

By letter dated January 27, 2022 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML22027A736), Dominion Energy Nuclear Connecticut, Inc. (Dominion) requested that the U.S. Nuclear Regulatory Commission (NRC) exercise discretion not to enforce compliance with the actions required in Technical Specification (TS) 3.5.2, "ECCS [Emergency Core Cooling Water System] Subsystems – Tavg Greater Than or Equal to 350 °F", and TS 3.7.3, "Reactor Plant Component Cooling Water System."

This letter documented information previously discussed with the NRC in a telephone conference held on January 26, 2022, at 8:30 a.m. Eastern Standard Time (EST). The principal NRC staff members who participated in the telephone conferences are listed in the Enclosure. The NRC staff determined that the information contained in your letter requesting the Notice of Enforcement Discretion (NOED) was consistent with your oral request.

On January 25, 2022, at approximately 7:03 p.m. EST, you notified the resident inspector of the potential request for this NOED. On January 26, 2022, at 8:30 a.m. EST, you orally requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to the NRC's policy regarding the exercise of enforcement discretion for an operating power reactor, set out in the NRC Enforcement Manual, Appendix F, "Notices of Enforcement Discretion," dated October 1, 2019. You requested that the NOED be effective for 72 hours past the TS 3.5.3 and TS 3.7.3 limiting condition for operation (LCO) action statement expirations, i.e., until 11:18 a.m. EST on Saturday, January 29, 2022. This letter documents the event and our telephone conversation on January 26, 2022, at 8:30 a.m. EST, during which NRC staff granted this NOED request.

On January 23, 2022, at 11:18 a.m. EST, a charging pump and reactor plant component cooling water (RPCCW) pump area exhaust fan (3HVR*FN13B) tripped, maintenance technicians inspected the fan and found that the motor shaft had bent, causing the fan blades to make contact with the housing. The most likely cause of this issue was a bearing failure. Since this fan provides a support function to a charging pump and a RPCCW pump, the station entered the

72-hour TS Action Statement (TSAS) for these pumps being inoperable. Due to the extent of the wear on fan blades, Dominion concluded that the motor and fan blade assembly needed to be replaced.

Initially, Dominion did not believe enforcement discretion would be needed since the planned troubleshooting, corrective maintenance, and restoration was expected to be completed within the TS LCO allowed outage time. However, as troubleshooting and corrective maintenance planning progressed, completion of corrective maintenance was forecasted to extend beyond the original 72-hour allowed outage time.

During the teleconference on January 26, 2022, and as further elaborated in your January 27, 2022, letter, Dominion requested enforcement discretion to avoid an unnecessary shutdown of Millstone Unit 3 without a corresponding public health and safety benefit. The proposed enforcement discretion would provide an extension period of 72 hours to remain in Mode 1 rather than progressing to Mode 3 after 6 hours as required by Action 'a' for TS 3.5.2 and the Action for TS 3.7.3. The requested extension was needed to allow time to complete the motor and fan blade assembly replacement for 3HVR*FN13B, and perform post-maintenance testing for the fan that would restore the associated charging pump and RPCCW pump to operable status. Dominion requested that the NOED be in effect from 11:18 a.m. EST, the end of the TS allowed outage time, on January 26, 2022, until the restoration of the charging pump and RPCCW pump area exhaust fan motor, but not to exceed 11:18 a.m. EST on January 29, 2022.

You indicated that the calculated increase in incremental conditional core damage probability (ICCDP), using the zero-maintenance probability model and assuming a five-day enforcement discretion period, which encompassed the requested 72 hours, was $2.68E-8$, and that the increase in incremental conditional large early release probability (ICLERP) was $6.65E-10$. These values were less than the $5E-7$ ICCDP and $5E-8$ ICLERP guidance thresholds specified in the NRC Enforcement Manual, Appendix F, "Notices of Enforcement Discretion."

In addition, you proposed to implement compensatory risk management measures during the proposed period of enforcement discretion to reduce the likelihood of risk significant initiating events and protect risk significant equipment and actions. These measures included but were not limited to:

- Protecting risk significant systems and areas.
- Restricting maintenance and surveillance activities.
- Establishing fire watches in risk significant fire areas and for hot work in accordance with the fire protection program.
- Confirming the availability of equipment used to provide emergency ventilation to the affected charging/RPCCW pump area.
- Briefing operators at the beginning of each shift on plant procedures for aligning and operating emergency ventilation equipment for the affected areas.

Your Facility Safety Review Committee approved submission of the NOED request on January 26, 2022, prior to your request for a NOED during the teleconference.

Based on the NRC staff's evaluation of your request, the staff determined that granting this NOED was consistent with the NRC's Enforcement Policy and staff guidance. The NOED request met the criteria specified in Section 2.5 of Appendix F, "Notices of Enforcement

Discretion,” of the NRC’s Enforcement Manual. Granting this NOED avoided an unnecessary shutdown of a reactor without a corresponding benefit to public health and safety or the environment. Therefore, as communicated orally to your staff at 10:45 a.m. EST on January 26, 2022, the NRC staff exercised discretion not to enforce compliance with TS LCO 3.5.2 and TS LCO 3.7.3, for an additional period of 72 hours, which extended expiration from 11:18 a.m. EST on January 26, 2022, to 11:18 a.m. EST on January 29, 2022.

The NRC staff noted, subsequent to its verbal approval for enforcement discretion, that the condition causing the need for this NOED was corrected and Millstone Unit 3 exited from TS LCO 3.5.2 and TS LCO 3.7.3 at 8:50 p.m. EST on January 27, 2022. As a result, this NOED terminated at 8:50 p.m. EST on January 27, 2022, within the period of the enforcement discretion.

As stated in the NRC Enforcement Policy, action will be taken, to the extent that any violation was involved, for the root cause that led to the noncompliance for which this NOED was necessary.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 of the NRC’s “Rules of Practice,” a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC’s document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Daniel S. Collins, Director
Division of Operating Reactor Safety

Docket No. 05000423
License No. NPF-49

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As stated

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SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR MILLSTONE POWER STATION, UNIT 3 (EPID: L-2022-LLD-0000) DATED JANUARY 31, 2022

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DOCUMENT NAME: <https://usnrc.sharepoint.com/teams/Region-I-Branch-2/Shared Documents/a - Millstone/MS3 NOED Letter.docx>

ADAMS ACCESSION NUMBER: ML22031A236

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DATE	1/31/22	1/31/22	1/31/22	1/31/22	1/31/22

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LIST OF KEY NRC PERSONNEL

NRC REGION I

- D. Collins, Director, Division of Operating Reactor Safety (DORS)
- M. Young, Branch Chief, DORS, Projects Branch 2
- J. Fuller, Millstone Senior Resident Inspector, DORS, Projects Branch 2
- L. Cline, Senior Project Engineer, DORS, Project Branch 2
- E. Brady, Project Engineer, DORS, Project Branch 2
- F. Arner, Senior Reactor Analyst, DORS
- D. Werkheiser, Senior Reactor Analyst, DORS

Office of Nuclear Reactor Regulation

- C. Carusone, Deputy Director, Division of Operating Reactor Licensing (DORL)
- B. Wittick, Deputy Director, DORL
- J. Danna, Branch Chief, DORL, Plant Licensing Branch I
- R. Guzman, Senior Project Manager, DORL, Plant Licensing Branch I
- E. Miller, Senior Project Manager, DORL, Plant Licensing Branch II-1
- B. Venkataraman, Project Manager, DORL, Plant Licensing Branch III
- A. Zoulis, Branch Chief, Division of Risk Assessment, PRA Licensing Oversight Branch
- C. Ng, Reliability and Risk Analyst, Division of Risk Assessment, PRA Licensing Oversight Branch
- S. Jones, Branch Chief, Division of Safety Systems, Containment and Plant Systems Branch
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- A. Mihalik, Reliability and Risk Analyst, Division of Risk Assessment, PRA Licensing Oversight Branch
- E. Kleeh, General Engineer, Division of Risk Assessment, PRA Licensing Oversight Branch
- L. Caponi, General Engineer, Division of Risk Assessment, PRA Licensing Oversight Branch