



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

December 22, 1999

EA 99-317

Mr. J. V. Parrish (Mail Drop 1023)
Chief Executive Officer
Energy Northwest
P.O. Box 968
Richland, Washington 99352-0968

SUBJECT: NRC INSPECTION REPORT NO. 50-397/99-13 AND NOTICE OF VIOLATION

Dear Mr. Parrish:

This refers to the inspection conducted on October 17 through November 27, 1999, at the WNP-2 facility. The enclosed report presents the results of this inspection.

Based on the results of this inspection, the NRC has determined that one violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in the subject inspection report. This violation is being cited, in accordance with the guidance in our Enforcement Policy, because we have determined that you failed to adequately restore compliance for a June 1998 violation within a reasonable time following the enforcement action. We also noted that the noncompliance would likely have continued absent NRC involvement.

Specifically, in June 1998, you received a Severity Level III violation (EA 97-573) for inappropriately downgrading the reactor core isolation cooling (RCIC) system to nonsafety status via the 10 CFR 50.59 process. You took corrective action to upgrade the system, but after inadequate engineering analyses, your staff left two system components in a nonsafety-related status. These components were the RCIC system keepfill pump and the RCIC barometric condenser level switch. The supporting engineering work was flawed and provided inadequate justification for the continued nonsafety-related component status. This resulted in a continuing violation of 10 CFR 50.59. We have identified your failure to restore compliance to 10 CFR 50.59 as a violation of 10 CFR 50, Appendix B, Criterion XVI, "Corrective Action."

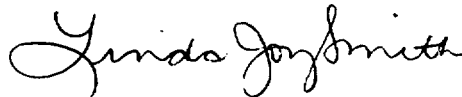
You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

JED

PDZ ADDCL 05000397

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.

Sincerely,



Linda Joy Smith, Chief
Project Branch E
Division of Reactor Projects

Docket No.: 50-397
License No.: NPF-21

Enclosures:

1. Notice of Violation
2. NRC Inspection Report No.
50-397/99-13

cc w/enclosures:

Chairman
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, Washington 98504-3172

Rodney L. Webring (Mail Drop PE08)
Vice President, Operations Support/PIO
Energy Northwest
P.O. Box 968
Richland, Washington 99352-0968

Greg O. Smith (Mail Drop 927M)
Vice President, Generation
Energy Northwest
P.O. Box 968
Richland, Washington 99352-0968

Albert E. Mouncer (Mail Drop 1396)
General Counsel
Energy Northwest
P.O. Box 968
Richland, Washington 99352-0968

Energy Northwest

-3-

Paul Inserra (Mail Drop PE20)
Manager, Licensing
Energy Northwest
P.O. Box 968
Richland, Washington 99352-0968

Thomas C. Poindexter, Esq.
Winston & Strawn
1400 L Street, N.W.
Washington, D.C. 20005-3502

Bob Nichols
State Liaison Officer
Executive Policy Division
Office of the Governor
P.O. Box 43113
Olympia, Washington 98504-3113

E-Mail report to D. Lange (DJL)
 E-Mail report to NRR Event Tracking System (IPAS)
 E-Mail report to Document Control Desk (DOCDESK)
 E-Mail report to J. D. Wilcox (JDW)
 E-Mail report to Frank Talbot (FXT)

bcc to DCD (IE01)
 bcc distrib. by RIV:
 Regional Administrator
 DRP Director
 DRS Director
 Branch Chief (DRP/E)
 Branch Chief (DRP/TSS)
 G. Sanborn, Director/ACES
 T. Reis, OE
 OEMail

Resident Inspector
 RIV File
 RITS Coordinator
 Senior Project Inspector (DRP/E)

DOCUMENT NAME: R:_WN2\WN913RP.GDR

To receive copy of document, indicate in box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

| | | | | | | | | | |
|----------------|--|--------------|--|----------------|--|----------------|--|----------------------|--|
| RIV:SRI | | SPE:DRP/E | | DRS/EMB | | C:DRS/EMB | | D:ACES | |
| GReplogle | | GPick (GAP)* | | PGoldberg | | DPowers (DAP)* | | GSanborn (GMV for) * | |
| 12/16/99 email | | 12/21/99 | | 12/16/99 email | | 12/21/99 | | 12/21/99 | |
| C:DRP/E | | D:DRP | | | | | | | |
| LSmith (LJS) * | | KBrockman | | | | | | | |
| 12/21/99 | | 12/21/99 | | | | | | | |

*Previously concurred

OFFICIAL RECORD COPY

E-Mail report to D. Lange (DJL)
 E-Mail report to NRR Event Tracking System (IPAS)
 E-Mail report to Document Control Desk (DOCDESK)
 E-Mail report to J. D. Wilcox (JDW)
 E-Mail report to Frank Talbot (FXT)

bcc to DCD (IE01)
 bcc distrib. by RIV:
 Regional Administrator
 DRP Director
 DRS Director
 Branch Chief (DRP/E)
 Branch Chief (DRP/TSS)
 G. Sanborn, Director/ACES
 T. Reis, OE
 OEMail

Resident Inspector
 RIV File
 RITS Coordinator
 Senior Project Inspector (DRP/E)

DOCUMENT NAME: R:_WN2\WN913RP.GDR

To receive copy of document, indicate in box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

| | | | | | | | | | |
|----------------|--|--------------|--|----------------|--|----------------|--|----------------------|--|
| RIV:SRI | | SPE:DRP/E | | DRS/EMB | | C:DRS/EMB | | D:ACES | |
| GReplogle | | GPick (GAP)* | | PGoldberg | | DPowers (DAP)* | | GSanborn (GMV for) * | |
| 12/16/99 email | | 12/21/99 | | 12/16/99 email | | 12/21/99 | | 12/21/99 | |
| C:DRP/E | | D:DRP | | | | | | | |
| LSmith (LJS) * | | KBrockman | | | | | | | |
| 12/21/99 | | 12/21/99 | | | | | | | |

*Previously concurred

OFFICIAL RECORD COPY

ENCLOSURE 1

NOTICE OF VIOLATION

Energy Northwest
WNP-2

Docket No.: 50-397
License No.: NPF-21
EA 99-317

During an NRC inspection conducted on October 17 through November 27, 1999, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR Part 50, Appendix B, Criterion XVI states, in part, that: "Measures shall be established to assure that conditions adverse to quality, such as . . . nonconformances are promptly . . . corrected."

In a letter dated June 1, 1998, the NRC informed the licensee that the reactor core isolation cooling system was inappropriately downgraded to nonsafety status in 1985 and that the condition constituted an unreviewed safety question pursuant to 10 CFR 50.59. The problem was a nonconformance and a condition adverse to quality.

Contrary to the above, as of October 15, 1999, the inspector identified that the licensee had not taken measures to assure that a condition adverse to quality was promptly corrected. The unreviewed safety question described above was not properly addressed, in that the reactor core isolation cooling system keepfill pump and barometric condenser level switch were not upgraded to safety-related status, and the justification for maintaining the nonsafety status was inadequate.

This is a Severity Level IV violation (Supplement 1) (50-397/99013-01)

Pursuant to the provisions of 10 CFR 2.201, Energy Northwest is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011 and a copy to the NRC Resident Inspector at the WNP-2 facility, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it 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.

In accordance with 10 CFR 19.11, you may be required to post this Notice within 2 working days.

Dated this 22nd day of December 1999