

February 20, 2001

EA-00-282

Mr. J. Sorensen  
Site General Manager  
Prairie Island Nuclear Power Plant  
Nuclear Management Company, LLC  
1717 Wakonade Drive East  
Welch, MN 55089

SUBJECT: FINAL SIGNIFICANCE DETERMINATION FOR A WHITE FINDING AND  
NOTICE OF VIOLATION (NRC INSPECTION REPORT 50-282/00-13 (DRS);  
50-306/00-13 (DRS))

Dear Mr. Sorensen:

The purpose of this letter is to provide you with the final results of our significance determination analysis of the inspection finding, identified in the subject inspection report, involving inadequate design control for the deep draft cooling water (service water) pumps. The inspection finding was assessed using the Significance Determination Process (SDP) and was initially characterized as a Yellow finding (i.e., an issue with substantial importance to safety that will result in additional NRC inspection and potentially other NRC action). However, as stated in our letter to you dated February 12, 2001, we identified an error in the NRC's initial Phase 3 analysis of the finding. Upon re-analysis of the finding, we have determined the finding should be characterized as a White finding (i.e., an issue with low to moderate increased importance to safety).

During our recent conversation, you declined the opportunity to discuss the NRC's risk characterization of this finding during a regulatory conference. Consequently, after considering the information developed during the inspection, the NRC has concluded that the inspection finding is appropriately characterized as a White finding, which may require additional NRC inspections. You have 10 business days from the date of this letter to appeal the staff's determination of significance for the identified White finding. Such appeal will be considered to have merit only if it meets the criteria given in NRC Inspection Manual Chapter 0609, Supplement 3.

The NRC has also determined that the failure to assure that the original cooling water pump lubricating water filter backwash systems were provided with electrical power from a vital bus and the failure to maintain a safety-related quality standard for the cooling water pump lubricating water supply following a 1977 design change modification was a violation of 10 CFR Part 50, Appendix B, Criterion III, "Design Control," as cited in the enclosed Notice of Violation (Notice). The circumstances surrounding the violation are described in detail in the subject

inspection report. In accordance with the NRC Enforcement Policy, NUREG-1600, Revision 1, the Notice is considered an escalated enforcement action because it is associated with a White finding.

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.

Because plant performance for this issue has been determined to be in the Regulatory Response Band, we will use the NRC Action Matrix to determine the most appropriate NRC response for this finding. We will notify you, by separate correspondence, of that determination.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure 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/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

**/ RA /**

John A. Grobe, Director  
Division of Reactor Safety

Docket No. 50-282, 50-306  
License No. DPR-42, DPR-60

Enclosure: Notice of Violation

See Attached Distribution

cc w/encl:     Plant Manager, Prairie Island  
                  M. Wadley, Chief Nuclear Officer  
                  G. Eckholt, Site Licensing Manager  
                  S. Northard, Nuclear Asset Manager  
                  J. Malcolm, Commissioner, Minnesota  
                  Department of Health  
                  State Liaison Officer, State of Wisconsin  
                  Tribal Council, Prairie Island Dakota Community  
                  J. Silberg, Esquire  
                  Shawn, Pittman, Potts, and Trowbridge  
                  P. Tester, Assistant Attorney General  
                  Minnesota Office of Attorney General  
                  S. Bloom, Administrator  
                  Goodhue County Courthouse  
                  Commissioner, Minnesota Department  
                  of Commerce

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License No. DPR-42, DPR-60

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cc w/encl:     Plant Manager, Prairie Island  
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                  G. Eckholt, Site Licensing Manager  
                  S. Northard, Nuclear Asset Manager  
                  J. Malcolm, Commissioner, Minnesota  
                  Department of Health  
                  State Liaison Officer, State of Wisconsin  
                  Tribal Council, Prairie Island Dakota Community  
                  J. Silberg, Esquire  
                  Shawn, Pittman, Potts, and Trowbridge  
                  P. Tester, Assistant Attorney General  
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                  S. Bloom, Administrator  
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## NOTICE OF VIOLATION

Nuclear Management Company, LLC  
Prairie Island Nuclear Power Plant

Docket No.(s) 50-282 and 50-306  
License No.(s) DPR-42 and DPR-60  
EA-00-282

During an NRC baseline inspection completed on November 3, 2000, 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:

Title 10 of the Code of Federal Regulations, Part 50, Appendix B, Criterion III, "Design Control," requires, in part, that design control measures shall verify the adequacy of design and shall assure that appropriate quality standards are specified.

General Design Criteria 38, "Reliability and Testability of Engineered Safety Features," dated July 1967, required, in part, that all engineering safety features, and support systems such as the cooling water system, shall be designed to provide high functional reliability.

General Design Criteria 39, "Emergency Power for Engineering Safety Features," dated July 1967, required, in part, onsite power systems shall be provided and designed with adequate independency, redundancy and capability to permit the functioning required of the engineered safety systems, and support systems such as the cooling water system, assuming a single failure.

Contrary to the above, as of November 3, 2000:

- A. The licensee did not verify that the original design provided adequate independence, redundancy, or capability for the Units 1 and 2 cooling water pump lubricating water filter backwash systems. Specifically, the licensee did not verify that the original design provided safety related electrical power from a vital bus to these systems to assure continued functionality, assuming a single failure.
- B. The licensee did not maintain a quality standard for the cooling water pump lubricating water filter backwash systems, consistent with its safety related function. Specifically, a 1977 safety evaluation incorrectly reduced the classification of the drive shaft bearing lubricating water supply from safety related to non-safety related.

This violation is associated with a White SDP finding.

Pursuant to the provisions of 10 CFR Part 2.201, Nuclear Management Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, 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 made 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), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room). 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 Part 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 Part 73.21.

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

Dated this 20th day of February 2001