

August 20, 2003

Dr. Robert C. Mecredy
Vice President, Nuclear Operations
Rochester Gas and Electric Corporation
89 East Avenue
Rochester, NY 14649

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR R. E. GINNA NUCLEAR
POWER PLANT (TAC NO. MC0322, NOED NO. 03-6-002)

Dear Dr. Mecredy:

By letter dated August 15, 2003, you requested that the Nuclear Regulatory Commission (NRC) exercise discretion not to enforce compliance with the actions required in Ginna Station Improved Technical Specifications (ITS), Sections 3.0.4 and 3.7.5. Your letter documented information previously discussed with the NRC in several telephone conferences on August 15, 2003, at 12:15 p.m., 4:50 p.m., and 10:40 p.m. Eastern Standard Time (EST). The principal NRC staff members who participated in these telephone conferences are included in the enclosure.

During the telephone conference on August 15, 2003, at 12:15 p.m. you stated that plant mode change for reactor startup would not be in compliance with Ginna ITS Limiting Condition for Operation (LCO) 3.0.4 due to Motor Driven Auxiliary Feedwater (MDAFW) Pump B not being operable. LCO 3.0.4 states that when an LCO is not met, entry into a mode where that LCO is applicable shall not be made. With MDAFW Pump B inoperable, LCO 3.7.5, which is applicable in Modes 1, 2, and 3, was not met. You also stated that Rochester Gas and Electric Corporation (RG&E) intended to comply with the Required Action Statement 3.7.5.B and was not seeking to extend the 7-day allowed outage time for the equipment inoperability. You requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to the NRC's policy regarding exercise of discretion for an operating facility, set out in Section VII.C, of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, and be effective for the period beginning on August 15, 2003, at 11:00 p.m. and ending when the repairs and testing of MDAFW Pump B are completed and the pump has been declared operable (not to exceed the allowable outage time of 7 days). This letter documents our telephone conversation at approximately 10:40 p.m. on August 15, 2003, during which we orally issued this NOED. We understand that the need for the NOED from LCO 3.0.4 was removed on August 18, 2003, at 12:04 a.m. EST, when the plant changed modes. At that time you also declared the MDAFW Pump B operable and exited LCO 3.7.5.

You requested this NOED following a plant trip that occurred on August 14, 2003, at 4:11 p.m. EST due to an offsite electrical disturbance caused by the widespread electrical blackout in the northeastern part of the United States. Following reactor trip on over-temperature ΔT , the reactor operators elected to manually load the emergency safeguard busses onto the emergency diesel generators (EDGs) and disconnect the in-house loads from the grid due to significant voltage swings. While re-aligning the auxiliary feedwater system, a cross-tie valve between the discharge header for the two MDAFW pumps was inadvertently

opened. This operating condition allowed the higher fluid discharge pressure from MDAFW Pump A to block flow from MDAFW Pump B which damaged the pump. In addition, the power supply within one of the under-voltage relay cabinets for the emergency safeguard busses also failed. However, after review, it was determined that this power supply only affected the test circuits and did not perform a safety function. This under-voltage relay was repaired prior to plant startup.

You also stated that the New York Independent System Operator (NYISO) had made an emergency assessment of the power situation in New York and that the NYISO requested Ginna Station to return to power in order to restore the New York State electrical grid.

The Auxiliary Feedwater System is a safety-related system that provides feedwater to the steam generators (SGs) when the main feedwater pumps are unavailable. Ginna has five safety-related auxiliary feedwater pumps including; two MDAFW Pumps rated at 200 gallons per minute (GPM) each, one Turbine Driven Auxiliary Feedwater (TDAFW) Pump rated at > 400 GPM, and two Standby Auxiliary Feedwater (SAFW) Pumps rated at 200 GPM each. The minimum auxiliary feedwater flow for the most limiting updated final safety analysis report Chapter 15 accident is 200 GPM. In an accident situation, MDAFW Pump A and the TDAFW will automatically start and supply flow which far exceeds the required amount needed to mitigate operational transients or design-basis accidents. In addition, the SAFW pumps would be manually started if required by Ginna Emergency Operating Procedures. All motor driven pumps are powered by the emergency safeguard busses.

With the failure of MDAFW Pump B, the NRC staff concluded that adequate cooling water would still be available to provide decay heat removal even if a single failure were to occur. To prevent the possibility of a common mode failure during plant startup, the licensee also assured that the cross-tie between the MDAFW pumps was closed.

The licensee stated that at the time the NOED was requested all safety-related loads were being supplied from two stable offsite power circuits and that both EDGs were operable. Therefore, safety-related equipment had both normal and backup power available. The New York State electrical grid at the time was sufficiently stable to the point that more power could be added. In addition, the load dispatchers gave RG&E offsite transmission system priority for restoring power to Ginna Station in the event that offsite power was lost.

The licensee also stated that all major in-house loads needed for power production were connected to the off-site power supply and that the grid was sufficiently stable to allow the main generator to be connected without exceeding its design limits (real and reactive power). Since all major power production loads (condenser circulating water pumps, service water pumps, condensate pumps, etc.) were already connected to the grid, the voltage transient on the grid during plant startup would be minimum and the probability of tripping the reactor due to loss of off-site power was very low.

The compensatory measures taken by the licensee which included limiting access to vital equipment areas and deferring routine elective maintenance and testing also ensured operability of essential components which reduced the impact on plant risk.

Due to the multiple and diverse sources of auxiliary feedwater, the compensatory measures taken by the licensee, and the fact that the grid was sufficiently stable to allow plant restart, the NRC staff concluded that the proposed NOED involved no net increase in radiological risk.

The NRC staff confirmed the emergency assessment and the need to restore power to the New York state electrical grid through discussion with the President and Chief Executive Officer of the NYISO. Based on its evaluation, the NRC staff concluded that NRC Inspection Manual, Part 9900, Section B, Criterion 2.2 was satisfied.

On the basis of the NRC staff's evaluation of your request, we have concluded that issuance of this NOED is consistent with the Enforcement Policy and staff guidance, and has no adverse impact on public health and safety. Therefore, we exercised our discretion not to enforce compliance with Technical Specification LCO 3.0.4 due to failure to meet LCO 3.7.5 for inoperability of MDAFW Pump B during the 7-day period starting at 4:11 p.m. on August 14, 2003, and ending at 4:11 p.m. on August 21, 2003.

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

Sincerely,

/RA/

Cornelius F. Holden, Director
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-244

Enclosure: As stated

cc w/encl: See next page

R. Mecredy

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*(See previous concurrence)

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R.E. Ginna Nuclear Power Plant

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AUGUST 15, 2003

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Enclosure