

VIRGINIA ELECTRIC AND POWER COMPANY
RICHMOND, VIRGINIA 23261

August 22, 2006

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555

Serial No.: 06-649
NLOS/GDM: R9
Docket Nos.: 50-280/281
License Nos.: DPR-32/37

VIRGINIA ELECTRIC AND POWER COMPANY
SURRY POWER STATION UNITS 1 AND 2
NRC INSPECTION REPORT NOS. 50-280/2006-010 AND 50-281/2006-010
REPLY TO A NOTICE OF VIOLATION

Virginia Electric and Power Company (Dominion) has reviewed NRC Inspection Report Nos. 50-280/2006-010 and 50-281/2006-010 dated July 25, 2006, and the enclosed Notice of Violation (NOV) for Surry Power Station Units 1 and 2. The report provided the final significance determination of White for a finding involving the failure of the Surry full-scale exercise critique to identify a weakness associated with a risk-significant planning standard which was determined to be a drill/exercise performance – performance indicator opportunity failure, as well as an associated Notice of Violation.

In our letter dated June 6, 2006, (Serial No. 06-417), Dominion provided a differing professional opinion regarding the preliminary finding and its basis as stated in NRC Inspection Report Nos. 50-280/2006-08 and 50-281/2006-08. Although we continue to have concerns regarding several statements and conclusions made in the inspection reports, our response does not contest the violation.

As discussed in Dominion's response to the NOV, we have performed a Root Cause Evaluation of the events that led to the White finding and have developed appropriate corrective actions to address the root causes identified. Our response to the violation is provided in the attachment.

We have no objection to this letter being made a part of the public record. Should you have any questions regarding this submittal, please contact Mr. Gary D. Miller at (804) 273-2771.

Very truly yours,



David A. Christian
Senior Vice President – Nuclear Operations
and Chief Nuclear Officer

Attachment:

Reply to a Notice of Violation; EA-06-071

Commitments made in this letter:

1. NRC Inspection Report 2006-010 dated July 25, 2006, the enclosed Notice of Violation (NOV), and the response to the NOV will be reviewed by the Station Emergency Managers (SEMs) and the Emergency Procedures Coordinators.
2. A proposed revision to EAL tab L-1 will be prepared and submitted to the NRC for approval to define an earthquake as a discrete event. Associated changes to the basis document will be made as necessary. A revision to EAL tab K-10 and its basis document will also be implemented to ensure the use of consistent terminology when referring to safe shutdown equipment.
3. A drill and exercise critique process will be developed to ensure a thorough, documented evaluation of unanticipated emergency classifications made during exercises is performed. The process will require that the evaluation be conducted by a team consisting of members from EP and SEM position qualified personnel, and that the evaluation results be reviewed and approved by EP and station management.
4. A scenario specific checklist will be developed that: i) compares the drill/exercise scenario indications and message injects against expected EAL tabs and a null-verification of other EAL tabs, ii) requires independent validation by EP, and iii) requires review and approval by EP and Station Management. Control and completion of this checklist will be programmatically required by procedure.
5. Programmatic controls will be established to require review and validation of drill/exercise scenarios by SEM-qualified station staff personnel.

cc: U.S. Nuclear Regulatory Commission
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Attachment

**Reply to a Notice of Violation; EA-06-071
(NRC Inspection Report Nos. 50-280/2006-010 and 50-281/2006-010)**

**Surry Power Station Units 1 and 2
Virginia Electric and Power Company
(Dominion)**

Reply to a Notice of Violation; EA-06-071
(NRC Inspection Report Nos. 50-280/2006-010 and 50-281/2006-010)

Surry Power Station Units 1 and 2

NRC Comment:

During an NRC inspection completed on March 29, 2006, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

10 CFR 50.47(b)(4) requires, in part, that a standard emergency classification and action level scheme, the bases of which include facility system and effluent parameters, is in use by the nuclear facility licensee, and State and local response plans call for reliance on information provided by facility licensees for determinations of minimum initial offsite response measures.

10 CFR 50.47(b)(14) requires, in part, that periodic exercises be conducted to evaluate major portions of emergency response capabilities and deficiencies identified as a result of exercises be corrected.

10 CFR Part 50, Appendix E, Section IV.F.2.g, requires that all training, including exercises, shall provide for formal critiques in order to identify weak or deficient areas that need correction. Any weaknesses or deficiencies that are identified shall be corrected.

Contrary to the above, the licensee's formal critique of an emergency preparedness exercise conducted on February 7, 2006, failed to identify weak or deficient areas. Specifically, the exercise critique failed to identify that the Station Emergency Manager's Site Area Emergency event classification was an inaccurate classification.

This violation is associated with a White significance determination process finding for Units 1 and 2 in the Emergency Preparedness cornerstone.

Reply to a Notice of Violation; EA-06-071
NRC Inspection Report Nos. 50-280/2006-010 and 50-281/2006-010

Surry Power Station Units 1 and 2

1. The reason for the violation or, if contested, the basis for disputing the violation or severity level

The reason for the violation is Emergency Plan Implementing Procedure (EPIP) - 1.01, *Emergency Manager Controlling Procedure*, Attachment 1, *Emergency Action Level Table*, EAL tabs K-10 and L-1 and associated basis documents contain errors, which affect accurate classification of missile impact and earthquake events. EAL tab L-1 does not consider an earthquake as a discrete event, and the EAL tab K-10 basis does not limit the indication to 'safety systems required for unit shutdown'.

In addition, adequate programmatic controls for evaluating unanticipated emergency classifications made during exercises were not available to provide guidance and documentation requirements for performing such an evaluation. Also, adequate administrative controls were not available to develop, review and validate drill/exercise scenarios, including the conditions to support only the predetermined EAL tab(s). Specifically, the *Drill and Exercise Program Development, Logistics, and Conduct Checklist* does not require a null-verification of alternate EAL tabs for the exercise, and the checklist is not procedurally controlled or consistently followed.

2. The corrective steps that have been taken and the results achieved

A Root Cause Evaluation was performed of the events that led to the White finding. Root and contributing causes were identified, and corrective actions were developed to prevent recurrence.

3. The corrective steps that will be taken to avoid further violations

The following corrective actions will be implemented to resolve the cited violation and to avoid further violations:

- NRC Inspection Report 2006-010 dated July 25, 2006, the enclosed Notice of Violation (NOV), and the response to the NOV will be reviewed by the Station Emergency Managers (SEMs) and the Emergency Procedures Coordinators.
- A revision to EAL tab L-1 will be prepared and submitted to the NRC for approval to define an earthquake as a discrete event. Associated changes to the accompanying basis document will also be prepared and implemented as necessary. A revision to EAL tab K-10 and its basis document will also be prepared and implemented to ensure the use of consistent terminology when referring to safe shutdown equipment. These revisions will eliminate the logic that allows classification for other than the specified condition.

- A drill and exercise critique process will be developed to ensure a thorough, documented evaluation of unanticipated emergency classifications is performed. The process will require that the evaluation be conducted by a team consisting of members from Emergency Preparedness (EP) staff and SEM position qualified personnel, and that the evaluation results be reviewed and approved by EP and station management.

The evaluation will require, as a minimum, the following actions:

- A comparison of the differences between the scenario and actual drill/exercise conditions and indications affecting emergency classification.
 - Based on this comparison, a technical justification will be provided regarding why the intended emergency classification was not performed *and* a technical justification for why the actual classification was correct, *or* identification of the classification as a Performance Indicator (PI) opportunity failure.
- A scenario specific checklist will be developed that:
 - Compares the drill/exercise scenario indications and message injects against expected EAL tabs and a null-verification of other EAL tabs,
 - Requires independent validation by EP staff, and
 - Requires review and approval by EP and Station Management.

Control and completion of this checklist will be programmatically required by procedure.

- Programmatic controls will be established to require review and validation of drill/exercise scenarios by SEM position qualified station staff personnel.

As an overall enhancement, Dominion is preparing a submittal to the NRC to adopt EALs prepared in accordance with NEI 99-01, Revision 4, *Methodology for Development of Emergency Action Levels*. These EALs will provide a more definitive basis document for interpreting EAL intent and will also limit natural disasters to Alert classifications only.

4. The date when full compliance will be achieved

Full compliance will be achieved by December 15, 2006. It should be noted that full compliance refers to completion of the five corrective actions identified in Item 3 above. Implementation of the proposed change to EAL tab L-1 is contingent upon NRC review and approval.