UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

October 19, 2010

T.C (b)(7)(C)

SUBJECT: RESPONSE TO CONCERNS YOU RAISED TO THE U.S. NUCLEAR REGULATORY COMMISSION (NRC) REGARDING THE SAN ONOFRE NUCLEAR GENERATING STATION

RE: ALLEGATION RIV-2010-A-0094

T.C Dear (b)(7)(C)

The NRC has completed its follow up in response to the concerns you brought to our attention on June 7, 2010, regarding the San Onofre Nuclear Generating Station. Your concerns were related to insufficient corrective actions for a degraded battery cell with potential generic implications and no control over completion of corrective actions. The enclosure to this letter restates your concerns and describes the NRC's review and conclusions with regard to each concern.

Thank you for informing us of your concerns. Allegations are an important source of information in support of the NRC's safety mission. We take our safety responsibility to the public seriously and will continue to do so within the bounds of our lawful authority. Your information helped the NRC to understand a number of performance issues at SONGS and contributed directly to the safe operation of the facility.

Should you have any additional questions regarding our response, please contact Mr. Ryan E. Lantz, Chief, Reactor Projects Branch D, at 800-952-9677, extension 173, or you can call Mr. Nicholas H. Taylor, Senior Allegation Coordinator, on the NRC Safety Hotline at 800-695-7403 Monday - Friday between 8 a.m. and 4:30 p.m. Central time.

Sincerely,

Kriss M. Kennedy, Director
Division of Reactor Projects

Enclosure: As stated

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

E/10

RESPONSE TO CONCERNS
ALLEGATION RIV-2010-A-0094

Concern 1

After identifying that one cell of Class-IE Battery 2B008 was degraded, insufficient actions were taken by the licensee. The associated notification (CAP [corrective action program] document) was closed with no corrective actions taken.

Licensee Response to Concern 1

The NRC requested that the licensee explain their documentation and actions regarding this issue. As part of their response, the licensee noted that Notification (b)(7)(C) which was generated after you walked down the battery with the NRC resident inspector, was closed on (b)(7)(C) stating that follow-up activities would be tracked in the Quarterly Battery Health Report. San Onofre Nuclear Generating Station concluded, in their review, that the closure of this notification was inadequately documented and issued Notification (b)(7)(C) to address the improper documentation and untimely follow through on the issue.

The licensee supplied several other notifications regarding the degraded cell on Class-IE Battery 2B008, including Notification (b)(7)(C) which was originated on (b)(7)(C) to track the removal and replacement of the spare degraded battery jar in battery 2B008. This notification also contained action items to ship the degraded cell to the vendor for analysis.

NRC Response to Concern 1

The NRC inspectors reviewed the associated documentation for the degraded cell in battery 2B008 and the licensee's corrective actions. The inspectors documented a violation of NRC requirements that occurred as a result of this issue in NRC Inspection Report 05000361/2010003 and 05000362/2010003 in Section 4OA2, "Identification and Resolution of Problems." A noncited violation of 10 CFR Part 50, Appendix B, Criterion V, was written for the failure of engineering personnel to fully evaluate a degraded condition in accordance with corrective action procedures.

Your concern that after identifying that a degraded cell in Class 1E Battery 2B008, insufficient actions were taken by the licensee was substantiated. Your concern that an associated notification was closed with no corrective actions taken was also substantiated. A violation of an NRC regulatory requirement was identified.

Concern 2:

Corrective actions associated with a degraded cell on safety-related Battery 2B008 are not being tracked in the corrective action program. There is no control over completion of the corrective action.

NRC Response to Concern 2

The NRC inspectors reviewed the corrective actions and associated documentation concerning the degraded cell. Several notifications were originated in the course of events including Notification (b)(7)(C) which was initiated on (b)(7)(C) after the pilot cell voltage was discovered to be below the surveillance administrative limit. Notification (b)(7)(C) was initiated on (b)(7)(C) after the pilot cell failed the surveillance. Notification (b)(7)(C) was initiated on (b)(7)(C) after the NRC inspector's walkdown of battery 2B008 and Notification (b)(7)(C) was initiated on (b)(7)(C) (b)(7) to replace the spare battery jar (degraded cell) and to send the cell to the vendor. In the course of the NRC's inspection efforts, the NRC identified a number of procedural deficiencies associated with the corrective action program including missed notifications and a failure to perform a proper extent of condition evaluation; however, the licensee did track corrective actions including the task to remove the degraded cell and send it to the vendor for evaluation.

The concern that the corrective actions associated with the degraded cell were not being tracked by the corrective action program is not substantiated, but because you raised this concern, the NRC inspected more thoroughly and did identify other deficiencies. These deficiencies were noted by the licensee and Notifications (b)(7)(C) were generated to address CAP procedural violations that occurred.

Concern 3:

Potential generic implications associated with the degradation/failure of a safety-related battery are not being adequately addressed.

Licensee Response to Concern 3

As part of our response to your concern, the NRC requested that the licensee answer the following question, *"Considering the cells in Battery 2B008 were less than 1-year old when cell 13 was determined to be degraded and inoperable, and you have not yet determined the cause of the failure, what is your assessment of the operability and reliability of the remaining cells? What is your basis for this assessment?"* In their response, San Onofre Nuclear Generating Station stated that the other individual cell voltages in battery 2B008 were checked and found to be satisfactory; however, the licensee did identify the lack of a proper extent of condition evaluation as part of Notification (b)(7)(C) The licensee documented this lack of an adequate extent of condition evaluation in Notification (b)(7)(C) In addition, the licensee stated that there was a lack of timeliness in performing the cause evaluation of this issue.

NRC Response to Concern 3

The NRC inspected this issue and concurred with your assertion that potential generic implications were not being adequately addressed. This is documented in our noncited violation

in NRC Inspection Report 05000361/2010003, in that, "Procedure SO123-XV-52, Functionality Assessments and Operability Determinations,' Revision 14, Step 6.5.3, stated "If the status is INOPERABLE, perform Section 6.10 for the Extent of Condition (EOC) evaluation." After the battery was declared inoperable, no task was generated to determine extent of condition; no extent of condition evaluation was performed."

Subsequently, the licensee performed manufacturer acceptance testing on the battery, including individual cells, and all passed with performance exceeding 100 percent acceptance criteria, confirming that there were no similar manufacturing defects in the installed cells.

Your concern that potential generic implications associated with the degradation/failure of a safety-related battery were not being adequately addressed was substantiated. No violation of an NRC regulatory requirement was identified.