



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I**
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

January 30, 2014

Mr. David A. Heacock
President and Chief Nuclear Officer
Millstone Power Station
Dominion Resources
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR DOMINION NUCLEAR
CONNECTICUT, INC. REGARDING MILLSTONE POWER STATION UNIT 3
[TAC NO. MF3393, NOED NO. 14-1-01]

Dear Mr. Heacock:

By letter dated January 28, 2014, Dominion Nuclear Connecticut (DNC), Inc. requested that the U.S. Nuclear Regulatory Commission (NRC) exercise discretion to not enforce compliance with the actions required in Millstone Power Station (MPS) Unit 3 Technical Specification (TS) 3.7.1.2, "Auxiliary Feedwater (AFW) System," Action C, to restore the Turbine Driven Auxiliary Feedwater (TDAFW) pump to operable status within 72 hours. This letter documented information previously discussed between Mr. Steve Scace, Site Vice President, and other members of your staff, and the NRC in a telephone conference on January 26, 2014 at 9:00 a.m.

The NRC staff members who participated in the telephone conference included the following: Michael Scott, Acting Director, Division of Reactor Projects (DRP), Region I (RI); Eric Benner, Acting Deputy Director, DRP, RI; Raymond Lorson, Director, Division of Reactor Safety (DRS), RI; James Trapp, Deputy Director, DRS, RI; John Monninger, Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation (NRR); Sheldon Stuchell, Notice of Enforcement Discretion (NOED) Process Coordinator, NRR; Raymond McKinley, Chief, Project Branch 5, DRP, RI; Paul Krohn, Chief, Engineering Branch 2, DRS, RI; Benjamin Beasley, Chief, Plant Licensing Branch I-1, NRR; Christopher Cahill, Senior Reactor Analyst, RI; William Cook, Senior Reactor Analyst, RI; Jeffrey Mitman, Senior Reliability and Risk Analyst, Probabilistic Risk Assessment Operations and Human Factors Branch, NRR; James Kim, Project Manager, Plant Licensing Branch I-1, NRR; Michael Chambers, Physical Security Inspector, Plant Support Branch 1, DRS, Region IV; Frank Arner, Senior Reactor Inspector, Engineering Branch 2, DRS, RI; Josephine Ambrosini, Senior Resident Inspector, RI; Brian Haagensen, Resident Inspector, RI; Steve Shaffer, Senior Project Engineer, DRP, RI; and Elizabeth Andrews, Reactor Engineer, DRP, RI.

On January 23, 2014, at 1:50 p.m., during a planned surveillance test, the MPS Unit 3 TDAFW pump tripped on an over speed condition and was declared inoperable by plant operators. After review of the troubleshooting data, the most probable cause was identified by station personnel that insufficient force was being transferred via the linkage to the turbine steam supply control valve.

You stated that at 1:50 p.m. on January 23, 2014, MPS Unit 3 operators entered TS 3.7.1.2, Action C. Further, TS 3.7.1.2 requires that if 3.7.1.2, Action C, cannot be met within 72 hours, operators at Unit 3 are required to shutdown the reactor and place the unit in at least hot standby within 6 hours and in hot shutdown within the following 12 hours. You sought enforcement discretion to allow for continued operation in violation of TS 3.7.1.2 in order to permit additional time for station personnel to make repairs, perform testing activities, and restore the TDAFW pump to operable status. An additional 72 hours (NOED completion time) was requested beyond the TS completion time allowance to restore the TDAFW pump to an operable condition, such that the need for enforcement discretion would no longer be required at 1:50 p.m. on January 29, 2014. This letter documents the telephone conversation between DNC and NRC staff on January 26, 2014, which concluded at approximately 1:00 p.m., when the NRC staff verbally granted a NOED for 36 hours. Your written request reflected this 36 hour authorization. Subsequent to that call, station personnel restored the TDAFW pump to operable status, allowing operators at Unit 3 to exit TS 3.7.1.2, Action C, and terminate the NOED at 5:05 a.m. on January 27, 2014.

During the teleconference on January 26, 2014, and further elaborated in your January 28, 2014 letter, your staff indicated that from a risk perspective, it was unnecessary to place MPS Unit 3 into a plant shutdown in that MPS Unit 3 was operating in a stable configuration with offsite power and both MPS Unit 3 Emergency Diesel Generators available, along with the Station Blackout (SBO) Diesel Generator. Based on actual plant conditions on January 26, 2014, quantitatively your staff estimated the Incremental Conditional Core Damage Probability (ICCDP) to be approximately $2.97\text{E-}08$, and the Incremental Conditional Large Early Release Probability (ICLERP) to be approximately $1.88\text{E-}09$. Additionally, it was noted that the estimated ICCDP and ICLERP values did not take into account various additional conservatisms associated with compensatory actions which had been put in place. The results of your staff's quantification were independently corroborated by NRC analysts and were determined to meet the guidance thresholds as articulated in Inspection Manual Chapter (IMC) 0410, "Notices of Enforcement Discretion," (ADAMS Reference Number ML13071A487).

Your staff implemented compensatory risk management measures prior to entering the period of the enforcement discretion, which were to remain in effect throughout the proposed period of discretion and were independently verified by NRC inspectors. The compensatory measures included staging an operator continuously at the station blackout diesel generator, performing no planned switchyard maintenance, protecting the motor-driven auxiliary feedwater trains and condensate and main feedwater systems, and implementing fire risk management actions. The compensatory actions were intended to increase operator awareness of plant conditions, to reduce the likelihood of losing redundant trains, and to reduce the likelihood and consequences of initiating events. Your staff also stated that no severe weather was forecast, which could challenge offsite power availability during the proposed period of enforcement discretion, grid conditions were normal, and no maintenance would be performed on safety-related equipment.

Your staff stated that the proposed change did not involve a significant hazard based on the three standards set forth in 10 CFR 50.92(c), and did not involve adverse consequences to the environment such that the proposed change meets the categorical exclusion set forth in 10 CFR 51.22(c)(9). The MPS Facility Safety Review Committee reviewed and concurred with the NOED request. Because the request was a one-time extension of the required completion times for repairs, your staff stated that a follow-up license amendment request was not required.

Based on the NRC staff's evaluation of your request, the NRC has concluded that granting this NOED is consistent with the NRC's Enforcement Policy and staff guidance. In addition, it meets Section 3.0.3 (b) of IMC 410 in that compliance with the TS would result in an unnecessary down-power or a shutdown of the reactor without a corresponding health and safety benefit. Therefore, as communicated to your staff at 12:44 p.m. on January 26, 2014, the NRC exercised discretion to not enforce compliance with TS 3.7.1.2, Action C, for an additional period of 36 hours, which expired at 1:50 a.m. January 28, 2014.

In addition, as discussed on January 26, 2014, the NRC staff agreed with your determination that a follow-up TS amendment is not needed. The staff concluded that an amendment (either a temporary or permanent amendment) is not necessary because this NOED involves a nonrecurring noncompliance and only involves a single request to not enforce compliance for 36 hours with TS 3.7.1.2, Action C, to restore the TDAFW pump to an operable status within 72 hours.

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 Eric J. Benner Acting for/

Michael L. Scott, Acting Director
Division of Reactor Projects

Docket No: 50-423
License No: NPF-49

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 Michael L. Scott, Acting Director
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