

March 19, 1991

Mr. James R. Hall, Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Washington, DC 20555

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Dear Mr. Hall:

I am writing on behalf of the Ohio Citizens for Responsible Energy, Inc. ("OCRE") regarding the attached December 19, 1990 letter from Centerior Energy Co. This letter seeks to change the emergency plan for the Perry Nuclear Power Plant to incorporate "lessons learned" from the April 3, 1990 declaration of an ALERT. The change would define the terms "loss" and "functional" such that a system would not be considered lost, even if it were inoperable according to the plant Technical Specifications, but were still functional, i.e., "capable of maintaining respective system parameters within acceptable design limits."

OCRE opposes these changes for two reasons. First, the licensee appears to have learned the wrong lesson from the April 1990 event. OCRE agrees that the ALERT was unnecessary and avoidable, but not because of overly restrictive emergency plans and Technical Specifications. The event could have been avoided had the licensee not failed to properly maintain the "B" ESWS screen wash pump. This failure resulted in the issuance of a notice of violation by the NRC (Violation 50-440/90014-01).

Second, it is possible that the changes sought will delay the declaration of the appropriate emergency classification. The definition of "functional" is not necessarily unambiguous. It is conceivable that an engineering evaluation would have to be performed to determine if a degraded system is indeed "capable of maintaining respective system parameters within acceptable design limits." The very purpose of emergency plans is to provide criteria for making quick decisions using clear, unambiguous guidelines for Emergency Action Levels. NUREG-0654, Appendix 1 states that "the rationale for the notification and alert classes is to provide early and prompt notification of minor events which could lead to more serious consequences given operator error or equipment failure or which might be indicative of more serious conditions which are not yet fully realized."

For this purpose, the Technical Specification definitions of operable are appropriate. It is better to err on the side of caution. Even "unnecessary" activations of emergency plans may

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have benefits in that they serve as "real-world" exercises which can enhance preparedness by providing additional training and experience for all personnel involved (onsite and offsite) and by exposing weaknesses in the planning effort.

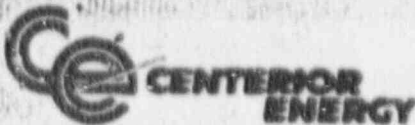
The licensee's request should be denied.

Respectfully submitted,



Susan L. Hiatt
OCRE Representative
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Mentor, OH 44060
(216) 255-7158

cc: W. Snell, Chief, Emergency Preparedness Section, Region III
Jay Silberg, Esq.



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Michael D. Lyster
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December 19, 1990
PY-CEI/NRR-1242 L

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

Perry Nuclear Power Plant
Docket Nos. 50-440; 50-441
Proposal to Revise Emergency
Action Level (EAL) Definition
of System/Component "Loss"

Gentlemen:

Based on lessons learned from a recent Emergency Plan activation, this letter is being submitted to request prior NRC Region III review of a proposed change to the Perry Nuclear Power Plant (PNPP) Emergency Plan. On April 3, 1990, an Alert was declared after a flange gasket leak developed on the discharge strainer for the Emergency Service Water (ESW) "A" pump. Due to the magnitude and effects of the leak, the "A" ESW system (System designation P45) and the "A" Screen Wash system (System designation P49) were declared inoperable. Since the "B" screen wash pump (P49) was already out of service for maintenance, the on-shift operators made a conservative determination to declare the "B" ESW (P45) loop inoperable per the Technical Specification definition of Operability, even though the "B" ESW system was fully capable of performing its design function without an operable Screen Wash System pump (and in fact was actually operating at the time). With both ESW systems declared "inoperable" per Technical Specifications, an Alert was formally declared based on the concept that a loss of both ESW loops had occurred.

The guidance of NUREG-0654 for Emergency Action Levels (EALs) utilizes the terms "loss" and "lost" for a number of the example initiating conditions. We believe that for Emergency Plan purposes, basing the loss of a system or component on the Technical Specification definition of Operable/Operability is too conservative for all instances, since it does not consider whether the system or component is functional. As a result, the Perry Nuclear Power Plant Alert on April 3 resulted in the unnecessary activation of the Ashtabula County Emergency Operations Center and the staffing of the utility's Operations Support Center and Technical Support Center. The increased activity on the part of the State of Ohio, local counties and media was unwarranted, due to the fact that the "B" ESW loop remained in operation throughout the entire event and was available to cool the Division 2 diesel generator and other supported safety systems if called upon.

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December 19, 1990

To prevent a similar unwarranted declaration of an Emergency Plan event in the future, we propose that a "loss," as defined by the Emergency Plan, should be tied directly to the functional status of a system or component. To achieve this, we propose that the following definitions of LOSS and FUNCTIONAL be added to Section 1.0 "Definitions" of the PNPP Emergency Plan (the language is identical to the Davis-Besse Nuclear Power Station's Emergency Plan), and to the corresponding sections of the on-site implementing instruction for the Emergency Action Levels (EAL's):

Functional - A system, subsystem, train, component or device, though degraded in equipment condition or configuration, is FUNCTIONAL if it is capable of maintaining respective system parameters within acceptable design limits.

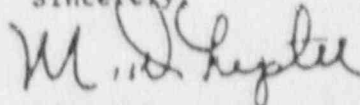
Loss - A state of inoperability in which FUNCTIONAL and OPERABLE status cannot be maintained. A system, subsystem, train, component or device is not lost if its functionality is assured.

The terminology "operable" per the Technical Specifications will continue to be specified within the EAL's where it is appropriate, and this proposed change will have no effect upon these references.

Although CEI believes this proposed revision will not decrease the effectiveness of its Emergency Plan, CEI requests that NRC Region III provide us with a prior review on our proposed revision. In order to assist the NRC in their review, Attachment 1 to this letter provides a copy of the proposed page change which would result from implementation of this change to the Emergency Plan and the implementing instruction. In addition, Attachment 2 provides copies of the current pages from the Emergency Plan EAL's which utilize the terminology "loss" or "lost" within the portion of the EAL that the operator references to determine entry into the Initiating Condition.

If there are any questions, please feel free to call.

Sincerely,

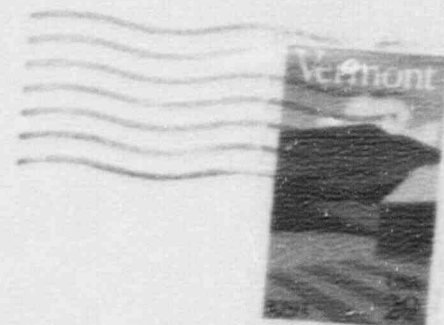


Michael D. Lyster

MDL:BSF:njc

cc: NRR Project Manager
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W. Snell, Chief, Emergency Preparedness Section, Region III
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