



Carolina Power & Light Company

Brunswick Nuclear Project
P. O. Box 10429
Southport, N.C. 28461-0429
May 31, 1991

FILE: B09-13510C

10CFR2.201

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

BRUNSWICK STEAM ELECTRIC PLANT UNITS 1 AND 2
DOCKET NOS. 50-325 AND 50-324
LICENSE NOS. DPR-71 AND DPR-62
REPLY TO A NOTICE OF VIOLATION

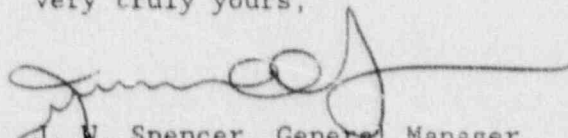
Gentlemen:

The Brunswick Steam Electric Plant (BSEP) has received NRC Inspection Report 50-325/91-12 and 50-324/91-12 and finds that it does not contain information of a proprietary nature. This report included a Notice Of Violation.

Enclosed is Carolina Power & Light Company's response to that Notice Of Violation.

As discussed in a telephone conversation with Mr. Robert Carroll, NRC - Project Engineer, on May 30, 1991, the due date for this violation response was extended one day, to May 31, 1991, to allow for discussion of this response with Mr. Albert Gibson, NRC - Division of Reactor Safety Director.

Very truly yours,



J. W. Spencer, General Manager
Brunswick Nuclear Project

TMJ/

Enclosure

cc: Mr. S. D. Ebnetter
Mr. N. B. Le
BSEP NRC Resident Office

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VIOLATION

10CFR50.9 (a) states that "Information provided to the commission by an applicant for a license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects".

Contrary to the above, information provided to the NRC in the licensee's monthly status report on the Brunswick Integrated Action Plan (IAP) was inaccurate in that it showed actions concerning IAP items D33.b and D33.p were completed while, in fact, they were not completed in accordance with the referenced commitment:

1. IAP item D33.b committed the licensee to increase the number of simulator hours to a minimum of 16 hours per quarter per licensed operator. This action was targeted for implementation by September 30, 1990, and is shown as complete on the licensee's monthly status report on the Brunswick Integrated Action Plan dated April 3, 1991. Review of this commitment determined that training instruction TI-200 had been revised to require that each operator receive 64 hours of simulator time each year in lieu of 16 hours per quarter, as committed. Additionally, review of the operator simulator time for the fourth quarter of 1990 determined that the operators had not received 16 hours of simulator time during the quarter.
2. IAP item D33.p committed the licensee to conduct an independent evaluation, prior to the 1990 examinations (now 1991 examinations), using personnel who are not directly conducting training of LOR readiness, and incorporate a requirement for the independent evaluations of the LOR and HLC examination readiness into Brunswick Training Instructions. This item was to be completed by January 31, 1991, and is shown as complete on the licensee's monthly status on the Brunswick Integrated Action Plan dated April 3, 1991. Independent evaluations, by personnel other than those conducting LOR training, of LOR and HLC examination readiness had not been conducted as of April 5, 1991, and no procedural requirements for these evaluations had been established.

RESPONSE

I. Admission or Denial of the Alleged Violation

CP&L denies the violation in that:

1. The information provided is not "material" as indicated in 10CFR50.9.
2. The intent of conducting 16 hours of simulator training per quarter was to meet and exceed the INPO guideline for 60 hours of simulator training per individual annually. A quarterly average of more than 30 hours of simulator training was conducted from June 1990 to May 1991 which exceeds the intent of the 16 hour per quarter per individual commitment.
3. The violation statement that "independent evaluations, by personnel other than those conducting LOR training, of LOR and HLC examination readiness had not been conducted as of April 5, 1991" is incorrect.

II. Basis for Denial

1. CP&L believes that the information provided to the NRC does not meet the interpretation of "material" in that it does not contain information with significant health or safety or common defense or security implication. To evaluate the "material" status of the referenced information, CP&L refers to the Statements of Consideration, 52FR49362, published 12/31/87, which provides the interpretation of "material" as follows:

"For example, the rule does not require the licensees to predict what the NRC will likely deem to be "material" information, an arguably vague standard; rather, the standard is one of a licensee's own recognition of information with significant health or safety or common defense or security implications". (Ref: Topic 1, Comment 1)

"The public health and safety and common defense and security require no less." (Ref: Topic 2, Comment 2)

2. CP&L acknowledges that action item IAP D33.b identified an action to conduct 16 hours of simulator training per quarter per individual and that the administrative action reported as taken to close this action item was to require each operator receive 64 hours of simulator training annually. Action taken by CP&L to respond to the intent of this commitment has exceeded the administrative requirement established in CP&L

procedures of 64 hours annually and the 60 hours annually recommended by INPO.

During the third and fourth quarter of 1990, three complete cycles of training were conducted which included minimum simulator training of 20, 20, and 10 hours per individual, respectively. The second of these cycles of training overlapped the third and fourth quarters of 1990, therefore, some operators received 30 hours simulator training in the fourth quarter while others only received 10. In addition, annual operating exams were given to the active licensed operators during the fourth quarter, increasing simulator time further. Additional simulator time was not available during the fourth quarter of 1990 due to a simulator outage required to prepare for the simulator certification submittal and the 1991 LOR training that started January 7, 1991.

During the first and second quarters of 1991, four cycles of training were scheduled in addition to the annual LOR examination. Simulator training during this time, excluding the examination, is fifty-three (53) hours. Quarterly training provided per individual ranged from a minimum of 16 hours to a maximum of 37 hours, dependent on the overlap of crew schedules to calendar quarters. Therefore, simulator training conducted over the past twelve months (June 1990 through May 1991) for active licensed operators has been 127 hours minimum. This training was conducted on a continuing basis, except as noted, for a quarterly average of better than 30 hours. This more than meets the intent of the IAP commitment of 16 hours per quarter per individual.

In summary, given that an average of better than 30 hours per quarter per individual of simulator training was provided for active licensed operators from June 1990 through May 1991 the information provided to the NRC does not have significant health or safety or common defense or security implication and is therefore not "material".

3. The violation statement that "independent evaluations, by personnel other than those conducting LOR training, of LOR and HLC examination readiness had not been conducted as of April 5, 1991" is incorrect and does not reflect the current replacement training program schedules. Independent evaluations of LOR were conducted on April 3 and 14, 1991. The NRC evaluation team observed the independent evaluation on April 3, 1991, as indicated by the statement "Some independent evaluation of LOR had been performed." in Appendix A of the subject IER 91-12 discussion of IAP item D33.p.

Independent evaluations of examination readiness for operating crews were also conducted in October 1990. A contractor was obtained to provide CP&L with an independent assessment of operating crew performance.

The independent evaluations of HLC examination readiness were scheduled to be conducted closer to the June 3, 1991, NRC examination week. To conduct the independent evaluations considerably before the week of the NRC examinations would have provided little useful information. Simulator training on emergency operating procedures was still in progress, therefore, the implementation of independent evaluations would not have encompassed the appropriate scope of knowledge and skills needed to evaluate examination readiness. Periodic independent evaluations were scheduled for completion throughout the simulator training phase from April to May and have been completed. In addition, the independent evaluation for NRC examination readiness was conducted as scheduled the week of May 20, 1991.

CP&L has integrated the lessons learned from this process at its other nuclear sites. Independent evaluations of examination readiness were conducted at the Robinson Nuclear Project before its previous NRC LOR examination and at Harris Nuclear Project before its previous NRC initial license exams.

In summary, CP&L acknowledges that the information provided in the monthly status of the IAP items was not correct in that the procedure revisions had not been completed, however, the intent of the IAP item has been met as evidenced by the independent evaluations which have been completed for both LOR and HLC. Therefore, the information provided to the NRC does not have significant health or safety or common defense or security implication and is not "material".

III. Corrective Steps Which Have Been Taken and Results Achieved

An audit of the IAP D33 file has been conducted by training personnel and licensing. Additional information to support closure of items has been placed in the files.

Training administrative procedures have been revised to reflect the requirement for the independent evaluations as specified in IAP item D33.p.