

DLD

September 20, 1996

EA 96-299

Mr. Charles D. Frizzle  
President  
Maine Yankee Atomic Power Company  
329 Bath Road  
Brunswick, Maine 04011

SUBJECT: MAINE YANKEE SPECIAL INSPECTION REPORT 50-309/96-10

Dear Mr. Frizzle:

This letter refers to the special inspection conducted from August 6 through August 9, 1996, at the Maine Yankee facility. The purpose of the inspection was to determine whether activities authorized by the license were conducted safely, and in accordance with NRC requirements. At the August 22, 1996, telephone exit meeting, the findings were discussed with Messrs. Leitch and Whittier and other members of your staff.

The inspection was directed toward areas important to public health and safety. The areas examined during this inspection included: (1) your corrective actions after you identified electric equipment that could be submerged following a loss-of-coolant accident, and (2) your qualification documents and justification for continued operation for the primary component cooling water pump motors and the secondary component cooling water pump motors following certain postulated high energy line break in the turbine building. The inspection consisted of selected examinations of design documentation, procedures and representative records, personnel interviews, and review of the actions taken by your staff to address these issues.

Based on the results of this inspection, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy) (60 FR 34381; June 30, 1995). Maine Yankee had been operating with multiple unqualified electric equipment important to safety for many years. This constitutes an apparent violation of 10 CFR 50.49, which requires certain post-accident monitoring equipment be qualified to the environment with which they are expected to function, including submergence. Accordingly, no Notice of Violation is presently being issued for these inspection findings. In addition, be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. A predecisional enforcement conference to discuss the apparent violation will be scheduled at a later date. The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. The conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violations sooner, corrective actions, significance of the issues, and the need for lasting and effective corrective action. In

JED

addition, this is an opportunity for you to point out any errors in our inspection report and for you to provide any information concerning your perspectives on: (1) the severity of the apparent violation, (2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and (3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. We request that you also address the environmental qualification of the primary component cooling water pump motors and the secondary component cooling water pump motors during the conference, when scheduled.

You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding these apparent violations is required at this time.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

Sincerely,

*Original Signed By:*  
*James T. Wiggins*  
*Director, DRS.*

James T. Wiggins, Director  
Division of Reactor Safety

Docket No. 50-309

Enclosure: NRC Inspection Report No. 50-309/96-10

cc w/encl:

G. Leitch, Vice President, Operations  
J. M. Block, Attorney at Law  
P. L. Anderson, Project Manager (Yankee Atomic Electric Company)  
C. Shaw, Plant Manager  
L. Diehl, Manager of Public and Governmental Affairs  
J. A. Ritsher, Attorney (Ropes and Gray)  
P. Dostie, State Nuclear Safety Inspector  
P. Brann, Assistant Attorney General  
U. Vanags, State Nuclear Safety Advisor  
C. Brinkman, Combustion Engineering, Inc.  
W. D. Meinert, Nuclear Engineer  
First Selectmen of Wiscasset  
Maine State Planning Officer - Nuclear Safety Advisor  
State of Maine, SLO Designee  
State Planning Officer - Executive Department  
Friends of the Coast

Mr. Charles D. Frizzle

3

Distribution w/encl:

Region I Docket Room (with concurrences)

Nuclear Safety Information Center (NSIC)

PUBLIC

NRC Resident Inspector

OE (2) (EA Packages Only)

D. Screnci, PAO

R. Conte, DRP

H. Eichenholz, DRP

C. Beardslee, DRS

C. O'Daniell, DRP

DRS File

Distribution w/encl (VIA E-MAIL):

W. Dean, OEDO

S. Varga, Director, I/II, DRPE, NRR

E. Trottier, LPM, NRR

Inspection Program Branch, NRR (IPAS)

*concurred per  
phone call on  
9/19/96 at 11:45 am.*

DOCUMENT NAME: A:\MY9610.INS

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	RI/DRS <i>LSC</i>	<input checked="" type="checkbox"/>	RI/DRS	<input type="checkbox"/>	RI/DRP	<input type="checkbox"/>	RI/DRS	<input type="checkbox"/>	<input type="checkbox"/>
NAME	LCheung/dmg		WRuland		RConte <i>HE for</i>		Wiggins <i>W</i>		
DATE	09/17/96		09/ /96		09/19/96		09/19/96		09/ /96

OFFICIAL RECORD COPY