



**Entergy
Operations**

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W3F1-97-0005
A4.05
PR

January 27, 1997

U.S. Nuclear Regulatory Commission
ATTN: Director, Office of Enforcement
Washington, D.C. 20555

Subject: Waterford 3 SES
Docket No. 50-382
License No. NPF-38
NRC Enforcement Action 96-255
Reply to Notice of Violation

Gentlemen:

In accordance with 10CFR2.201, Entergy Operations, Inc. hereby submits in Attachment 1 the responses to the violations identified in the Notice of Violation and Proposed Imposition of Civil Penalty identified in EA 96-255 (reference Inspection Reports 96-09 and 96-20).

Waterford 3 admits to the violations identified and recognizes the significance of the issues. Since discovery, prompt and comprehensive corrective actions have been taken to address the specific issues as well as the broader issues identified.

Waterford 3 management has used these events to reinforce expectations regarding self-critical, questioning attitudes and procedure compliance. Waterford 3 is committed to continuous improvement in ensuring that conditions adverse to quality are promptly identified and effectively corrected to reduce the likelihood of recurrence.

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Rec'd w/acc# 96481
for \$50,000.00

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If you have any questions concerning this response, please contact Tim Gaudet at (504) 739-6666.

Very truly yours,



C.M. Dugger
Vice President, Operations

CMD/DMU/tjs
Attachments

cc: L.J. Callan (NRC Region IV), C.P. Patel (NRC-NRR),
R.B. McGehee, N.S. Reynolds, NRC Resident Inspectors Office
NRC Enforcement Action 96-255

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of

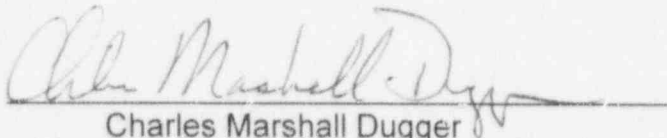
Entergy Operations, Incorporated
Waterford 3 Steam Electric Station

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Docket No. 50-382

AFFIDAVIT

Charles M. Dugger, being duly sworn, hereby deposes and says that he is Vice President Operations - Waterford 3 of Entergy Operations, Incorporated; that he is duly authorized to sign and file with the Nuclear Regulatory Commission the attached Reply to Notice of Violation and Proposed Imposition of Civil Penalty; that he is familiar with the content thereof; and that the matters set forth therein are true and correct to the best of his knowledge, information and belief.



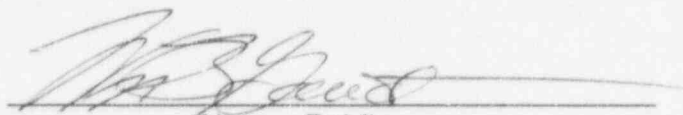
Charles Marshall Dugger
Vice President Operations - Waterford 3

STATE OF LOUISIANA)

) ss

PARISH OF ST. CHARLES)

Subscribed and sworn to before me, a Notary Public in and for the Parish and State above named this 25th day of JANUARY, 1997.


Notary Public

My Commission expires LIFE

ATTACHMENT 1

ENTERGY OPERATIONS, INC. RESPONSE TO THE VIOLATIONS IDENTIFIED IN
THE NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
OF INSPECTION REPORTS 96-09 AND 96-20

I. Violation Assessed a Civil Penalty

VIOLATION NO. EA 96-255/01013

10 CFR 50.59(a)(1) allows, in part, the holder of a license to make changes to the facility as described in the safety analysis report unless the proposed change involves an unreviewed safety question.

10 CFR 50.59(b)(1) requires, in part, that the licensee maintain records of changes in the facility, to the extent that these changes constitute changes in the facility as described in the safety analysis report. The records must include written safety evaluations which provide the bases for the determinations that the changes do not involve unreviewed safety questions.

Amendment 28 to the Waterford 3 Final Safety Analysis Report dated July 1982, states that the containment vacuum relief instrumentation lines through Containment Penetrations 53 and 65 form a closed system outside of containment, are seismically qualified, and terminate in an area exhausted through filters of the Controlled Ventilation Area System. Type C leak tests are, therefore, not required or performed on those lines.

Contrary to the above, from the beginning of commercial operations in 1985 until July 1996, the actual design configuration of the Containment Vacuum Relief System was different from that described in Amendment 28 to the Waterford 3 Final Safety Analysis Report, and the licensee did not perform the required written safety evaluation to provide the bases for a determination that the deviation from the Final Safety Analysis Report did not involve an unreviewed safety question. Specifically, it was identified that the containment vacuum relief instrument lines terminated at a location which was not within the Controlled Ventilation Area System or any other filtration system for post-accident operation. Further, the containment vacuum relief monitoring lines did not meet the design criteria for a closed system outside of containment, and they were not seismically qualified. (01013)

This is a Severity Level III violation
Civil Penalty - \$50,000

RESPONSE

(1) Reason for the Violation

Entergy admits this violation and believes the cause to be an inadequate review of existing CVR system design criteria and documents performed by the Architect/Engineer and Licensee personnel that prepared the response to FSAR Question 480.36. The validation of the information in that response was also inadequate.

This Violation involves the actual design configuration of the containment vacuum relief (CVR) system being different from that described in the Waterford 3 Final Safety Analysis Report (FSAR). The required written safety evaluation to substantiate that the change did not involve an unreviewed safety question was never performed. No safety evaluation was performed because it was not known that the plant differed from the FSAR.

In 1981, the NRC submitted a request for additional information to Waterford 3, stating that information provided in response to Question 022.9 regarding the containment leak testing program is deficient in that the justification given in Table 6.2-43 for not including Penetrations 53 and 54 in Type C leak tests is inadequate. In FSAR Question 480.36 part b, Waterford 3 was asked to show that containment isolation valves associated with these penetrations do not constitute potential containment atmosphere leak paths following a Loss-of-Coolant Accident.

The response to FSAR Question 480.36, part b, stated that "penetrations 53 and 65 each contain two instrument lines. One senses differential pressure across the containment vessel and provides a signal to actuate the vacuum relief system; the other monitors this differential pressure and provides an input to the plant computer. The actuation line contains an excess flow check valve outside containment; the monitoring line has an excess flow check valve and will be provided with a solenoid operated valve, closed on a containment isolation signal. The excess flow check valve is designed to close on excess flow and reopen when conditions return to a specified normal state. Both of these lines form a closed system outside containment, are seismically qualified and terminate in an area exhausted by the filters of Controlled Ventilation Area System. A Type C test is, therefore, not required or performed on these lines."

In July of 1982, Waterford 3's response to FSAR Question 480.36 was adopted via FSAR Amendment No. 28. The justification provided by Waterford 3 was used by the NRC as the basis for accepting the design configuration and testing requirements for the CVR instrument lines in penetrations 53 and 65. Furthermore, that information was translated into licensing basis for Waterford 3 which did not require Type C testing of the containment isolation valves in these instrument lines.

During Waterford 3's July, 1996 maintenance outage, testing in accordance with the IST plan was performed on CVR-302A(B). These valves subsequently failed their respective tests. On July 22, 1996, Licensing personnel reviewed FSAR Question 480.36 in conjunction with the CVR-302A(B) failure. The response to FSAR Question 480.36 indicated that these instrument lines meet the design criteria for crediting a closed system outside containment and terminate within the CVAS boundary. A review of drawings 1564 B-430 sheets DP-26 and DP-31 and the SIMS database indicated that the instrument lines through containment penetrations 53 and 65 terminate at differential pressure transmitters in cabinets on elevation +21 in the RAB. These cabinets are not within the CVAS envelope or any other filtration system in operation post-accident. In addition, the CVR non-essential instrument lines did not meet the design criteria for crediting a closed system outside containment. The information provided in response to FSAR Question 480.36 was therefore determined to be incorrect.

(2) Corrective Steps That Have Been Taken and the Results Achieved

The corrective actions for this violation were discussed in detail at the IST predecisional enforcement conference on November 20, 1996. In the Notice of Violation, the NRC recognizes the corrective actions for this violation as prompt and comprehensive. The corrective actions taken are as follows:

- promptly replaced and retested the failed CVR-302A(B) and CVR-402A(B) valves
- Leak tested the CVR essential instrument lines
- performed a root cause analysis on this condition
- isolated and administratively controlled the non-essential instrument lines until a plant modification and license amendment can be implemented
- Initiated plant modification DC-3502 to reduce the potential bypass leakage associated with the CVR non-essential instrument lines
- promptly submitted license amendment request NPF-38-181 to address discrepancies regarding the design and testing of instrument sensing lines penetrating the primary containment (see Entergy letter W3F1-96-0144 dated August 21, 1996)
- reviewed other containment penetrations for similar problems and found no additional concerns
- implemented a FSAR fidelity assessment

(3) Corrective Steps Which Will Be Taken to Avoid Further Violations

There are no additional corrective steps required as the above corrective actions adequately address this violation.

(4) Date When Full Compliance Will Be Achieved

Waterford 3 is currently in full compliance based on the corrective actions completed to date. Following approval of License Amendment request NPF-38-181, the plant modification on the non-essential instrument line will be completed within 90 days.

II. Violations Not Assessed a Civil Penalty

VIOLATION NO. EA 96-255/02013

Criterion XVI of Appendix B to 10 CFR Part 50 requires establishment of measures to assure that condition adverse to quality, such as deficiencies, deviations, and nonconformances, are promptly identified and corrected.

Contrary to the above, since commercial operations began in 1985 until testing was performed during January through July 1996, the licensee's established measures did not assure prompt identification and correction of conditions adverse to quality, as described below:

1. After identification of discrepancies in March 1994, the licensee failed to test 13 ASME code safety related valves subject to testing in the inservice test plan to assess operational readiness as required by 10 CFR 50.55a.
2. After identification of discrepancies in March 1994, the licensee failed to perform all ASME Code required tests on 23 ASME Code safety related valves that were in the inservice test plan (i.e., the valves had either not been tested or exercised to verify their ability to fulfill all identified safety function or, in the case of Category A valves, had not been leak tested). (02103)

This is a Severity Level III violation

RESPONSE

(1) Reason for the Violation

The reasons for this violation were identified by the Root Cause Analysis performed for CR-96-0055. These Root Causes were first discussed with the NRC during the ACCW predecisional enforcement conference on March 5, 1996. The Root Causes were again addressed in detail at the IST predecisional enforcement conference on November 20, 1996.

The root causes for this violation are as follows:

- The ownership of Inservice Test Plan was inappropriately assigned to the Shift Technical Advisory (STA) group.
- There was a perception that management viewed the Inservice Test Plan as being too conservative and burdensome, and therefore reluctant to approve, or even entertain discussions of additional testing.
- Inadequate and Ineffective Action Tracking of discrepancies between the Inservice Testing Basis Document and the Inservice Test Plan.
- The Inservice Testing Basis Document and the Inservice Test Plan changes were not coordinated.
- The Design Engineering procedure for the preparation, review and approval of design basis documents, NOECP-323, contained no guidance concerning how long DBD Open items may remain open.
- Possible discrepancies identified in earlier reviews of the DBD and IST Plan were not entered into the Corrective Action Program.

(2) Corrective Steps That Have Been Taken and the Results Achieved

The corrective actions for this violation were discussed in detail at the IST predecisional enforcement conference on November 20, 1996. In the Notice of Violation, the NRC recognizes the corrective actions for this violation as prompt and comprehensive. The corrective actions taken are as follows:

- Responsibility for the Inservice Test Plan was officially transferred to the Procurement/Programs Group in Design Engineering on December 7, 1995 when Revision 2 to Site Procedure W3.201, "ASME Section XI Responsibilities" became effective.
- The IST Plan and Design Basis Document discrepancies were resolved and incorporated into Revision 8 of the IST Plan.
- All 37 valves or additional valve safety functions have been satisfactorily tested.
- Coordination of changes to the Inservice Testing Plan Inservice Testing Design and Basis Document, are now procedurally controlled by procedure NOECP-258.

- The IST Plan and the Basis Document have been completely reviewed. All ASME Class 1, 2 and 3 valves have been evaluated and will be added to the basis document, whether or not they are in the IST Plan, to document the basis for their incorporation or exclusion from the plan. These reviews will be used to facilitate the development of the Second Interval IST Plan to be completed by December 1, 1997.
- The entire IST process, from plan revision to implementation, has been investigated and flow charted. Improvements were made as applicable.
- All DBD open items have been resolved and closed out.

(3) Corrective Steps Which Will Be Taken to Avoid Further Violations

There are no additional corrective steps required. The corrective actions above adequately address this violation.

(4) Date When Full Compliance Will Be Achieved

Waterford 3 will be in full compliance by December 1, 1997 when the Second Interval IST Plan has been completed.

VIOLATION NO. EA 96-255/03014

Technical Specification 6.8.1.a requires, in part, that written procedures be implemented for those activities references in Appendix A, "Quality Assurance Program Requirements," of Regulatory Guide 1.33, Revision 2, February 1978. Section 8 of Appendix A requires that the licensee have surveillance procedures.

Surveillance Procedure OP-903-035, "Containment Spray Pump Operability Check," Revision 8, Step 7.1.23, requires Valve CS-118A, "Shutdown Cooling Heat Exchanger A Outlet Isolation to Refueling Water Storage Tank," to be closed and locked following a completion of Train A containment spray pump operability check.

Contrary to the above, licensee personnel failed to fully close Valve CS-118A in accordance with Step 7.1.23 in Procedure OP-903-035, following the September 19, 1995 containment spray pump operability check, until discovery on November 11, 1995. (03014)

This is a Severity Level IV violation (Supplement I).

RESPONSE

All information relevant to this event has been previously provided to the NRC in Licensee Event Report Number LER-96-012-00. The information in this report is correct with the exception of one point which was addressed during the Predecisional Enforcement Conference on November 20, 1996.

While preparing for the Predecisional Enforcement Conference, it was determined that CS-118A was not fully closed following a WA repair performed on 9-29-95. It was originally thought that CS-118A was not fully closed following the performance of OP-903-035, Containment Spray Pump Operability Check, on 09-19-95. Further investigation revealed that CS-118 was opened on 9-29-95 to facilitate work performed in accordance with WA 01132335.

A review of the WA package indicates that the valve was opened and placed on its backseat for the packing replacement. The valve would have been closed following completion of work to restore the system to its normal operating lineup. Records show that CS-118A was verified closed in accordance with OP-009-001, the Containment Spray System Operation Procedure, on 10-28-95. There were no further manipulations of this valve until it was discovered 1 and 1/2 turns open on 11-11-95. It is therefore assumed that CS-118A was not fully closed during the Containment Spray System valve lineup and verification on 10-28-95.

This work on CS-118A was performed during Refuel 7 at Waterford 3. In accordance with Technical Specification 3.6.2.1, the containment spray system was not required to be operable in Mode 4 (below 400 psia) and in Modes 5 and 6. Coming out of the refueling outage, Waterford 3 reached Mode 4 and 375 psia on October 31, 1995.

Based on the new information above, CS-118A was partially open for 12 days when it was required to be closed. This is in contrast to the 17 days previously assumed and as reported in the LER.

Date When Full Compliance Will Be Achieved

Waterford 3 is in full compliance in that full closure of CS-118A is being ensured. To ensure ease of operation, CS-118A will be repaired or refurbished during the next refueling outage, Refuel 8.