

From: Ebe C. McCabe (ECM1) *Region 1*
To: KP2(WHR) *W. Roland, Region 1*
Date: Thursday, January 28, 1993 11:54 am
Subject: DRAFT SALEM AIT REPORT

Bill,
Craig Gordon tells me that the comments/changes he gave you on the draft AIT report should address most or all of my concerns. Since he didn't have a later report draft and couldn't find you to get one, I'm sending the attached comments on the version I got from E-mail. Will be glad to comment on the revised version when received.
Ebe

PS: Although the Wordperfect version essentially reproduced the ECG specification of declaration of an Alert if "15 minutes have elapsed since the loss of annunciators," E-Mail doesn't reproduce the block diagrams and their content. It is, however, on the "S" drive as "SALEMAIT.EP."

CC: CZG, JHJ, SFS, KP2(JPD)

Files: m1:SALEMAIT.EP,

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I'm also sending
this via office
Mail - so a
cleaner copy can
be read -

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SALEM DRAFT AIT REPORT CONCERNS

The primary EP concern about the draft Salem AIT report is the discounting of the importance of classifying and reporting emergency conditions. The RI EP Section Chief's view is that a violation of the emergency plan requirement for classifying the annunciator loss as an Alert occurred in this case, and that it is improper to discount that failure by finding that the licensee failed to make a one-hour non-emergency report of the matter.

In this case, after the fact review/testing indicates (the adequacy of that review/testing was not assessed incident to developing this document) that there was no significant loss of ability to respond to plant conditions. That means that the specific safety significance of this classification and reporting failure was minor. But, that does not alter the fact that, generically, it is important (and required) to report emergencies. That's essential to the timely initiation of licensee management, NRC, and State and local official oversight/review functions.

The bases of the direction provided by NRC management on timely classification of nuclear power plant emergencies (11/25/86 James M. Taylor Memorandum to James G. Kepler) is relevant to this matter. That memorandum included the following rationale.

"The purpose of the emergency classification and action level scheme is to ensure that licensees accurately and promptly assess, classify and notify authorities of an emergency. In its rationale for the final emergency planning regulations, the Commission stated, 'In order to discharge effectively its statutory responsibilities, the Commission firmly believes that it must be in a position to know that proper means and procedures will be in place to assess the course of an accident and its potential severity, that NRC and other appropriate authorities and the public will be notified promptly, and that appropriate protective actions in response to actual or anticipated conditions can and will be taken.' The intent of the regulations is clear -- to provide for prompt assessment and notification. The wording in Appendix 1 to NUREG-0654 provides further emphasis on the aspect of promptness in notification of offsite authorities."

"A plant specific EAL scheme is the mechanism that results in declaration of an emergency class. If plant parameters indicate that conditions have reached an emergency threshold according to the EAL scheme, a declaration is called for. If a declaration is not made at this time, the licensee has not implemented or followed its emergency plan...."

"...While the regulations do not cite a specific allowable time limit between event occurrence and when an emergency must be declared, I believe that the regulations, the guidance provided in Appendix 1 to NUREG-0654, and the regulatory/enforcement history to date provide an adequate basis for issuing violations to those licensees who delay in classifying, declaring and notifying proper authorities of an emergency condition."

It is clear from the above, from 10CFR50.72, and from the EP examples in the NRC Enforcement Policy, that both **classification** and **reporting** of emergencies are essential.

The AIT report does not clearly make the point that failure to classify and report denies senior licensee management, the NRC, and cognizant State and local officials timely opportunity to assess the emergency condition and the correctness of on-shift actions.

At Salem, it also appears that the emergency plan does not call for notification about terminated emergencies without implementing the same response as for ongoing events. A separate decision point is indicated for such cases. The draft AIT report seems to adequately address this aspect.

At Salem, a Loss of Annunciator Alert is specified by the licensee's Emergency Classification Guide, Section 10, Page 1, under the following circumstances.

B. LOSS OF MOST OR ALL ANNUNCIATION

IF

Loss of most or all Overhead Annunciators.

AND

15 minutes have elapsed since the loss of annunciators.

THEN

REFER TO ATTACHMENT 2 ALERT

For the Salem loss of annunciators, if the operators had concluded that an Alert declaration was not proper because they had sufficient information, alarms, and staffing to respond to nuclear safety problems, including emergencies, while the annunciators were not working, then it may well have been supportable that they did not declare and report the prescribed Alert. But, the indications are that their rationale was that an Alert need not be declared because it was over. (Also, confirmation of sufficiency of the other annunciators was attempted after the event, indicating that there was insufficient basis for such a conclusion when the annunciator loss was discovered.)

A related consideration is that we also need to view any deviation from emergency reporting requirements from the viewpoint of NRC credibility. (New Jersey responded to the Salem event, after the tardy notification.) In this regard, the recently expressed view of Chairman Selin seems relevant. He responded to a Region III question as follows.

Question: What is the value of emergency exercises?

Chairman: I personally think one of my biggest advantages here is that I'm not imbued with a lot of the history of the Commission and can take a fresh view of a lot of issues. But the historical viewpoint is essential here. Emergency exercises have grown up as part of an implicit bargain between the Commission, industry, and the general public. It's a very delicate bargain, and in my view it should not be disturbed. The question about their value is almost secondary to the sanctity of that bargain.

The above perspective is also applicable to other aspects of emergency preparedness, including the reporting of emergency conditions to off-site officials. If we are to change the associated requirements through non-implementation, then we are also transgressing the implicit bargain the Chairman remarked upon.

LETTER, PAGE 2 - EXISTING EP PARAGRAPH WORDING

In the emergency preparedness area, the team found that the plant conditions existed for an Alert declaration prior to the discovery by your staff. We also found that an Alert classification was not necessary for emergency response. However, your procedures were silent on how to treat emergency conditions that no longer exist. The team concluded that you should clarify your procedures to address lapsed emergency conditions.

PROPOSED WORDING

In the emergency preparedness area, the team found that the plant conditions existed for an Alert declaration until shortly after discovery that the annunciators were lost, and that this Alert condition was terminated before its classification and reporting were practicable. We also found that, because the annunciators were promptly restored upon discovery of their loss, an Alert level activation of your emergency response organization was not then needed to assure plant safety. However, your procedures did not specifically address the classification and reporting of emergencies that end before their classification and reporting is feasible. The team concluded that you should clarify your procedures to address lapsed emergency conditions.