

50-309



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 3, 1997

Mr. Barry Nickelsberg
Pegasus Farm
Route 218
P.O. Box 263
Alna, ME 04535

Dear Mr. Nickelsberg:

I am responding to your letter to Chairman Jackson dated December 24, 1996, in which you requested that the U.S. Nuclear Regulatory Commission (NRC) not allow Maine Yankee Atomic Power Company (MYAPCo) to restart the Maine Yankee plant until all of its safety concerns are addressed.

The NRC takes its responsibility to ensure public health and safety seriously. Under the Atomic Energy Act of 1954, the NRC has the authority to inspect nuclear power plants in its role of providing for the protection of public health and safety. Through its inspection program, the NRC assesses whether a licensee constructs and operates the facility in compliance with regulatory requirements. The NRC inspection program is audit-oriented to verify, through scrutiny of carefully selected samples, that relevant activities are being properly conducted and equipment is properly maintained to ensure safe operations. The inspection process monitors the licensee's activity, communicates inspection findings to the licensee's management in publicly available inspection reports, and conducts followup inspections to ensure that the licensee has implemented lasting corrective action.

While the NRC inspection program is designed to ensure that the licensee identifies and resolves safety issues before they affect safe operations, the NRC inspection program does not replace the licensee's programs nor decrease its responsibilities. When a safety problem or failure to comply with requirements is discovered, the NRC requires prompt corrective action by the licensee, and takes enforcement action, as appropriate.

Your letter refers to 3200 deficiencies noted by the Independent Safety Assessment Team (ISAT). I believe that you are referring to the licensee's backlog of corrective actions discussed in section 4.2.2, page 65 of the ISAT report issued by the NRC in October 1996.

The licensee's process for resolving identified problems was fragmented into approximately 21 individual, non-integrated, corrective action tracking systems. The backlog of corrective actions was relatively large and was increasing. The ISAT's concern was that the process for resolving these licensee-identified corrective actions has been weak, resulting in untimely resolution, despite past efforts by the licensee to improve the process. The licensee is adopting a single process, termed "The Learning Process," to integrate corrective actions. The NRC will continue to monitor and audit the licensee's corrective action resolution process and has scheduled an inspection of the licensee's corrective action program for February 1997. The NRC has stressed to the licensee the importance that it determine the root causes of these weaknesses and take broad corrective actions.

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Subsequent to the issuance of the ISAT report in October 1996, the NRC staff has conducted numerous inspections to confirm compliance with NRC rules and regulations. Concurrently, the licensee is pursuing resolution of ISAT findings. Recently, while conducting reviews associated with the NRC's Generic Letter 96-01, "Testing of Safety-Related Logic Circuits," the licensee discovered a separation problem with control wiring associated with the redundant trains of reactor manual trip push buttons. Conformance with certain industry electrical standards could not be verified and, thus, the licensee shut down Maine Yankee on December 5, 1996, to resolve this safety concern.

On December 18, 1996, the NRC issued a Confirmatory Action Letter (CAL) to MYAPCo, the licensee for Maine Yankee, documenting its agreement to undertake the following actions prior to restarting the facility:

- Complete testing of safety-related logic circuits pursuant to NRC Generic Letter No. 96-01.
- Develop a plan and methodology for expanding its review to determine the extent of the cable separation problems at the facility.
- Perform root cause evaluations that will address all hardware deficiencies identified, and utilize this information to validate the comprehensiveness of its corrective actions.
- Meet with NRC representatives to describe the results and conclusions, as they pertain to the actions described above, and to gain the NRC's agreement that Maine Yankee is sufficiently prepared to restart the facility.

Further inspections and licensing activities have revealed several additional technical concerns in the electrical and equipment qualification areas. These recently-identified concerns have been incorporated into a supplement to the CAL and will also be the subject of a public meeting between the licensee and the staff prior to plant restart.

Regarding the missing heat exchanger relief valves, on December 19, 1996, the licensee discovered that the spent fuel pool and component cooling water heat exchangers do not have appropriate thermal relief valve protection as required by the applicable design codes. The licensee is maintaining the isolation valves open for the affected systems to prevent the overpressure condition for which the relief valves are intended to provide protection. The NRC staff will follow the licensee's corrective actions in this area to ensure that they are sufficiently comprehensive to identify and correct similar conditions.

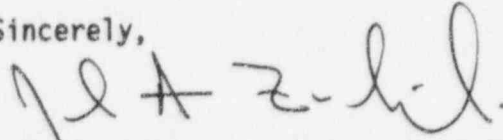
In reference to the guard's chair, upon investigation the licensee determined that the chair was contaminated. This raised a concern regarding contamination control. The licensee's corrective action was to no longer allow cloth chairs in the radioactive-controlled areas of the plant. This matter has also been assessed by the NRC resident inspectors and will be addressed in their February 1997 inspection report No. 96-14.

Mr. B. Nickelsberg

- 3 -

The NRC will decide, prior to restart, whether the licensee's corrective actions provide reasonable assurance that the plant will be operated in a manner that will pose no undue risk to public health and safety in accordance with the Commission's regulations. I trust the above initiatives are responsive to your concerns.

Sincerely,

A handwritten signature in dark ink, appearing to read "John A. Zwolinski". The signature is fluid and cursive, with the first name "John" being the most prominent part.

John A. Zwolinski, Deputy Director
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

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
Sincerely,

ORIGINAL SIGNED BY:

John A. Zwolinski, Deputy Director
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

*See previous concurrences

G:\G970002.LTR

PM:DRPE*	DD:DRPE*	D:DRPE*	ADPR*	D:NRR*	EDO	OGC	OCM
B Mozafari	Zwolinski	SVarga	RZimmerman	FMiraglia	HThompson v m  HT		SJackson
01/27/97	01/23/97	01/24/97	1/28/97	1/28/97	1/30 /97	1/ /97	01/31 /97
Yes/No	Yes/No	Yes/No	Yes/No	Yes/No	<u>Yes/No</u>	Yes/No	Yes/No

OFFICIAL RECORD COPY

DISTRIBUTION: for letter to B. Nickelsberg dated

February 3, 1997

DOCKET File (50-309 w/original incoming)

PUBLIC (w/incoming)

EDO Reading (#G70002)

HThompson

SCollins

JBlaha

FMiraglia

AThadani

RZimmerman

TMartin

PDI-3 Plant (w/incoming)

SVarga

JZwolinski

MBoyle (email MLB4)

JMoore, OGC

HMiller, R-I

~~JBoyle~~, R-I

R. Conte

OPA

OCA

CNorsworthy

Berkow/Peter Tam
ACTION

EDO Principal Correspondence Control

FROM:

DUE: 01/15/97

EDO CONTROL: G970002

DOC DT: 12/24/96

FINAL REPLY:

Barry Nickelsberg
Alna, Maine

TO:

Chairman Jackson

FOR SIGNATURE OF :

** PRI **

CRC NO: 96-1290

Miraglia

DESC:

MAINE YANKEE NUCLEAR POWER PLANT

ROUTING:

Taylor
Milhoan
Thompson
Blaha
Miller, RI

DATE: 01/02/97

ASSIGNED TO:

CONTACT:

NRR

Miraglia

SPECIAL INSTRUCTIONS OR REMARKS:

Put EDO and Chairman on for concurrence.
Chairman's Office to review response prior
to dispatch.

NRR RECEIVED: JANUARY 2, 1997

NRR ACTION: DRPE:VARGA

NRR ROUTING: MIRAGLIA
THADANI
ZIMMERMAN
SHERON
TRAVERS
MARTIN
BOHRER

ACTION

DUE TO NRR DIRECTOR'S OFFICE

BY Jan. 10, 1997

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-96-1290 LOGGING DATE: Dec 27 96

ACTION OFFICE: EDO

AUTHOR: BARRY NICKELSBERG
AFFILIATION: MAINE

ADDRESSEE: CHAIRMAN JACKSON

LETTER DATE: Dec 24 96 FILE CODE: ID&R 5 MAINE YANKEE

SUBJECT: MAINE YANKKEE NUCLEAR POWER PLANT

ACTION: Direct Reply

DISTRIBUTION: CHAIRMAN

SPECIAL HANDLING: SECY TO ACK

CONSTITUENT:

NOTES: CHAIRMAN'S OFFICE TO REVIEW RESPONSE PRIOR TO
DISPATCH

DATE DUE: Jan ~~27~~ 97
12

SIGNATURE: . DATE SIGNED:
AFFILIATION: