

November 4, 1996

EA 96-365

Florida Power Corporation
Crystal River Energy Complex
Mr. P. M. Beard, Jr. (SA2A)
Sr. VP, Nuclear Operations
ATTN: Mgr., Nuclear Licensing
15760 West Power Line Street
Crystal River, FL 34428-6708

SUBJECT: NRC INSPECTION REPORT NO. 50-302/96-12

Dear Mr. Beard:

This refers to the inspection conducted on August 26 through October 11, 1996, at the Crystal River facility. The purpose of the inspection was to review the Emergency Diesel Generator (EDG) loading issues, which resulted from the Emergency Feedwater System modification performed at your facility during the recent refueling outage in April - May 1996, and also to review the root causes of these issues. The enclosed report presents the results of this inspection.

Based on the results of this inspection, three apparent violations were identified and are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600.

The first apparent violation involves three instances where Unreviewed Safety Questions (USQs) related to increased EDG loading were introduced by an April 1996 plant modification, a May 1996 emergency operating procedure revision, and a June 1990 plant operating procedure revision. In each of these instances, the USQs were not recognized by the 10 CFR 50.59 safety evaluations that were performed prior to making the changes. Consequently, your failure to obtain the required NRC review and approval prior to making the changes constitutes an apparent violation of 10 CFR 50.59.

The second apparent violation involves two examples of inadequate corrective actions related to the April 1996 plant modification. Your corrective action for a similar problem in June 1994 failed to prevent the April 1996 inadequate 10 CFR 50.59 safety evaluation, and your corrective action implemented after this issue was identified and documented by members of your staff in a May 1996 Precursor Card was not adequate.

The third apparent violation involves an engineering procedure that improperly allowed an unverified April 1996 EDG loading calculation to be used to support the above referenced April 1996 plant modification. When you later undertook appropriate verification and review of EDG loading in October 1996, you identified a nonconservative error that was in the unverified April 1996 EDG loading calculation. The engineering procedure also improperly permitted the general use of unverified electrical system calculations, hydraulic system calculations, and station blackout calculations to support the design, installation, and use of plant modifications.

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No Notice of Violation is presently being issued for these inspection findings. The number and characterization of the apparent violations described in the enclosed inspection report may change as a result of further NRC review.

A predecisional enforcement conference to discuss these apparent violations 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. This conference will be 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 violation sooner, corrective actions, significance of the issues and the need for lasting and effective corrective action. In particular, we expect you to address any additional examples you may have identified of similar inadequate USQ determinations, inadequate corrective actions, or unverified calculations that were relied upon to support plant modifications. Also, since your independent reviews of the modification and procedure revisions did not identify the USQs or the inappropriate use of unverified calculations, please address how independent reviews of modifications, operating procedures, and engineering procedures are conducted at your facility. Further, since your engineering self assessment of April 19, 1996, was generally ineffective and failed to conclude that your use of unverified calculations to support plant modifications was contrary to NRC regulations, please address how self assessments are conducted at your facility. In addition, this will be 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 violations, 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.

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
Albert F. Gibson

Albert F. Gibson, Director
Division of Reactor Safety

Docket No. 50-302
License No. DPR-72

Enclosure: Inspection Report

cc w/encl: See page 3

FPC

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NRC Resident Inspector
 U.S. Nuclear Regulatory Commission
 6745 N. Tallahassee Road
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* SEE PREVIOUS CONCURRENCE

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

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NRC Resident Inspector

U.S. Nuclear Regulatory Commission

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