

FEBRUARY 11, 1997

EA Nos: 96-299
96-320
97-034

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

SUBJECT: NRC INTEGRATED INSPECTION REPORT 50-309/96-16

Dear Mr. Frizzle:

This letter refers to the special inspection conducted from December 8, 1996 through January 28, 1997, at the Maine Yankee facility. The purpose of this inspection was to review the safety concerns raised by the NRC Independent Safety Assessment (ISA) team, to provide for the proper regulatory disposition of selected issues, and to review and verify the actions taken by your staff in response to selected issues identified by the ISA. The team's issues were documented in their report which was transmitted to you on October 7, 1996. This inspection consisted of reviews of the ISA team's report, selected examinations of design documentation, procedures and representative records, personnel interviews, and review of the actions taken by your staff to address selected issues. The findings were discussed with Messrs C. Frizzle and D. Whittier (via Telecon), and G. Leitch and others of your staff at an exit meeting on January 28, 1997.

This inspection and letter also brings into focus those issues and recent NRC inspection activities, the majority of which are related to the ISA team review, that are appropriate at this time to be considered for escalated enforcement. As such, based on the results of this inspection (EA 97-034), and the inspections documented in NRC inspection reports 50-309/96-09 (considered part of EA 97-034), 50-309/96-10 (EA 96-299), and 50-309/96-11 (EA 96-320), sixteen (16) apparent violations were identified and are 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). The apparent violations were grouped in the areas of: (1) safety related equipment inoperability; (2) testing inadequacies; (3) safety review inadequacies; (4) procedure inadequacies and non-adherences; and (5) corrective actions not identified, untimely, and/or inadequate. The details pertaining to these apparent violations are provided in the Executive Summary of the enclosed report. We note that the testing inadequacies were particularly significant, in that, they contributed to the lack of timely

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identification of safety related equipment inoperabilities (i.e., the HPSI pump inoperability due to a cut wire and the inability to maintain a positive pressure in the control room) that resulted in apparent TS violations.

In addition, a number of items were identified as unresolved because further reviews are needed by the NRC staff to determine their proper disposition. You should expect further NRC review of these matters during future inspections.

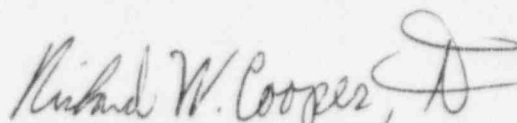
Accordingly, no Notice of Violation is presently being issued for these inspection findings. In addition, be advised that the number and the characterization of apparent violations described in the enclosures to this letter may change as a result of further NRC review. A predecisional enforcement conference to discuss the apparent violations is scheduled for March 11, 1997 at your media center. The conference will be open to the public.

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 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 violations sooner, corrective actions, significance of the issues, and the need for lasting and effective corrective action. Enclosure 1 to this letter is a proposed outline for this conference that suggests a method for you to present the issues in a concise manner and allow maximum discussion of your planned corrective actions. In particular, we expect you to address those additional issues contained in first part of the meeting as described in Enclosure 1.

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,

A handwritten signature in dark ink, appearing to read "Richard W. Cooper II", with a stylized flourish at the end.

Richard W. Cooper II, Director
Division of Reactor Projects

Docket No: 50-309

License No: DRP-36

Enclosure 1: Enforcement Conference Suggested Presentation

Enclosure 2: NRC Inspection Report No. 50-309/96-16

cc w/encl:

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J. M. Block, Attorney at Law

P. L. Anderson, Project Manager (Yankee Atomic Electric Company)

R. Blackmore, Plant Manager

L. Diehl, Manager of Public and Governmental Affairs

J. A. Ritsher, Attorney (Ropes and Gray)

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Enclosure 1

ENFORCEMENT CONFERENCE SUGGESTED PRESENTATION

The first part of the presentation should be a brief introduction and review of each apparent violation as identified in the individual inspection reports without going into detailed discussions about the multiple (if applicable), specific examples listed under each apparent violation. This is the opportunity for Maine Yankee to point out any errors in inspection reports, admit or deny the violations, state the root causes, missed opportunities to identify the violations sooner, significance of the issues, and to provide any information concerning your perspectives on: (1) the severity of the apparent 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. It will be particularly useful to the NRC for you to provide your perspective on the relationship of your identified root causes for the apparent violations to those ISA team developed root causes that were related to the team's identification of significant weaknesses and deficiencies. You may want to provide the above information as a written handout or slides and then highlight only the significant areas. The following order is preferred.

- a. IR 50-309/96-11 (EA 96-299), Special Inspection of ISA Team's Concerns Involving Environmental Qualifications of Electrical Equipment Important to Safety:
 - Apparent Violation 10 CFR 50.49, Section b.3 and Section e.6 (30 examples)
 - Unresolved Item 50-309/96-10-02, address the environmental qualification of the primary component cooling water pump motors and the secondary component cooling water pump motors
- b. IR 50-309/96-11 (EA 96-320), Special Inspection of Logic Testing Deficiencies Identified Following ISA Team Concerns Regarding Inadequate Safety System Logic Testing and High Pressure Safety Injection (HPSI) Pump Inoperability:
 - Apparent Violation Technical Specification (TS) 3.9-2 No. 1
 - Apparent Violation TS 4.1 (nine instances)
 - Apparent Violation TS 4.5 (three instances)
 - Apparent Violation TS 4.6
 - Address - the inoperability of the "A" HPSI pump over a number of years due to inadequate surveillance testing; why the technical, quality, and safety oversight review programs did not previously identify the inadequacies with Maine Yankee's surveillance testing program, the adequacy of the program in light of the number of surveillance tests not adequately covering TS surveillance requirements, and any improvements taken or planned.

- c. IR 50-309/96-09 (EA 97-034), Integrated Resident Inspection
 - Apparent Violation 10 CFR 50, Appendix B, Criterion III
 - Apparent Violation 10 CFR 50, Appendix B, Criterion XI
(two instances)
- d. IR 50-309/96-16 (EA 97-034), Special Inspection for Followup of ISA Team Safety Concerns:
 - Apparent Violation TS 3.25.B.2
 - Apparent Violation TS 3.6
 - Apparent Violation TS 3.12
 - Apparent Violation 10 CFR 50, Appendix B, Criterion XI
(four instances)
 - Apparent Violation TS 4.7/10 CFR 50.55a
 - Apparent Violation 10 CFR 50.59(b)(1)
 - Apparent Violation 10 CFR 50.71(e)(4)
 - Apparent Violation TS 5.8.2, Failure to establish procedures
(two instances)
 - Apparent Violation TS 5.8.2, Failure to implement procedures
(three instances)
 - Apparent Violation 10 CFR 50, Appendix B, Criterion XVI
(seven instances)
 - Address conformance with 10 CFR 50.59(b)(1) requirements as a result of upgrade initiative of the UFSAR and the resolution of further deficiencies in this area.

The second part of the presentation should be an in depth discussion of the corrective actions to address root causes as they apply to the broader implications of equipment operability, testing, safety review activities, procedural adequacy and adherence, and corrective actions. NRC staff expects Maine Yankee to focus the discussion on the apparent violations and corrective actions on both the near-term and the long-term operations of Maine Yankee based upon your plans for resolving the concerns identified in the ISA report. The NRC currently views the individual apparent violations grouped as follows; however, you may choose to place the individual violations into other groupings that have similar root causes or corrective actions.

a. Safety-Related Equipment Inoperability

- 96-11, Section M4.1 - HPSI cut Wire
- 96-16, Section E.3.2 - Control room ventilation and filter system
- 96-10, Section E2.2 - EQ submergence
- 96-09, Section E2.1 - CS building ventilation design deficiency
- 96-16, Section E2.1 - inadequate overpressure protection for PCC piping affecting ECCS and EDGs

b. Testing Inadequacies - inadequacies in scope of testing, weaknesses in the rigor of testing and evaluation of testing

- 96-11, Section E3.2 - instrumentation and control circuits
- 96-11, Section E3.2 - emergency power system periodic testing
- 96-11, Section E3.2 - feedwater trip system periodic testing
- 96-09, Section M3.2 - EDG room fan thermostats
- 96-09, Section M1.2 - PCC and SCC water system's flow control valves
- 96-16, Section M1.2 - EDG load sequencers
- 96-16, Section M1.2 - motor driven fire pump
- 96-16, Section M1.2 - RAS permissive relays for the trip block timers for LPSI
- 96-16, Section M1.2 - ECCS control board annunciator fault alarm circuits
- 96-16, Section M1.2 - IST for pump discharge check valves for the EFW, HP SI, LPSI, PCC, SCC, and SW pumps

c. Safety Review Inadequacies - Operating differently than described in the FSAR without having performed a written safety evaluation, preparing an inadequate written safety evaluation, or not providing periodic updates of the UFSAR

- 96-16, Section E3.2 - inability to support plant operations up to the service water temperature values stated in the UFSAR
- 96-16, Section E3.2 - inadequate safety evaluation for operation of the control room breathing air supply system with positive pressure

- 96-16, Section E3.2 - failure to perform a written safety evaluation for the procedure permitted the cross-connecting of DC buses
 - 96-16, Section E3.2 - failure to provide periodic updates of the UFSAR
- d. Procedure Inadequacies and Non-adherences - Failure to establish procedures as required by TS and the failure to implement procedures as required by TS
- 96-16, Section O4.1 - inadequate procedures to assure required shift staffing and emergency preparedness response
 - 96-16, Section M1.1 - failure to establish procedures for the conduct examination on a component of the "A" EFW pump
 - 96-16, Section M1.1 - failure to establish procedure to install and control fastener lockwire on safety related components
 - 96-16, Section O4.2 - failure to implement procedure to properly maintain control room logs
 - 96-16, Section O4.3 - failure to properly conduct an operability review
 - 96-16, Section M1.1 - failure to implement procedure, resulting in improper removal of a seismic support on a SW pump
- e. Corrective Actions Not Identified, Untimely, and/or Inadequate
- 96-16, Section E8.1 - failure to identify problems that needed to be in the corrective action system
 - containment spray building ventilation design that relied on a non safety-related source of instrument air
 - the failure to identify components in containment that were below submergence level in the Environmental Qualification Program
 - failure to recognize the lack of complete testing of the ECCS actuation logic.
 - 96-16, Section E8.1 - Instances of untimely corrective action
 - the design deficiency associated with the dampers for the containment spray building ventilation system
 - issue involving turbine hall flooding that puts the plant outside its design basis

- 96-16, Section E8.1 - ineffective corrective actions
 - auxiliary feedwater control system, a repetitive problem
 - the manner in which the negative control room pressure identified during a surveillance test was addressed.