



50-346

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

March 5, 1997

Mr. John K. Wood  
Vice President - Nuclear, Davis-Besse  
Centerior Service Company  
c/o Toledo Edison Company  
Davis-Besse Nuclear Power Station  
5501 North State Route 2  
Oak Harbor, Ohio 43449-9760

**SUBJECT:** NOTICE OF ENFORCEMENT DISCRETION FOR TOLEDO EDISON COMPANY,  
CENTERIOR SERVICE COMPANY, AND THE CLEVELAND ELECTRIC ILLUMINATING  
COMPANY REGARDING DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1  
(TAC NO. M97941, NOED NO. 97-6-003)

Dear Mr. Wood:

By letter dated February 13, 1997, you requested that the NRC exercise discretion not to enforce compliance with the actions required in Technical Specification (TS) Surveillance Requirement 4.5.2.f. This surveillance requirement requires each Emergency Core Cooling System subsystem to be demonstrated operable by performing a vacuum leakage rate test of the valve pit leaktight enclosure for valves DH-11 and DH-12 to assure that the motor operators on these valves will not be flooded for at least 7 days following a loss-of-coolant accident.

Your letter documented information previously discussed with the NRC in telephone conversations during the evening (between approximately 5:00 p.m. and 8:00 p.m.) of February 12, 1997. You stated during those conversations that the Davis-Besse Nuclear Power Station was not in compliance with surveillance requirement 4.5.2.f, and that TS 3.0.3, which requires a plant shutdown to begin in 1 hour, had been entered at 9:15 that morning. You further stated that TS 4.0.3 had also been entered, which allows you to delay the actions of TS 3.0.3 for 24 hours so the surveillance requirement can be completed. At 2:35 p.m., you determined that the surveillance requirement could not be performed at power. This determination is based on the fact that the surveillance includes a test which draws a vacuum on the leaktight enclosure, and if a loss-of-coolant accident were to occur during the test, the pressure in the area of the enclosure combined with the vacuum inside the enclosure would fail the pit cover, potentially flooding the valve operators. Therefore, you exited TS 4.0.3, and a plant shutdown was begun at 3:21 p.m., in accordance with TS 3.0.3.

You requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to the NRC's policy regarding exercise of discretion for an operating facility, set out in Section VII.c of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. You requested that the NOED be effective immediately and remain in force until the NRC approves your license amendment request (submitted by letter dated February 14, 1997) to revise the TS requirements, or until Davis-Besse enters Mode 4 in an outage of sufficient duration to perform the required test.

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In your letter, you stated that a plant modification was completed in 1986 on the decay heat valve pit to install level switches and to add an inspection port to the pit leaktight enclosure. One use of the inspection port is for insertion of a camera during performance of American Society of Mechanical Engineers Boiler and Pressure Vessel Code-required visual inspections, which, at Davis-Besse, must be performed in Mode 3. You previously had concluded that the port could be opened and closed without the need to perform surveillance requirement 4.5.2.f after closure. On February 11, 1997, Davis-Besse staff identified the concern regarding whether opening and subsequent closure of the decay heat valve pit port constituted a breach in the leaktight enclosure, hence requiring performance of surveillance requirement 4.5.2.f. Followup by plant staff discovered that the port had been opened and closed since the last performance of surveillance requirement 4.5.2.f. At that time, TS 3.0.3 was entered, as discussed above.

Your safety rationale for requesting the NOED was based on the design and previous test performance of the special coupling that was employed in the port design, and the compensatory measures that you have taken. This coupling is designed for a temperature of 380°F and a pressure of 150 psig, significantly above the temperature and pressure expected in the area of the port post-accident. In addition, no sealing problems have been identified with the port coupling during the surveillance requirement 4.5.2.f tests that have been conducted since the port was installed in 1986. Further, the proper closure of the port is always verified after usage in accordance with plant procedures. As a compensatory measure, after entering TS 3.0.3, the port was opened and inspected, found to be in good condition, and then verified to be properly closed.

The valve pit serves as a leaktight enclosure for motor-operated valves DH-11 and DH-12 in the "drop" line that connects the reactor coolant system loop 1 hot leg to the decay heat pump suction connections. These valves are normally closed. They must be opened in order to establish the shutdown cooling mode of operation. They would also be opened under loss-of-coolant accident recovery procedures, for the boron dilution mode of operation, an action that would be taken to reduce the possibility of boron precipitation in the core region. If the pit enclosure is not leaktight, the high water level in containment that results from a loss-of-coolant accident could flood the DH-11/12 electric motor operators and thereby preclude their opening. The enclosure is provided with non-safety, high and high-high water level switches. An alternate method of boron dilution is available by use of auxiliary spray as described in FSAR Section 6.3.3.1.2.

The port closure device is a Kamlok cap which consists of an adapter that is welded to a 4-inch pipe that rises from the pit cover, and a cap and gasket assembly that clamps over the adapter. To seal the cap in place, it is placed on the adapter and two levers are positioned such that cams on the levers engage a groove in the adapter while compressing the gasket in the cap. If the gasket is in place and the levers properly positioned, gasket compression, and thus tight sealing, is assured. The licensee's procedures verify that the cap is correctly reinstalled.

The staff considered the design features and test history of the Kamlok cap, as described by the licensee, and concluded that it provides a high degree of assurance of proper sealing. The staff also determined the consequences of

failure of the cap to seal under post-loss-of-coolant accident conditions and noted that any failure of leaktightness would not affect the short-term course of the event, and that for the longer-term boron dilution capability, an alternate method is available. The staff also considered the compensatory measures taken to ensure that the port is currently properly closed. Based on these considerations, the NOED was granted at 8:05 p.m. on February 12, 1997, under Criteria 1(a) of NUREG-1600, to avoid undesirable transients as a result of forcing compliance with a license condition and, thus, to minimize potential safety consequences and operational risks.

On the basis of the staff's evaluation of your request, the staff has concluded that an NOED is warranted because we are clearly satisfied that this action involves minimal or no safety impact and has no adverse radiological impact on public health and safety. Therefore, it is our intention to exercise discretion not to enforce compliance with TS surveillance requirement 4.5.2.f for the period from February 12, 1997, 8:05 p.m. ET, until the NRC approves your license amendment request to revise the TS requirements, or until Davis-Besse enters Mode 4 in an outage of sufficient duration to perform the required surveillance test.

This letter documents our telephone conversations during the evening (between approximately 5:00 p.m. and 8:00 p.m.) of February 12, 1997, when we orally issued this NOED. However, as stated in the Enforcement Policy, action will normally be taken, to the extent that violations were involved, for the root cause that led to the noncompliance for which this NOED was necessary.

Sincerely,

Original signed by:

Jack W. Roe, Director  
Division of Reactor Projects III/IV  
Office of Nuclear Reactor Regulation

Docket No. 50-346

cc. See next page

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