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OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Enclosed you will find my response to the NRC's request for stay and motion for reconsideration in the matter of Ralph L. Tetrick, Docket #55-20726-SP.

Ralph L. Tetrick
18990 SW 270 Street
Homestead, FL 33031

D503

97 APR -1 PM 6:56

Peter B. Block, Presiding Officer
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Please find the enclosed responses to the NRC Staff's Motion for Reconsideration and request for issuance of stay.

Ralph L. Tetrick
03/17/97

9704010043

TO: Peter B. Bloch, Presiding Officer
97 APR -1 P4:58 Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: NRC Staffs' motion for Issuance of Stay

I, Ralph L. Tetrick, respectfully request that the presiding officer deny the NRC Staffs' request for an Issuance of Stay in the matter of the issuance of my Senior Reactor Operator License.

The Staff references 10CFR 2.788(e) and four criteria for issuing a stay. My response to the four are as follows:

1. Likelihood of Success on the Merits

The Staff cites NUREG-1021 which specifies a minimum score of 80.

The Presiding Officer rounded up my score to an 80, therefore becoming a passing score. Also, NUREG-1021 Revision 8 has not become effective at this time.

2. Irreparable Injury in the Absence of a Stay

The Staff contends that unless a stay is issued, the continued practice of requiring an 80% to pass will be disrupted. In response, I contend that the future issuance of NUREG-1021 Revision 8 will clarify any concern the Staff has. As mentioned previously, Revision 8 of NUREG-1021 is not applicable at this time.

3. Harm to Other Parties

The Staff contends that I, Ralph Tetrick, will not be harmed by the stay.

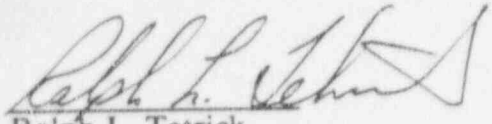
My contention is that the possibility and timing of a promotion will be greatly affected. At this time a Nuclear Watch Engineer position will soon become available and a stay will not permit me to qualify for this position, thereby affecting my future earning potential and advancement possibilities with Florida Power and Light.

4. Where the Public Interest Lies

The Staff contends that the NRCs ability to administer operator license exams will be disrupted.

My contention is that the Staffs ability to administer exams will not change. Since in the future the issuance of NUREG-1021, Revision 8 will clarify any areas of confusion.

Based on the above statements, I respectfully request the Presiding Officer NOT issue a stay.



Ralph L. Tetrick
Docket No. 55-20726-SP

18990 S.W. 270 St.
Homestead, Fl 33031
(305) 247-6364

To: Peter B. Block, Presiding Officer
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: NRC Staffs' motion for reconsideration in the matter of Ralph L. Tetrick.

I, Ralph L. Tetrick, respectfully request that the presiding officer deny the NRC Staffs' request for reconsideration.

The staff contends that I failed the written exam but in accordance with the rules of the Code of Federal Regulations, I have worked with the NRC system and received a grade of 80% which is a passing grade.

The staff references NUREG-1021 and SECY-86-206 as a basis for denial of a license, I contend that as NUREG-1021 revision 8 has not been implemented, it does not apply and therefore the presiding officers decision to round up is valid and should stand and I should be issued a SRO license.

If the Presiding Officer does reconsider his decision then I request that he also reconsider his decision on question #63. The staff states that "immediate" action is required under the stated conditions of question #63, because personnel would quickly be exposed to high levels of radiation due to the loss of water. The Staff also contends that two annunciators sounding together (ie. H-1/1 SFP LOW LEVEL and G-9/5 CNTMT SUMP HI-LEVEL) is enough corroboration to act immediately to prevent injury to the health of plant employees without regard to actual conditions.

3-ONOP-33.2 states: With an irradiated assembly full up in the manipulation crane and maximum refueling cavity seal leakage, the refueling bridge radiation levels will reach 10 rem/hr in about 22 minutes (see attached procedure).

At Turkey Point there are two Spent Fuel Pool level indications and five sump level indications in the control room. I contend that the 10 to 20 seconds it takes to verify the alarm would not expose personnel inside containment to high levels of radiation, also, this brief period of time to verify the alarms is preferable to causing panic and possible harm to personnel evacuating containment if the alarm is invalid.

With regard to the above, I respectfully request the Presiding Officer to reverse his decision on question #63, I am also including a letter written by Brian J. Stamp, Acting Operations Supervisor at Turkey Point Nuclear Facility regarding question #63.

Ralph L. Tetrick
Docket No. 5[illegible]-20726-SP

18990 S.W. 270 St.
Homestead, Fl 33031
(305) 247-6364

To: Peter B. Block, Presiding Officer
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Subject: NRC Staffs' motion for reconsideration in the matter of Ralph L. Tetrick.

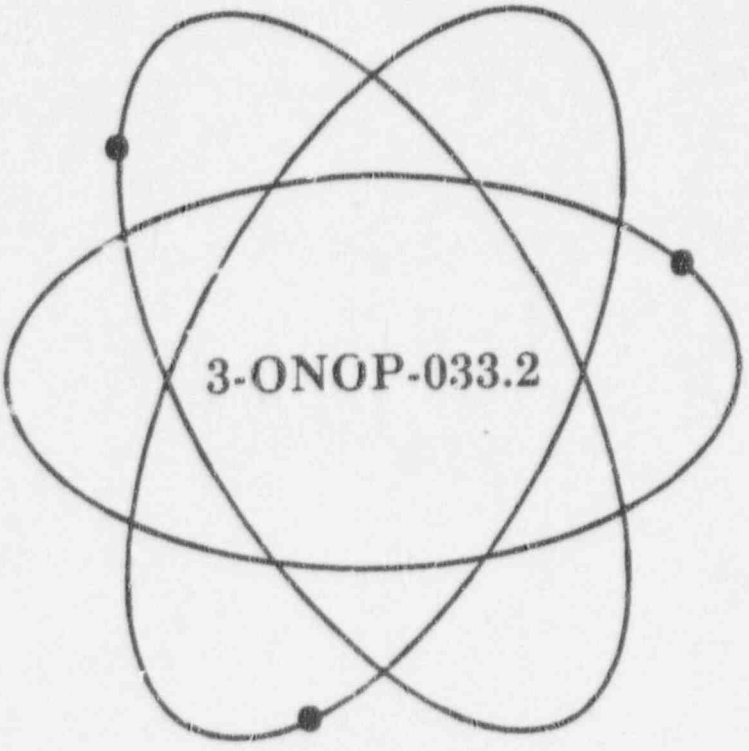
It is expected that the Licensed Operators at Turkey Point verify plant conditions when one or more annunciators are received in the control room prior to taking corrective actions. In the case of Question #63, I fully expect the Operators to verify the decrease in the Spent Fuel Pool level and the increase in the Containment Sump level by the indicators located within the surveillance area of the control room. This action would only take seconds and could preclude erroneously sounding the containment evacuation alarm. During refueling outages, there are numerous jobs going on simultaneously inside the containment. Requiring all personnel to evacuate the area unnecessarily could pose a larger safety hazard than would the increased radiation levels at the refueling stations for those few seconds. In addition, the Training Departments question bank has been revised concerning the correct answer to Question #63.

Brian J. Stamp
Acting Operations Supervisor
Turkey Point Operations Department

Florida Power & Light Company

Turkey Point Nuclear Plant

Unit 3



Title:

Refueling Cavity Seal Failure

Safety Related Procedure	
Responsible Department:	Operations
Reviewed by PNSC:	93-149
Approved by Plant General Manager:	6/24/93
Periodic Review Due:	4/20/96

RTSs 87-0377P, 88-2210, 89-1021, 90-2205, 91-1565P, 91-0561T
RTSs 92-1251P, 92-1032P, 92-1358P, 93-0930P
PC/M 89-332, 92-031

*/RSE/bsm/rs/clb

LIST OF EFFECTIVE PAGES

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1.0 PURPOSE

1.1 This procedure provides instructions for protecting plant personnel and assuring that public health and safety is not jeopardized in the event of a Reactor to Refueling Cavity seal failure. [Commitment - Step 6.3.1]

1.2 Irradiated fuel shall not be placed in the RCC change out baskets until an engineering evaluation is completed. Therefore, this procedure does not address an irradiated fuel bundle in the RCC change out baskets.

2.0 SYMPTOMS

2.1 Annunciators

2.1.1 Annunciator H-1/1, SFP LO LEVEL, alarmed

2.1.2 Annunciator G-9/5, CNTMT SUMP HI LEVEL, alarmed

2.1.3 Annunciator I-4/6, CNTMT SUMP HI LEVEL, alarmed

2.1.4 Annunciator X-4/1, ARMS HI RADIATION, alarmed

1. Channel R-2, Unit 3 Containment - operating floor level, El, 58 ft
2. Channel R-7, Unit 3 Spent Fuel Building - transfer canal area, El 58 ft
3. Channel R-19, Spent Fuel Pit Exhaust Duct
4. Channel R-21, Unit 3 Spent Fuel Pit - north wall

2.1.5 Annunciator, H-1/4, PRMS HI RADIATION, alarmed

2.1.6 Annunciator H-1/5, CHRMS HI RADIATION, alarmed

2.1.7 Annunciator I-7/3, RX VESSEL DRAINDOWN LO-LO LEVEL

2.2 Indications

2.2.1 Increase in local dose rate monitors.

2.2.2 Decreasing refueling cavity and spent fuel pit levels as observed locally.

2.2.3 Increase in Containment Sump Water Level Monitors, LI-3-6308A and B

2.2.4 Increase in Containment Water Level Monitors, LI-3-6309A and B

2.2.5 Containment Radiation Monitor R-3-12 increasing or alarmed.

3.0 AUTOMATIC ACTIONS

3.1 Possible containment ventilation isolation due to high containment radiation levels.

3.2 Possible Control Room ventilation isolation due to high containment radiation levels.

4.0 IMMEDIATE ACTIONS

4.1 Sound containment evacuation alarm.

5.0 SUBSEQUENT ACTIONS

CAUTIONS

- *With an irradiated assembly full up on the manipulator crane and maximum refueling cavity seal leakage, the refueling bridge radiation levels will reach 10 Rem/hr in about 22 minutes.*
- *As reactor internals are exposed, airborne contamination levels in containment will increase.*

5.1 Refueling Operator(s) in Containment

5.1.1 WHEN informed by H.P. that any of the following occurs, THEN exit the containment building immediately:

1. Area radiation levels exceed 10 Rem/hr

OR

2. Airborne contamination levels exceed 1000 times pre-event level

OR

3. Cumulative dose exceeds 10 Rem whole body or 50 Rem to the thyroid.

NOTE

Steps 5.1.2 and 5.1.3 should be performed at the same time.

5.1.2 IF an irradiated fuel assembly is in the fuel transfer car, THEN lay assembly down AND transfer assembly to the Spent Fuel Pool.

5.1.3 IF an irradiated fuel assembly is latched on the manipulator crane, THEN perform the following:

1. Fully insert assembly in the core AND leave assembly latched.

2. IF assembly can NOT be inserted into the core, THEN move assembly to the upender AND transfer assembly to the spent fuel building.

5.1.4 WHEN all irradiated fuel assemblies are in the core OR in the spent fuel building, THEN perform the following:

1. Move the fuel transfer car to the spent fuel building.

2. Direct refueling operator in the spent fuel building to close SFP Transfer Tube Gate Valve, 3-12-031.

5.1.5 IF the upper or lower internal assemblies are being removed from or installed into the reactor vessel THEN either;

1. Install the upper or lower internal assembly into the reactor vessel if it is located on the reactor vessel guide studs.

OR

2. Place the upper or lower internal assembly in a safe condition.

5.1.6 Inflate the inflatable cavity seal by;

1. Open the instrument air supply valve to the inflatable cavity seal and pressurize the seal to 30 to 35 PSIG.

2. Exit the containment building

5.2 Refueling Operator(s) in Spent Fuel Building

5.2.1 WHEN informed by H.P. that any of the following occurs, THEN exit the spent fuel building immediately:

1. Area radiation levels exceed 10 Rem/hr

OR

2. Airborne contamination levels exceed 1000 times pre-event level

OR

3. Cumulative dose exceeds 10 Rem whole body or 50 Rem to the thyroid.

5.2.2 IF an irradiated fuel assembly is latched to the spend fuel pit bridge crane, THEN insert assembly in a fuel rack.

CAUTION

If more than one irradiated fuel assembly must be removed from containment, at least one of the assemblies shall be transferred to a fuel rack within the first 22 minutes of the event.

5.2.3 IF more than one irradiated fuel assembly must be removed from containment, THEN move one assembly from the transfer car to a fuel rack

NOTE

One irradiated fuel assembly may be left in the transfer car provided that the upender remains in the full down position.

5.2.4 WHEN all irradiated fuel assemblies are in the core or in the spent fuel building, THEN perform the following:

1. Verify the fuel transfer car is in the spent fuel building.
2. Verify the fuel transfer car is in the down position.
3. Close SFP Transfer Tube Gate Valve, 3-12-031.

5.3 Control Room Operator

5.3.1 Direct Health Physics to perform the following:

1. Limit access to containment
2. Limit access to spent fuel building
3. Monitor radiation levels in containment and spent fuel building
4. Monitor containment for airborne contamination
5. Monitor cumulative whole body AND thyroid doses for operators in containment AND spent fuel building.

5.3.2 Isolate containment as follows:

1. Manually initiate containment isolation phase A.
2. Verify containment isolation phase A valve white lights on VPB are all bright.
3. Verify Unit 3 containment purge exhaust and supply fans are off.
4. Verify Unit 4 containment purge exhaust and supply fans are off.

5.3.2 (Cont'd)

5. Verify all Containment Purge Supply **AND** Exhaust Isolation Valves are closed.

   a. POV-3-2600 (outside containment)

   b. POV-3-2601 (inside containment)

   c. POV-3-2602 (outside containment)

   d. POV-3-2603 (inside containment)

6. **IF** any Containment Purge Supply **AND** Exhaust Isolation Valve is **NOT** closed, **THEN** behind VPB, pull fuse for any open purge valve.

   a. XEP for POV-3-2600

   b. XLAG for POV-3-2601

   c. XEQ for POV-3-2602

   d. XLAH for POV-3-2603

7. Verify Containment Instrument Air Bleed Isolation Valves are closed.

   a. CV-3-2819

   b. CV-3-2826

8. Verify all normal containment coolers are tripped **AND** associated outlet dampers are closed.

9. Verify containment sump pumps are tripped.

10. Verify control building ventilation is in emergency recirculation mode using ONOP-10308.1, Control Building Heating Ventilation and Air Conditioning System (HVAC)

5.3.3 Close all inner **AND** outer containment access hatches.

5.3.4 Stop SFP cooling pumps.

5.3.5 Shutdown all non-essential electrical equipment in the containment lower levels.

5.3.6 **IF** any emergency containment filter fans are available, **THEN** start at least one emergency containment filter fan.

5.3.7 Maintain RHR system operation:

1. Verify RHR pump motor amps stable **AND** less than 38 amps
2. Verify RHR flow on FI-3-605 between 3000 and 3750 gpm
3. Verify annunciator H 6/2, RHR HX HI/LO FLOW, clear

5.3.8 Restore spent fuel pit level to normal using 3-OP-033, SPENT FUEL PIT COOLING SYSTEM.

5.3.9 Maintain spent fuel pit boron concentration greater than 1950 ppm as follows:

1. Direct Health Physics to monitor exposure for personnel entering the spent fuel pit building.
2. Direct Chemistry Department to sample spent fuel pit for boron concentration.
3. Borate spent fuel pit as necessary to maintain spent fuel pit boron concentration greater than 1950 ppm.

5.3.10 Direct Nuclear Plant Supervisor to perform the following:

1. Check for applicability to conditions listed in EPIP-20101, DUTIES OF EMERGENCY COORDINATOR.
2. Check for applicability to conditions listed in AP-0103.12, NOTIFICATION OF SIGNIFICANT EVENTS TO NRC.
3. Check for applicability to conditions listed in AP-0103.6, EVALUATION AND REPORTING OF IN-HOUSE EVENTS.
4. Verify applicable Technical Specification Limiting Conditions for Operation are satisfied.

5.3.11 **WHEN** spent fuel pit level has been restored to between 56 ft 10 inches and 57 ft 2 inches, **THEN** perform the following:

1. Stop makeup to spent fuel pit
2. Startup the Spent Fuel Pit Cooling System

NOTE

When refueling cavity level and RCS level are at the top of the reactor vessel flange, Drain Down Level, LIS-3-6421 and 6423, should indicate approximately 60 percent.

5.3.12 **WHEN** refueling cavity level drops to the top of the reactor vessel flange, **THEN** perform the following:

1. Verify containment sump level stops increasing.

2. **IF** RCS level continues to decrease below the top of the reactor vessel flange, **THEN** add makeup to the RCS using charging pumps as necessary to maintain RCS water level at the reactor vessel flange.

5.3.13 **WHEN** plant conditions are stable **AND** radiation levels permit, **THEN** initiate repairs to the refueling cavity seal.

5.3.14 Go to appropriate plant procedure as determined by Nuclear Plant Supervisor.

6.0 REFERENCES/RECORDS REQUIRED/COMMITMENT DOCUMENTS

6.1 References

6.1.1 Technical Specifications, Section 3/4.9 Refuel Operations

6.1.2 FSAR

1. Section 9.5, Fuel Handling System
2. Section 11.2, Radiation Protections
3. Appendix 14E, Spent Fuel Storage Facility Modifications Safety Analysis Report

6.1.3 Civil Drawing, 5610-C-562, Rev 3

6.1.4 General Arrangement, 21774-1, General Arrangement of Fuel Transfer System

6.1.5 Operating Procedures

1. ONOP-10308.1, Control Building Heating Ventilation and Air Conditioning System (HVAC)
2. 3-OP-033, Spent Fuel Pit Cooling

6.1.6 IE Bulletin 84-03, Refueling Cavity Water Seal.

6.1.7 FPL Letter JPE-PTP0-84-1546, Re: REA TPN 84-64 (Response to IE bulletin, 84-03, Refueling Cavity Water Seal).

6.1.8 NRC Exit Meeting Minutes Dated 4/19/85 Subject: Refueling Activities. IE Bulletin 84-03.

6.1.9 INPO SOER 85-1 (4 and 5), Reactor Cavity Seal Failure

6.1.10 FPL Letter JPN-PTN-90-2609, Re: REA TPN-90-272

6.2 Records Required

6.2.1 None

6.3 Commitment Documents

6.3.1 NRC Inspection Report 89-053, March 14, 1990

END OF TEXT

FINAL PAGE