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Docket Number 50-346

License Number NPF-3

Serial Number 2448

February 14, 1997

United States Nuclear Regulatory Commission
Document Control Desk
Washington, DC 20555-0001

Subject: License Amendment Application to Revise Technical Specifications
Regarding Decay Heat Removal System Valve Pit Surveillance
Requirements (License Amendment Request No. 97-0006)

Gentlemen:

Enclosed is an application for an amendment to the Davis-Besse Nuclear Power Station (DBNPS), Unit Number 1 Operating License Number NPF-3, Appendix A, Technical Specifications, to reflect the changes attached. The proposed changes involve Technical Specification (TS) 3/4.5.2, Emergency Core Cooling Systems - ECCS Subsystems - $T_{avg} \geq 280^{\circ}\text{F}$, and associated Bases 3/4.5.2 and 3/4.5.3, ECCS Subsystems.

Technical Specification (TS) 3.5.2 requires two independent Emergency Core Cooling Systems (ECCS) Subsystems to be operable. Surveillance Requirement (SR) 4.5.2.f requires each ECCS Subsystem to be demonstrated operable by performing a vacuum leakage rate test of the watertight enclosure for valves DH-11 and DH-12 that assures the motor operators on valves DH-11 and DH-12 will not be flooded for at least seven (7) days following a Loss-of-Coolant Accident (LOCA). The test is required to be performed: (1) At least once per 18 months, (2) After each opening of the watertight enclosure, and (3) After any maintenance on or modification to the watertight enclosure which could affect its integrity. These SRs ensure that, at a minimum, the assumptions used in the safety analyses are met and that subsystem operability is maintained. Surveillance Requirements for the watertight enclosure provide assurance that a circulation flow path will be maintained as described in Updated Safety Analysis Report (USAR) Section 6.3.3.1.2, "Results of Analysis (Large Break)."

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During 1986 a plant modification was performed to the decay heat valve pit to install level switches and to add an inspection port. The purpose of this modification was to provide the capability to detect and confirm leakage in the valve pit during plant operation. The plant modification took into account that due to its design features, the opening and closing of the inspection port would not require performance of SR 4.5.2.f.

On February 11, 1997, a Potential Condition Adverse to Quality Report (PCAQR) was initiated by the DBNPS Staff to document a literal compliance concern regarding whether opening and subsequent closure of the decay heat valve pit inspection port constitutes a breach of the decay heat valve pit "watertight enclosure," hence requiring performance of SR 4.5.2.f.

As a conservative measure, both trains of ECCS were declared inoperable and TS 3.0.3, which requires a plant shutdown to be commenced within one hour, was entered on February 12, 1997 at 0915 hours. However, TS 4.0.3, which allows 24 hours for delaying the actions of TS 3.0.3 in order to provide time for completion of the surveillance, was also entered. It was determined at 1435 hours that SR 4.5.2.f could not be performed at power. TS 4.0.3 was exited, and a plant shutdown was commenced from 100% rated thermal power on February 12, 1997 at 1521 hours in accordance with TS 3.0.3.

While the plant shutdown was proceeding, contacts were made with NRR and Region III Staff to request enforcement discretion to allow suspension of the plant shutdown. Enforcement discretion was verbally granted on February 12, 1997 at 2005 hours, at which time the plant was in Mode 1 at approximately 10% rated thermal power. A follow-up letter providing documentation relative to the February 12 verbal request for enforcement discretion was submitted to the NRC on February 13, 1997 (TE Serial Number 2449).

The proposed changes are being submitted as a follow-up emergency license amendment application in the manner allowed by 10 CFR 50.91(a)(5) to avoid a shutdown of the DBNPS, absent the existing enforcement discretion. However, with the enforcement discretion presently in force, Toledo Edison is amenable to the NRC processing this application as an exigent application or a normal application.

Absent the existing NRC's granted enforcement discretion, an emergency situation exists as described in 10 CFR 50.91(a)(5), in that not approving the proposed license amendment in a timely manner would result in a shutdown of the DBNPS. As described in the enclosed Safety Assessment and Significant Hazards Consideration (SASHC), the proposed license amendment does not involve a significant hazards consideration.

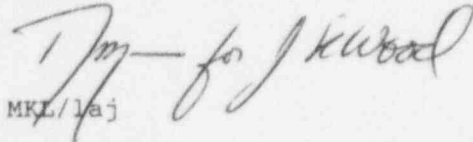
As also described in the enclosed SASHC, the situational conflict which exists between SR 4.5.2.f and the use of the inspection port in Modes 1, 2, or 3 was first identified as a literal compliance issue by Toledo Edison on February 11, 1997, with the plant at 100% rated thermal power. Therefore, this created the emergency situation whereby a plant shutdown would be required absent enforcement discretion or an emergency license amendment.

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Toledo Edison has performed the attached environmental assessment and determined that the proposed amendment, if approved, will have no significant impact on the environment or irreversible environmental consequences.

Should you have any questions or require additional information, please contact Mr. James L. Freels, Manager - Regulatory Affairs, at (419) 321-8466.

Very truly yours,


MKL/laj

Enclosure

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