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U-602748
4F.190
WC-218-97
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Docket No. 50-461

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Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Revised Response to Notice of Violation 50-461/96015-05b
Contained in Inspection Report 50-461/96015 (DRP)

Dear Madam or Sir:

The attachment to this letter contains the Illinois Power (IP) revised response to the Notice of Violation (NOV) of Nuclear Regulatory Commission (NRC) requirements documented in NRC inspection report 50-461/96015 (DRP) as 50-461/96015-05b. The subject NOV lists an example of a failure to perform a 10 CFR 50.59 safety evaluation when required. IP's initial response to this NOV was contained in Attachment B to IP letter U-602728 dated April 21, 1997. Thus, the attachment to this letter supersedes Attachment B to IP letter U-602728. This revised response does not change IP's admission that the violation occurred.

IP believes that the actions described in the attached revised response addresses the concerns identified in this Notice of Violation.

Sincerely yours,

Wilfred Connell
Vice President

MRS/krk

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Attachments

cc: NRC Clinton Project Manager
NRC Resident Office, V-690
Regional Administrator, Region III, USNRC
Illinois Department of Nuclear Safety



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Q PDR

Revised Response to Notice of Violation 50-461/96015-05b

The Notice of Violation states in part:

"10 CFR 50.59, "Changes, Tests and Experiments," requires, in part, that written safety evaluations that provide a bases for the determination that changes to the facility as described in the FSAR do not involve an unreviewed safety question be maintained.

TS Surveillance Requirement 3.5.1.8 stated that the ECCS response time for each ECCS injection/spray subsystem shall be verified to be within limits every 18 months.

The Updated Safety Analysis Report (FSAR), Chapter 16, Revision 6, TS Bases for surveillance requirement 3.5.1.8, Revision 1, stated that the response time testing acceptance criteria for surveillance 3.5.1.8 were included in Table 6.3-2, "Significant Input Variables Used in the Loss-of-Coolant Accident Analysis (Large Break)."

Updated Safety Analysis Report (FSAR) Table 6.3-2 stated that one of the acceptance criterion for the high pressure core spray (HPCS) system was that the maximum allowed delay time from a loss of offsite power/loss of coolant accident initiating signal to the time that the HPCS pump reached rated speed be less than or equal to 27 seconds.

Contrary to the above, the inspectors identified that in May, 1995, the licensee performed a TS 3.5.1.8 required surveillance that used acceptance criteria other than the HPCS pump at rated speed criterion described in FSAR Table 6.3-2, but failed to maintain a written safety evaluation to document the basis for determining that this change to the facility as described in the FSAR did not involve an unreviewed safety question."

Background and Reason for Violation

On January 1, 1995, Clinton Power Station (CPS) implemented the Improved Standard Technical Specification (ITS) format of NUREG-1434, "Standard Technical Specifications, General Electric Plants, BWR/6." Implementation of the ITS format, in part, included relocation of the EMERGENCY CORE COOLING SYSTEM (ECCS) RESPONSE TIME testing acceptance criteria from the Technical Specifications (TS) to a CPS-controlled document. This was accomplished via reference to an existing CPS Updated Safety Analysis Report (USAR) Table (i.e., USAR Table 6.3-8). Among other parameters, the referenced USAR Table included a design value for the associated ECCS injection valve stroke time and the time for the pump to reach rated speed following power source availability. The surveillance procedure that is used to collect data for verification that the TS-required ECCS SYSTEM RESPONSE TIME for the High Pressure Core Spray (HPCS) System is met (i.e., CPS No. 9080.23, "Diesel Generator 1C - ECCS Integrated") measures the time for only the limiting component, which is the HPCS injection valve stroke time. As previously stated, this time limit is specified on USAR Table 6.3-8.

By Illinois Power (IP) letter U-602376 dated January 27, 1995, IP requested implementation of Boiling Water Reactor Owners' Group (BWROG) Topical Report NEDO-32291, "System Analyses for Elimination of Selected Response Time Testing Requirements." That request involved, in part, elimination of the requirement to perform periodic response time testing of the ECCS actuation instrumentation. However, an overall system response time test was still required to be performed. Thus, IP proposed to move the response time testing requirement from the Instrumentation Section of the TS (i.e., Section 3.3) to the ECCS Section of the TS (i.e., Section 3.5). The TS Bases changes associated with that request identified a change to the referenced USAR Table for the response time testing acceptance criteria from USAR Table 6.3-8 to USAR Table 6.3-2. During the development of that TS change request, USAR Table 6.3-2 listed the HPCS injection valve stroke time as well as the time for the HPCS pump to reach rated speed as assumed in the Loss of Coolant Accident (LOCA) analysis. Thus, the acceptance criteria of CPS No. 9080.23 (i.e., injection valve stroke time) was included on USAR Table 6.3-2.

IP's January 27, 1995 amendment request was subsequently approved by the NRC via Amendment No. 98 dated March 9, 1995. However, on January 19, 1995 (prior to NRC approval of IP's January 27, 1995 amendment request) USAR Revision 6 change package 6-63 was approved. That USAR change package revised USAR Table 6.3-2 by removing the stroke time assumed for the HPCS injection valve. In implementing Amendment No. 98, the TS Bases changes included in IP's January 27, 1995 amendment request were incorporated as submitted. Thus, upon implementation of Amendment No. 98, the USAR Table referenced by the CPS TS Bases (i.e., USAR Table 6.3-2) did not include the acceptance criteria for CPS No. 9080.23 (i.e., injection valve stroke time). As a result, when CPS No. 9080.23 was performed in May 1995, the acceptance criteria in CPS No. 9080.23 was not identified in USAR Table 6.3-2 as referenced in the TS Bases.

The cause of this violation was the failure to recognize that a change had been processed to the referenced USAR Table(s) prior to implementing Amendment No. 98. Controls are in place in CPS No. 1038.02, "Changes to the Technical Specification Bases," which require completion of a 10 CFR 50.59 safety evaluation/screening for all changes to the TS Bases. These 10 CFR 50.59 safety evaluation/screenings must be completed per the requirements of CPS No. 1005.06, "Conduct of Safety Reviews," which requires review of the applicable Sections of the USAR, including approved but not yet issued (i.e., "pending") changes to the USAR. However, in this instance, the Licensing Engineer that processed the TS Bases changes for Amendment No. 98 to the CPS Operating License failed to identify the existence of the "pending" changes to USAR Table 6.3-2.

Corrective Steps Taken and Results Achieved

A number of corrective steps have been taken in response to this TS Bases/procedure discrepancy. First, when IP identified that USAR Table 6.3-2 no longer identified the assumptions for the HPCS injection valve stroke time, USAR change package 7-70 was processed to, among other things, add acceptance criteria for HPCS injection valve stroke time to USAR Table 6.3-2. This USAR change package was approved on June 20, 1995, after completion of the fifth refueling outage (RF-5).

As described in the safety evaluation for USAR change package 7-70, the intent of USAR Table 6.3-2 was to identify the input assumptions used in the design basis LOCA analysis. Because the timing of the low pressure ECCS subsystem injection valves is dependent on the blowdown time of the reactor vessel during the event (since the low pressure ECCS injection valves will not begin stroking until the associated low pressure permissive setpoint is reached), IP subsequently concluded that it is not appropriate to directly use the times listed on USAR Table 6.3-2 as acceptance criteria in surveillance testing procedures. Thus, TS Bases change package BL-97-002 was processed to change the TS Bases reference back to USAR Table 6.3-8 which provides the design performance requirements for ECCS equipment. These times can be directly used as acceptance criteria in surveillance testing procedures. USAR Table 6.3-8 does include a time limit for the HPCS injection valve stroke time as measured in CPS No. 9080.23. This TS Bases change package was approved January 16, 1997.

Notwithstanding the above, to avoid potential future confusion over the required scope of response time testing, IP revised the TS Bases to replace the reference to a USAR Table for providing the ECCS RESPONSE TIME acceptance criteria with a specific, single time limit for each ECCS subsystem, consistent with the format used in the original TS. This TS Bases change package (BL-97-006) included a safety evaluation which addresses the lack of need for monitoring the ECCS pump to rated speed times when verifying that the ECCS SYSTEM RESPONSE TIMES are within limits. This TS Bases change package was approved May 1, 1997.

Corrective Steps to Avoid Further Violations

As previously stated, the cause of this violation was the failure of the Licensing Engineer processing the TS Bases changes for Amendment No. 98 to recognize that a change had been processed to the referenced USAR Table(s). Controls are in place in CPS No. 1038.02, "Changes to the Technical Specification Bases," which require completion of a 10 CFR 50.59 safety evaluation/screening for all changes to the TS Bases. These 10 CFR 50.59 safety evaluation/screenings must be completed per the requirements of CPS No. 1005.06, "Conduct of Safety Reviews," which requires review of the applicable Sections of the USAR, including approved but not yet issued (i.e., "pending") changes to the USAR. However, in this instance, the Licensing Engineer that processed the TS Bases changes for Amendment No. 98 failed to identify the existence of "pending" changes to USAR Table 6.3-2. Licensing Operations personnel have been briefed on the need to

ensure pending USAR changes are reviewed as part of processing changes to the CPS TS Bases.

Date When Full Compliance Will Be Achieved

CPS is currently in full compliance since CPS No. 9080.23 verifies that the time for the limiting component (i.e., the HPCS injection valve stroke time) is within the single time limit for the overall HPCS SYSTEM RESPONSE TIME identified in the TS Bases. In addition, IP performed a full safety evaluation to address the lack of need for monitoring the ECCS pump to rated speed times when verifying that the ECCS SYSTEM RESPONSE TIMES are within limits.