



General Electric Company
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MFN-018-88
March 7, 1988

U.S. Nuclear Regulatory Commission
Office of Nuclear Reactor Regulation
Washington, D.C. 20555

Reference: 1) August 21, 1987 Letter from I. F. Stuart to J. G. Partlow
2) Typical Final Safety Analysis Report, Section 15B.0.3,
"Event Evaluation".

Subject: Reply to Notice of Violation

Attention James G. Partlow, Director
Division of Reactor Inspection and Safeguards

Gentlemen:

The purpose of this letter is two-fold. One is to report the results of our search of Potentially Reportable Condition (PRC) records to ascertain where we might not have reported conditions which potentially could have lead to exceeding technical specification safety limit violations, but which did not amount to a "substantial safety hazard" (Reference 1). The second is to clarify our interpretation of the reporting requirements of 10CFR21.3(d)(4) and to establish a clear basis for such reports in the future.

Our review discovered only one closed PRC evaluation (done in late 1984) which would have been reportable under the criterion of exceeding a technical specification safety limit. This PRC was related to sticking of internal parts of the scram pilot valves at Susquehanna 1. The NRC is fully aware of this event as it was identified in the "NRC Abnormal Occurrences for Fourth Quarter 1984" (report #7590-01) and used as an example in IE Information Notice 85-27. As the NRC is fully informed regarding this condition, we are not making a report on it.

Recently, GE has evaluated another PRC under the guidelines of our commitment to NRC to report conditions solely because they could contribute to exceeding a technical specification safety limit whether or not the condition represents a substantial safety hazard. In this case, the evaluation

IE09
1

R. Artigas to U.S. Nuclear Regulatory Commission

Page 2

March 7, 1988

concluded that the matter would not be reportable as a substantial safety hazard because of the small radiological consequences. However, it was determined that, although of sufficiently low probability to be excluded from the plant Minimum Critical Power Ratio (MCPR) design basis, the hypothetical condition could contribute to the exceeding of the technical specification MCPR safety limit.

This PRC dealt with a specific failure mode that was identified for the Turbine Pressure Control System (TPCS) which, if encountered at partial reactor power (i.e., <80%), could result in a MCPR below the technical specification safety limit. The postulated failure could result in a relatively rapid turbine control valve closure coupled with bypass valve opening. Under these conditions, the neutron flux scram setpoint may not be reached and plant shutdown would be initiated by the high vessel pressure scram.

The frequency of such a failure is conservatively estimated to be in the range of zero, to at worst, once in 50 reactor years. (The once in 50 reactor years number is derived from assuming that all turbine scrams in the BWR fleet operational database resulted from this particular failure mode). This frequency classifies the event as an infrequent event (Reference 2). The licensing limit applicable to these types of events is that of 10CFR100. The MCPR safety limit applies only to events of moderate frequency, and not to this infrequent event category.

It is GE's objective to fully comply with the intended reporting requirements of 10CFR21 as they apply to both "defects" and "substantial safety hazards". However, we believe it would be inappropriate to identify a beyond-design-basis condition as a "defect". It is possible to postulate many theoretically possible events which are sufficiently unlikely to occur and, as such, they should be excluded from reporting because they are beyond the design basis. For example any number of multiple failure events can be postulated which could contribute to exceeding the technical specification MCPR safety limit. It is our view that such reporting would serve no useful purpose and was not the intent of 10CFR21. Because of this, GE has concluded not to report the condition described above. In addition, in the future GE will report conditions which "could contribute to the exceeding of a technical specification safety "limit" but which do not represent a "substantial safety hazard", only if they are within the plant design basis for which that safety limit is established.

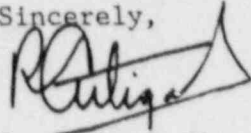
R. Artigas to U.S. Nuclear Regulatory Commission

Page 3

March 7, 1988

We feel that this approach is consistent with your implementation of the regulation.

Sincerely,

A handwritten signature in dark ink, appearing to read 'R. Artigas', with a stylized flourish extending from the end.

R. Artigas, Manager
Licensing & Consulting Services

RA/HCP:mcd

cc: C. H. Berlinger (NRC)
C. E. Rossi (NRC)
J. C. Stone (NRC)
L. S. Gifford (GE-Bethesda)
I. F. Stuart (GE-San Jose)