



July 18, 2022  
NRC:22:012

U.S. Nuclear Regulatory Commission  
Document Control Desk  
11555 Rockville Pike  
Rockville, MD 20852

**10 CFR Part 21 Notification of Existence of a Defect and Failure to Comply**

This letter provides notification of a reportable defect and failure to comply in accordance with 10 CFR Part 21. This defect and failure to comply was reported to the NRC Operations Center by email at 2:29 p.m. EST on July 13, 2022.

The defect concerns the failure of Eaton relay to change state. The failure to comply concerns failure to perform an evaluation within 60 regulatory days from the date of discovery.

Actions already taken to address the defect and failure to comply are provided in the attachment to this letter.

If you have any questions related to this information, please contact Ms. Gayle Elliott, Deputy Director, Licensing and Regulatory Affairs by telephone at (434) 832-3347, or by e-mail at [Gayle.Elliott@framatome.com](mailto:Gayle.Elliott@framatome.com).

Sincerely,

A handwritten signature in black ink that reads "Gary Peters".

Gary Peters, Director  
Licensing & Regulatory Affairs  
Framatome Inc.

cc: N. Otto  
Project 728

**Attachments:**

- 1 Attachment A – Notification of 10 CFR 21 Defect and Failure to Comply

## **Notice of 10 CFR 21 Defect and Failure to Comply**

**Subject:**

Notification of 10 CFR 21 Defect and Failure to Comply

**Name and Address of Individual Informing the Commission:**

Gayle Elliott  
Deputy Director, Licensing & Regulatory Affairs  
Framatome Inc.  
3315 Old Forest Road  
Lynchburg, Va. 24501

**Title:**

Relay – Failure to Change State

**Identification of Basic Activity:**

Eaton Electrical Cutler Hammer, Inc. D26MRD704A1 Relay

**Basic Activity Supplied By:**

Framatome Inc.

**Nature of Defect and Failure to Comply:**

Framatome Inc. (Framatome) supplied an Eaton Electrical Cutler Hammer, Inc. (Eaton) D26MRD704A1 Relay to Duke Energy Carolinas, LLC, McGuire Nuclear Station, that failed to change state during testing of their load sequencer. This relay was supplied as a safety related component by Framatome. A molded contact bar in the D26 top adder deck prevented a contact spring from settling into its proper position. Top adder decks manufactured between 2003 and 2022 were inspected for the existence of flashing, but no specific time frame where the excess flashing was found could be identified.

Testing of additional relays with this similar excess flashing condition, by both Framatome and Eaton, showed that contact springs tended to stay in place and were unaffected by the excess flashing. There have been no past similar relay reports by Framatome customers despite there being at least 587 other relays with top adder decks supplied as commercially dedicated components. Eaton has also indicated that they have had no other reports of this condition or failures associated with it.

Framatome failed to comply with the requirements of 10 CFR 21 with regard to performing the defect evaluation for this condition within 60 calendar days. The nonconformance was determined to be a deviation on May 2, 2022 and the defect evaluation was completed on July 11, 2022, exceeding the regulatory requirement by 10 days.

**Defect and Failure to Comply Determination Date:**

This issue was determined to be a 10 CFR 21 Defect and Failure to Comply on July 11, 2022.

**Number and Location of Basic Components:**

The extent of condition determined that the failure is an isolated incident. Only one relay, supplied to McGuire Nuclear Station, failed to change state.

**Corrective Actions to Date:**

In the future, as a precaution, the Framatome commercial grade dedication process will include the inspection of the adder deck contact bars. Relays containing contact bars with excess flashing will be rejected.

The Failure to Comply was documented in Framatome's Corrective Action Program (Reference CR 2022-1742). Corrective actions will include additional training on the implementation and reporting of the 10 CFR 21 process.

**Advice related to the Defect:**

Framatome provided written correspondence to the customer, McGuire Nuclear Station, on July 11, 2022 to advise that this issue is a reportable defect. Framatome is responding to technical questions from McGuire as requested.