

50-362



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 10, 1997

Mr. Harold B. Ray
Executive Vice President
Southern California Edison Company
San Onofre Nuclear Generating Station
P. O. Box 128
San Clemente, California 92674-0128

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR SAN ONOFRE NUCLEAR GENERATING STATION, UNIT 3 (NOED 97-06-002) (TAC NO. 197870)

Dear Mr. Ray:

By letter dated February 6, 1997, Southern California Edison (SCE or the licensee) requested the NRC exercise discretion not to enforce compliance with the actions required in Surveillance Requirement (SR) 3.1.5.4 of Technical Specification (TS) 3.1.5, "CEA Alignment," for San Onofre Nuclear Generating Station (SONGS), Unit 3. The letter documented information previously discussed with the NRC in a telephone conversation on February 5, 1997, that began at 12:00 noon Eastern Standard Time (EST). During this telephone conversation, the licensee stated that the 24 hours allowed by SR 3.0.3 would expire at 8:06 pm EST on February 5, 1997, which would require the unit to begin shutting down in accordance with Action D of Limiting Condition for Operation (LCO) 3.1.5. You requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to the NRC's policy regarding exercise of discretion for an operating facility, set out in Section VII.c, of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, and be effective for the period of time needed for the NRC to process a TS amendment on an exigent basis. This TS amendment would defer implementation of SR 3.1.5.4 to no later than the SONGS Unit 3 Cycle 9 refueling outage (currently scheduled to begin on April 12, 1997). The licensee committed, in its letter dated February 7, 1997, to test the reed switch position channels in accordance with SR 3.1.5.4 in the event of a planned or unplanned shutdown of Unit 3 before the refueling outage.

The need for this NOED request results from an administrative error in the implementation of the Technical Specification Improvement Program (TSIP) approved by the NRC and implemented by SCE on August 5, 1996. During the TSIP project, SCE personnel incorrectly believed that SR 3.1.5.4 was satisfied by a surveillance conducted during the previous SONGS Unit 3 refueling outage. SR 3.1.5.4 states, "Perform a CHANNEL FUNCTIONAL TEST (CFT) of each reed switch position transmitter channel," and the frequency of this SR is every 24 months. The previous surveillances performed on these channels consisted of simulating an input for each reed switch position transmitter into each control element assembly (CEA) calculator, and verifying the correct response of each CEA calculator. In order to perform the current SR 3.1.5.4, each CEA has to be exercised over its entire length of movement. It is not possible to perform this functional test with the unit in Mode 1. Therefore, the licensee

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requested relief from performing the CFTs needed to demonstrate compliance with SR 3.1.5.4 until the upcoming scheduled refueling outage. The licensee's safety rationale for this request is that the recent operational history and inherent reliability of the Unit 3 reed switch position transmitters provide adequate assurance that the transmitters are operable and fully capable of performing their intended safety function. The enforcement discretion would avoid an undesirable transient associated with an unnecessary plant shutdown and thus minimize potential safety consequences and operational risks associated with such action.

The staff evaluated the safety consequences of allowing Unit 3 to continue operation until its next refueling outage without compliance with SR 3.1.5.4 along with other mitigating information that is available, and compared this to the small, but measurable amount of risk associated with an unnecessary plant shutdown. The staff concluded that the option that resulted in the minimum safety impact was the option of allowing the surveillances to be postponed until the upcoming refueling outage. During startup, normal operations, and shutdown activities involving CEA movement, the CEA calculators will sound an annunciator in the control room should a CEA deviate from its subgroup position by more than 5 inches. If appropriate, the CEA calculators will transmit penalty factors to the core protection calculators that will cause trip setpoints to be approached. When the CEAs are at the fully withdrawn position, the cross channel check performed shiftly provides assurance that there is no pair of reed switches failed in the closed position below the CEA position. The reed switch position transmitter assemblies are considered highly reliable because the only active components are the magnetically actuated reed switches. The magnet attached to the CEA extension shaft closes two pairs of reed switches with all of the other reed switches normally open. If a pair of reed switches were to stick in the closed position, the channel would not function properly and the failure would be detected by the cross channel check procedure discussed above. The licensee has stated that there have been no deviation alarms attributable to failures of the reed switch position channels during Cycle 8 operation. The staff concludes that the combination of factors discussed above provides adequate assurance, for the limited period of time before the next refueling outage, that the reed switch position channels can perform their intended safety function. The staff agrees with the licensee that an unnecessary plant shutdown constitutes an undesirable transient involving a small amount of risk and, therefore, considers the option of requiring a shutdown specifically to perform SR 3.1.5.4 to be unwarranted. Criterion 1 of Section B of the Enforcement Policy states in part that, "For an operating plant, the NOED is intended to (a) avoid undesirable transients as a result of forcing compliance with the license condition and, thus, minimize potential safety consequences and operational risks...."

On the basis of the staff's evaluation of your request, the staff has concluded that an NOED is warranted because we are clearly satisfied that this action involves minimal or no safety impact and has no adverse radiological impact on public health and safety. Therefore, it is our intention to exercise discretion not to enforce compliance with LCO 3.1.5 for the period

from 8:06 pm EST February 5, 1997, until issuance of a license amendment. The staff will process your TS amendment request received on February 7, 1997, to resolve this issue on an exigent basis. This letter documents our telephone conversation on February 5, 1997, when we orally issued this notice of enforcement discretion.

However, as stated in the Enforcement Policy, action will normally be taken, to the extent that violations were involved, for the root cause that led to the non-compliance for which this NOED was necessary.

Sincerely,

Original Signed By
Elinor G. Adensam, Deputy Director
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-362

cc: See next page

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*For previous concurrences see attached ORC

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Mr. Harold B. Ray

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February 10, 1997

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