May 6, 1999

Mr. David T. Kotecki
President/Local 270
Utility Workers Union of America
4205 Chester Avenue
Cleveland, Ohio 44103-3615

Dear Mr. Kotecki:

I have been asked by Mr. Collins to respond to your letter to the Nuclear Regulatory Commission (NRC) dated April 5, 1999.

The NRC reviews those nuclear matters that deal with public health and safety, and the protection of the environment for the facilities we regulate. The NRC strives to achieve public confidence in our regulatory programs and processes by encouraging public participation. Therefore, we appreciate your letter informing us of the continuing events concerning the pending transfer of the nuclear generating assets between Duquense Light Company and FirstEnergy.

The NRC is aware that, as of the date of your letter, there has been no negotiated settlement between FirstEnergy and Local 270 pertaining to the tentative generation asset exchange. The NRC will remain observant of your suit filed in Federal Court, and your complaint against FirstEnergy with the National Labor Relations Board.

However, you have not identified in your letter any specific issues over which the NRC has any regulatory responsibilities. We will consider the information provided in your letter as we monitor the pending license transfer applications and operations of Beaver Valley Power Station Units 1 and 2, and the Perry Nuclear Power Plant. If however, you have specific safety concerns with respect to the operation of Beaver Valley or Perry, we request that you bring them to our immediate attention.

Sincerely,

Original Signed By:

David B. Matthews, Director
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

99-85

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

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Sincerely,

David B. Matthews, Director
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Item Number	Valve Identification	Drawing No.	Licensee's Justification for Deferring Valve Exercising	Proposed Alternate Testing	Evaluation of Licensee's Justification
CSJ-U1-SI-03 (CSJ-U2-SI-03)	Units 1 and 2: V3114, V3124, V3134, and V3144 LPSI Cold Leg Injection Check Valves	8770-G-078 Sh 131 A 2998-G-078 Sh 130B Safety Injection System	"These are simple check valves with no external means of exercising or for determining obturator position. Thus, testing these valves in the open direction requires system flow. Since no full flow recirculation path exists, full stroke exercising of these valves would require operating a low pressure safety injection (LPSI) pump at nominal accident flowrate and injecting into the reactor coolant system. At power operation this is not possible because the LPSI pumps do not develop sufficient discharge pressure to overcome reactor coolant system pressure. Partial flow testing is similarly not practical since it would require isolating the associated safety injection tank which is not permitted during plant operation." In addition, for Unit 2: "Verification of closure can be done by operating a HPSI pump with the associated HPSI header isolation valve open and determining check valve backflow. This, however, would unseat the associated downstream header check valve and require leakage testing of this valve per St. Lucie Technical Specification 4.4.6.2. Although not impractical, such quarterly leakage testing would be an undue burden on the plant staff. Note that valves V3114, V3124, V3134, and V3144 remain closed during power operation."	Per the Unit 1 and Unit 2 valve tables, these valves are exercised open during cold shutdowns. Per the Unit 1 Valve Table, these valves are exercised closed per VR-04, while the Unit 2 valves are exercised closed during cold shutdowns.	It is impractical to full-stroke exercise these valves open quarterly because the LPSI pumps cannot develop sufficient discharge pressure to achieve full opening. It is impractical to partial-stroke exercise these valves open quarterly because this requires the associated SI Tank to be isolated during plant operation. For Unit 2, it is impractical to exercise the valves closed quarterly. Technical Specification 4.4.6.2 requires additional leakage testing following PIV operation. As discussed in NUREG-1482, Section 4.1.4, the need to set-up test equipment during operation is adequate justification for deferral of testing to cold shutdowns. The alternative provides full-stroke exercising to the open position (and closed position for the Unit 2 valves) during cold shutdowns in accordance with OM Part 10, ¶ 4.3.2.2(c).
CSJ-U1-SI-04 (CSJ-U2-SI-04)	Units 1 and 2: V3480, V3481, V3651, and V3652 Shutdown Cooling RCS Isolation Valves	8770-G-078 Sh 131A 2998-G-078 Sh 131 Safety Injection System	"These valves are provided with electrical interlocks that prevent opening during reactor power operation. In addition, during operation it is likely that these valves will experience a large pressure differential (in excess of 2000 psid). At this differential pressure the valve operators are incapable of opening the valves. Furthermore, if they could be opened operation at high differential pressure could result in damage to their seating surfaces. For these reasons exercising these valves in any plant condition other than cold shutdown is impractical."	Per the Unit 1 and Unit 2 Valve Tables, these valves are exercised open and closed during cold shutdowns.	It is impractical to exercise these valves open quarterly because, to prevent an interfacing systems LOCA, these valves are provided with electrical interlocks that prevent opening during operation. The alternative provides full-stroke exercising during cold shutdowns in accordance with OM Part 10, ¶ 4.2.1.2(c).

Item Number	Valve Identification	Drawing No.	Licensee's Justification for Deferring Valve Exercising	Proposed Alternate Testing	Evaluation of Licensee's Justification
CSJ-U1-CH-03 (CSJ-U2-CH-03)	Units 1 and 2: V2431 Auxiliary Pressurizer Spray Check Valve	8770-G-078 Sh 120B 2998-G-078, Sh 122, Rev. 16 Chemical & Volume Control System	"In order to test this valve, either SE-02-03 or SE-02-04 must be opened. Opening either of these valves (or failure in the open position) during plant operation would cause an RCS pressure transient that could potentially adversely affect plant safety and lead to a plant trip. In addition, the pressurizer spray piping and nozzle would be subjected to undesirable thermal shock."	Per the Unit 1 and Unit 2 Valve Tables, this check valve is full-stroke exercised open during cold shutdowns.	It is impractical to partial-stroke or full-stroke exercise this valve to the open position quarterly because of the resulting RCS pressure transient and the potential for a plant trip. The alternative provides full-stroke exercising to the open position at cold shutdowns in accordance with OM Part 10, ¶ 4.3.2.2(c).
CSJ-U1-CH-04 (CSJ-U2-CH-04)	Units 1 and 2: V2501 Volume Control Tank Outlet Valve	8770-G-078 Sh 121A 2998-G-078 Sh 121A Chemical & Volume Control System	"Closing this valve during operation of a charging pump would isolate the VCT from the charging pump suction header with the potential for damaging any operating charging pump. This would effectively interrupt the flow of charging water flow to the RCS with the potential of an RCS transient and plant trip."	Per the Unit 1 and Unit 2 Valve Tables, this valve is exercised open and closed during cold shutdowns.	It is impractical to exercise this valve quarterly because of potential damage to the charging pumps. The alternative provides full-stroke exercising to both the open and closed positions during cold shutdowns in accordance with OM Part 10, ¶ 4.2.1.2(c).
CSJ-U2-CH-05	Unit 2 only: V2523 Charging Line Isolation Valve	2998-G-078 Sh 122 Chemical & Volume Control System	"Closing this valve during operation isolates the charging pumps from the RCS and would result in undesirable pressurizer level transients with the potential for a plant trip and potential damage to the charging pumps. If the valve failed to reopen, then an expedited plant shutdown would be required."	Per the Unit 2 Valve Table, this valve is exercised closed during cold shutdowns.	It is impractical to exercise this valve quarterly because of the resulting pressurizer transients and the potential for a plant trip and damage to the charging pumps. The alternative provides full-stroke exercising to the open position during cold shutdowns in accordance with OM Part 10, ¶ 4.2.1.2(c).