UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931

November 25, 2003

NOED 03-2-007

Florida Power and Light Company
ATTN: Mr. J. A. Stall, Senior Vice President
Nuclear and Chief Nuclear Officer
P. O. Box 14000
Juno Beach, FL 33408-0420

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) FOR FLORIDA POWER AND LIGHT REGARDING ST. LUCIE UNIT 2

Dear Mr. Stall:

By letter dated November 24, 2003, your staff formally documented a verbal request made on November 22, 2003, for the NRC to exercise discretion not to enforce compliance with the actions required in St. Lucie Nuclear Plant Unit 2 Technical Specification (TS) Limiting Condition for Operation (LCO) 3.8.1.1, "Electrical Power Systems - A.C. Sources." The letter addressed the information previously discussed with the NRC in a telephone conference on November 22, 2003, at 11:00 p.m., EST. The principal NRC staff members who participated in that telephone conference included: L. A. Reyes, Regional Administrator, Region II (RII); V. M. McCree, Director, Division of Reactor Projects (DRP), RII; J. T. Munday, Branch Chief, DRP, RII; T. M. Ross, St. Lucie Senior Resident Inspector, DRP, RII; R. H. Bernhard, Senior Reactor Analyst, Division of Reactor Safety, RII; E. M. Hackett, Director, Project Directorate II (LPD2), Office of Nuclear Reactor Regulation (NRR), L. B. Marsh, Director, Division of Licensing Project Management, NRR; A. G. Howe, Section Chief, LPD2, NRR; B. T. Moroney, Project Manager, LPD2, NRR; R. V. Jenkins, Section Chief, Division of Engineering, Electrical and Instrumentation and Controls Branch, NRR; M. Rubin, Division of Systems Safety and Analysis, Probabilistic Safety Assessment Branch, NRR; and R. L. Perch, Division of Systems Safety and Analysis, Probabilistic Safety Assessment Branch, NRR.

Your staff stated that on November 23, 2003, at 1:05 a.m., St. Lucie Unit 2 would not be in compliance with TS LCO 3.8.1.1.a due to not having two physically independent circuits between the offsite transmission network and the onsite Class 1E distribution system. The Action Statement for TS LCO 3.8.1.1.a requires that with one offsite circuit of 3.8.1.1.a inoperable, except as provided in the Action Statement for TS LCO 3.8.1.1.f, the OPERABILITY of the remaining ac sources to be demonstrated by performing Surveillance Requirement 4.8.1.1.1.a within 1 hour and at least once per 8 hours thereafter. The offsite circuit is to be restored to OPERABLE status within 72 hours or be in at least HOT STANDBY within the next 6 hours and COLD SHUTDOWN within the following 30 hours. The Action Statement for TS LCO 3.8.1.1.f requires that with one Unit 2 startup transformer (2A or 2B) inoperable and with a Unit 1 startup transformer (1A or 1B) connected to the same A or B offsite power circuit and administratively available to both units, then should Unit 1 require the use of the startup transformer administratively available to both units, Unit 2 shall demonstrate the operability of the remaining ac sources by performing Surveillance Requirement 4.8.1.1.1.a within 1 hour and at least once per 8 hours thereafter. The inoperable startup transformer is to be restored to OPERABLE status within 72 hours or be in at least HOT STANDBY within the next 6 hours and COLD SHUTDOWN within the following 30 hours.

Your staff 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. You requested that the NOED be effective for an additional 72 hours in order to perform restoration activities associated with the 2B startup transformer. This letter documents our telephone conversation on November 22, 2003, at 11:00 p.m., when we orally issued this NOED. We understand that the condition causing the need for this NOED was corrected by you, causing you to exit from TS 3.8.1.1 at 1:00 a.m., on November 23, 2003, and therefore this NOED was not actually utilized.

Your staff stated that during planned on-line maintenance of the Unit 1B and Unit 2B startup transformers, three degraded insulator supports for the 2B startup transformer were identified. Your staff stated that repair to the supports required the fabrication and installation of insulator mounting boxes which would prevent the 2B startup transformer from returning to service within the 72-hour allowed outage time (AOT). Additionally, your staff indicated that they were unable to align the 1B startup transformer to Unit 2 as allowed by Technical Specification 3.8.1.1, Action f, because the crosstie breaker 2-20703 could not initially be maintained in the closed position. Further, the breaker feeding the non-essential bus from the startup transformer (2-20302) would not close when attempting to transfer power to the 1B startup transformer from the 2B auxiliary transformer.

The safety basis in your NOED request letter included an evaluation of the potential impact on the public health and safety and the environment and a discussion of compensatory measures. Your evaluation concluded that the request for an additional 72 hours to restore the 2B startup transformer to operable status did not represent a net increase in risk. In addition, your staff concluded that no significant hazard consideration was involved and noted that the request had been approved by the St. Lucie Facility Review Group. Your staff performed a qualitative risk assessment and concluded that the risk associated with the unit shutdown was greater than or equal to the risk associated with the unit remaining at power. Your staff stated that this conclusion was based on the fact that during normal power operation plant electrical loads are powered from the output of the main generator via the auxiliary transformers. If the unit was forced to shutdown with the 2B startup transformer out of service, the “B” train electrical loads must be powered by the 2B emergency diesel generator (EDG). Your staff concluded that this would result in an unnecessary challenge to the 2B EDG and one train of safe shutdown loads being powered from their emergency power source. The compensatory measures proposed would serve to reduce the potential need to transfer power from the 2B auxiliary transformer to the non operable 2B startup transformer. Additionally, the compensatory measures would also serve to reduce the potential to affect the ability to supply power to the 2B vital buses either from the 2B EDG or by cross tying via the station blackout cross tie to the
Unit 1 EDGs. These compensatory measures included:

(1) No Unit 2 safety-related equipment will be removed from service for planned maintenance.

(2) No work will be performed on or in the vicinity of the 2A startup transformer.

(3) No work will be performed on 4160v switchgear except that required to return the 2B startup transformer to service.

(4) No work will be performed which will potentially jeopardize either unit operation (i.e., waterbox flushing, pump swaps, etc.).

(5) With the exception of work related to restoration of the 2B startup transformer, no switchyard work will be performed.

(6) The 2AB bus will remain aligned to the “A” side.

(7) No EDG (on either unit) or station blackout bus tie work will be performed.

(8) There will be senior management oversight to ensure timely restoration of the 2B startup transformer.

(9) The system dispatcher was contacted to confirm that in the event system degradation or perturbations were to occur, the control room will be notified.

(10) Administrative controls will be put in place to limit access to equipment such as: 2A and 2B auxiliary transformers, 2A startup transformer, 2A and 2B EDG, and switchyard.

(11) Any forecast of severe weather will be evaluated by the Shift Manager for potential impact on offsite power sources. If such an impact is identified, then with concurrence of the Manager of Operations or Supervisor of Operations, the NRC Senior Resident Inspector will be notified, and Unit 2 will be shut down in an orderly manner.

In addition to the above compensatory measures, your staff stated that the EDGs had been successfully tested according to their normal surveillance schedule. This testing included closure of the EDG output breaker.

We have reviewed your request and found it consistent with your verbal request of November 22, 2003. We agree that maintaining the plant stable at power for an additional 72 hours was preferable to the potential for a plant transient that could occur during a plant shutdown to cold shutdown in this case. Also, we agreed that your compensatory measures, risk analysis, and safety basis considerations were adequate to demonstrate that the additional 72 hours would not involve a net increase in risk and would not adversely affect public health and safety or the environment. Our decision was based primarily on the information in your request that indicated that operating in the condition described above would be overall safety and risk neutral.

Based on the above considerations, the staff concluded that Criterion B.2.1.1.a and the applicable criteria in Section C.4 to NRC Manual Chapter 9900, “Technical Guidance, Operation - Notices of Enforcement Discretion” were met. Criterion B.2.1.1.a states that for an operating plant, the NOED is intended to avoid unnecessary transients as a result of 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 and the information provided in your letter dated November 24, 2003, we have concluded that issuance of this NOED is consistent with the Enforcement Policy and staff guidance, and has no adverse impact on public health and safety. However, because the AOT for TS 3.8.1.1.a was not exceeded and the NOED was not utilized, no compliance issue exists and no enforcement action is required.

Sincerely,

/RA/

Luis A. Reyes
Regional Administrator

Docket No. 50-328
Licensee No. DPR-79

cc: (See page 5)

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