



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064**

June 24, 2002

EA-02-107

Mr. J. V. Parrish  
Chief Executive Officer  
Energy Northwest  
P.O. Box 968; MD 1023  
Richland, Washington 99352-0968

**SUBJECT: FINAL SIGNIFICANCE DETERMINATION FOR A WHITE FINDING AND  
NOTICE OF VIOLATION (NRC Inspection Report No. 50-397/02-05)**

Dear Mr. Parrish:

The purpose of this letter is to provide you with the final results of our significance determination for the preliminary White finding identified in the subject inspection report. The inspection finding was assessed using the significance determination process and was preliminarily characterized as White, a finding with low to moderate increased importance to safety, which may require additional NRC inspections. This White finding involved degradation of 16 safety-related and 6 important-to-safety breakers that were replaced during the refueling outage ending in June 2001.

In a telephone conversation with Mr. William B. Jones of my staff on June 3, 2002, Ms. Christina Perino of your staff indicated that Energy Northwest did not contest the characterization of the risk significance of this finding and that you declined your opportunity to discuss this issue in a regulatory conference.

After considering the information developed during the inspection, the NRC has concluded that the inspection finding is appropriately characterized as White, an issue with low to moderate increased importance to safety, which may require additional NRC inspections.

You have 30 calendar days from the date of this letter to appeal the staff's determination of significance for the identified White finding. Such appeals will be considered to have merit only if they meet the criteria given in NRC Inspection Manual Chapter 0609, Attachment 2.

The NRC has also determined that the failure to verify the design adequacy of the breakers properly and the failure to identify promptly and correct the breaker malfunction when it initially occurred on June 29, 2001, and November 19, 2001, violated the requirements of 10 CFR Part 50, Appendix B, Criterion III and Criterion XVI, as cited in the enclosed Notice of Violation. The circumstances surrounding the violation are described in detail in the subject inspection report. In accordance with the NRC Enforcement Policy, NUREG-1600, the Notice of Violation is considered escalated enforcement action because it is associated with a White finding.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice of Violation when preparing your response. Because plant performance for this issue has been determined to be in the regulatory response band, we will use the NRC Action Matrix to determine the most appropriate NRC response for this event. We will notify you by separate correspondence of that determination.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Ellis W. Merschoff  
Regional Administrator

Docket: 50-397  
License: NPF-21

Enclosure: Notice of Violation

cc w/Enclosure:  
Chair  
Energy Facility Site Evaluation Council  
P.O. Box 43172  
Olympia, Washington 98504-3172

Rodney L. Webring (Mail Drop PE08)  
Vice President, Operations Support/PIO  
Energy Northwest  
P.O. Box 968  
Richland, Washington 99352-0968

Greg O. Smith (Mail Drop 927M)  
Vice President, Generation  
Energy Northwest  
P.O. Box 968  
Richland, Washington 99352-0968

D. W. Coleman (Mail Drop PE20)  
Manager, Regulatory Affairs  
Energy Northwest  
P.O. Box 968  
Richland, Washington 99352-0968

Albert E. Mouncer (Mail Drop 1396)  
General Counsel  
Energy Northwest  
P.O. Box 968  
Richland, Washington 99352-0968

C. L. Perino (Mail Drop PE20)  
Manager, Licensing  
Energy Northwest  
P.O. Box 968  
Richland, Washington 99352-0968

Thomas C. Poindexter, Esq.  
Winston & Strawn  
1400 L Street, N.W.  
Washington, D.C. 20005-3502

Bob Nichols  
State Liaison Officer  
Executive Policy Division  
Office of the Governor  
P.O. Box 43113  
Olympia, Washington 98504-3113

Lynn Albin  
Washington State Department of Health  
P.O. Box 47827  
Olympia, WA 98504-7827

## DISTRIBUTION:

ADAMS (PARS)  
 RIDSSECYMAILCENTER  
 RIDSOCAMAILCENTER  
 RIDSEDOMAILCENTER  
 RIDSOEMAILCENTER  
 RIDSOGCMAILCENTER  
 RIDSNRRD  
 RIDSNRRADIP  
 RIDSOPAMAIL  
 RIDSOIMAILCENTER  
 RIDSOIGMAILCENTER  
 RIDSOCFOMAILCENTER  
 RIDSRGN1MAILCENTER  
 RIDSRGN2MAILCENTER  
 RIDSRGN3MAILCENTER  
 OEWEB  
 R4ALLEGE

via e-mail:

Sanborn - GFS	Vasquez - GMV
Merschhoff - EWM	Gwynn - TPG
Smith - KDS1	Bill Maier - WAM
Henderson - BWH	K Brockman - KEB
E Collins - EEC	A Howell - ATH
D Powers - DAP	W. Jones - WBJ
G. Replogle -	OEMAIL
J. Dixon-Herrity- JLD	L. Dudes - LAD
C. Carpenter - CAC	N. Holbrook - NBH

C:\ORPCheckout\FileNET\ML021750255.wpd

ACES	DRP:E	DRP	RC	OE
SANBORN	JONES	BROCKMAN	SMITH	CONGEL
/RA/	/RA/	/RA/	/RA/	J. Dixon-Herrity for
6/13/02	6/13/02	6/13/02	6/17/02	6/17/02
DRA	RA			
GWYNN	MERSCHOFF			
NA	/RA/			
NA	6/18/02			

OFFICIAL RECORD COPY

T=Telephone

E=E-mail

F=Fax

## NOTICE OF VIOLATION

Energy Northwest  
Columbia Generating Station

Docket No. 50-397  
License No. NPF-21  
EA-02-107

During an NRC inspection which concluded on May 2, 2002, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

10 CFR Part 50, Appendix B, Criterion III, Design Control, states, in part, that measures shall be established for the selection and review for suitability of application of materials, parts, equipment, and processes that are essential to the safety-related functions of structures, systems and components to which Appendix B applies.

10 CFR Part 50, Appendix B, Criterion XVI, Corrective Actions, states, in part, that measures shall be established to assure that conditions adverse to quality, such as failures, malfunctions, deficiencies, deviations, defective material and equipment, and nonconformances are promptly identified and corrected. For significant conditions adverse to quality, the measures shall assure that the cause of the condition is determined and corrective actions taken to preclude recurrence.

Contrary to the above, in June 2001, the licensee completed Design Modification 99-0140-0, "Breaker Replacement," and the design control measures established by the licensee were not adequate to assure the suitability of the replacement breakers. Specifically, the licensee failed to incorporate vendor information regarding maintenance of mechanism-operated cell (MOC) switches in these breakers, resulting in breaker failures that affected the safety-related functions of plant systems. For example, on June 29, 2001, the Division II standby service water MOC switch failed to reposition during breaker closure, rendering the standby water service water train inoperable. In addition, despite failures of this type occurring on June 29, 2001, and November 19, 2001, the licensee failed to identify the cause of the condition and take corrective actions to preclude recurrence of this significant condition adverse to quality. Consequently, on February 13, 2002, a similar failure occurred involving the MOC switch associated with the Division II emergency diesel generator.

This violation is associated with a White SDP finding.

Pursuant to the provisions of 10 CFR 2.201, Energy Northwest is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555 with a copy to the Regional Administrator, Region IV, and a copy to the NRC Resident Inspector at the Columbia Generating Station facility, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license

should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated this 24th of June 2002