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Dockets Nos. 50-269/270/287

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Mr. Hal B. Tucker, Vice President
Nuclear Production Department
Duke Power Company
P. O. Box 33189
422 South Church Street
Charlotte, North Carolina 28242

Dear Mr. Tucker:

The Commission has issued the enclosed Order confirming your commitments to implement those post-TMI related items set forth in NUREG-0737 for which the staff requested completion on or after July 1, 1981. This Order is based on commitments contained in your letters responding to the NRC's Generic Letters 82-05 and 82-10 dated April 16, 1982 and June 4, 1982, respectively, as supplemented by letters dated July 28, 1982, November 15, 1982 and March 1, 1983.

The Order references your letters and, in its Attachments, contains lists of the applicable NUREG-0737 items with your schedular commitments. As discussed in the Order, several of the items listed in Generic Letter 82-10 will be handled outside of this Order.

The Commission's intention when it issued NUREG-0737 was that items would be completed in accordance with the staff's recommended schedule. However, our evaluation of your proposed schedule exceptions concludes that the proposed delays are acceptable. Among other things, the Order requires implementation of these items in accordance with your proposed schedule.

Some of the items set forth in the Attachments to the Order are subject to post implementation review and inspection. Our post implementation review and/or the development of Technical Specifications may identify alterations to your method of implementing and maintaining the requirements. Any identified alterations will be the subject of future correspondence.

OFFICE ▶							
SURNAME ▶	8303300028 830316 PDR ADOCK 05000269 P PDR						
DATE ▶							

NRC FORM 318 (10-80) NRCM 0240 **OFFICIAL RECORD COPY** USGPO: 1981—335-960

A copy of this Order is being filed with the Office of the Federal Register for publication.

Sincerely,

"ORIGINAL SIGNED BY:"

John F. Stolz, Chief
Operating Reactors Branch #4
Division of Licensing

Enclosure:
Order

cc w/enclosure:
See next page

	~~D:DSI~~ RMattson 11/ /82	~~AD-C&P:DSI~~ LRubenstein 11/ /82	~~C-CPB:DSI~~ CBerlinger 11/ /82	~~OELD~~ 11/ /82	LPhillips 11/ /82		
OFFICE	ORB#4:DL	ORB#4:DL	C-ORB#4:DL	AD-OR:DL	D:DL	OELD	ORAB
SURNAME	RIngram	PWagner/cb	JStolz	GLainas	DEisenhut	~~JScinto~~	T Ippolito
DATE	11/30/82	11/30/82	12/2/82	12/14/82	12/17/82	11/ /82	3/16/83

2/14/83 3/7/83 3/15/83

NRC FORM 318 (10-80) NRCM 0240 OFFICIAL RECORD COPY USGPO: 1981—335-960

Duke Power Company

cc w/enclosure(s):

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County Supervisor of Oconee County
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7590-01

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

In the Matter of DUKE POWER COMPANY (Oconee Nuclear Station, Units 1, 2 and 3)	)	Dockets Nos. 50-269 50-270 50-287

ORDER CONFIRMING LICENSEE COMMITMENTS
ON POST-TMI RELATED ISSUES

I.

Duke Power Company (the licensee) is the holder of Facility Operating Licenses Nos. DPR-37, DPR-47 and DPR-55 which authorize the operation of the Oconee Nuclear Station, Units 1, 2 and 3 (the facilities) at steady-state power levels not in excess of 2568 megawatts thermal for each unit. The facilities consist of pressurized water reactors (PWRs) located at the licensee's site in Oconee County, South Carolina.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements include Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial

additional protection in the operation of nuclear facilities based on the experience from the accident at TMI-2 and the official studies and investigations of the accident. The staff's proposed requirements and schedule for implementation are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements." Among these requirements are a number of items, consisting of hardware modifications, administrative procedure implementation and specific information to be submitted by the licensee, scheduled to be completed on or after July 1, 1981. On March 17, 1982, a letter (Generic Letter 82-05) was sent to all licensees of operating power reactors for those items that were scheduled to be implemented from July 1, 1981 through March 1, 1982. Subsequently, on May 5, 1982, a letter (Generic Letter 82-10) was also sent to all licensees of operating power reactors for those items that were scheduled for implementation after March 1, 1982. These letters are hereby incorporated by reference. In these letters each licensee was requested to furnish within 30 days pursuant to 10 CFR 50.54(f) the following information for items which the staff had proposed for completion on or after July 1, 1981:

(1) For applicable items that have been completed, confirmation of completion and the date of completion, (2) For items that have not been completed, a specific schedule for implementation, which the licensee committed to meet, and (3) Justification for delay, demonstration of need for the proposed schedule, and a description of the interim compensatory measures being taken.

III.

Duke Power Company responded to the Generic Letter 82-05 by letters dated April 16, July 28, November 15, 1982 and March 1, 1983; Duke Power Company responded to the Generic Letter 82-10 by letter dated June 4, 1982. In these submittals, Duke Power Company confirmed that some of the items identified in the Generic Letters had been completed and made firm commitments to complete the remainder. The attached Tables summarizing the licensee's schedular commitments or status were developed by the staff from the Generic Letters and the licensee-provided information.

There are six items from Generic Letter 82-10 that, as noted in the Table (Attachment 2), have licensee schedules to be determined and are therefore not included in this Order. Some of the items addressed in this Order are considered by the licensee to be completed or to require no modifications. The staff's evaluation of the licensee's delays for the remaining items is provided herein:

I.A.1.3.1 Limit Overtime

This item was acceptably resolved by the November 2, 1981, NRC letter to the licensee. However, Generic Letter 82-12, issued June 15, 1982, slightly revised the Commission's policy statement of February 8, 1982, and requested that licensees review their past actions to assure that the administrative section of the Technical Specifications be revised to assure that plant administrative procedures follow the revised working hour guidelines. The licensee's response of July 23, 1982, "strongly supports the overall thrust of controlling the working hours of employees here to the extent of preventing a compromise of safety", endorses the ANS 3.2 draft on this subject and, "strongly objects to the proposed action specified with respect to its being included in Technical Specifications". This issue is being reviewed by the staff.

II.B.3 Post Accident Sampling

The implementation of this item consists of two systems, the Reactor Building Gas Sample System and the Reactor Coolant and Building Liquid Sample System.

Implementation of the Gas Sample System was delayed pending receipt of pump motor starters; these have been received and are scheduled to be installed by December 1982. Following installation of these motor starters, the systems will be functionally tested and adjusted as necessary to ensure operability. The licensee has completed the gas sampling system for all units.

During functional checkout of the system, on both Units 1 and 2, a valve failed in the intermediate position. The unit must be at cold shutdown to further investigate and correct this problem with these valves; therefore, the completion date is now set for the end of each respective unit's next refueling outage. The completion date for this system on Unit 3 will be similarly changed due to the possibility that the same valve malfunction is likely to occur. The estimated completion dates are:

Unit 1: End of Unit 1 Cycle 8 Refueling Outage - 9/83
Unit 2: End of Unit 2 Cycle 7 Refueling Outage - 12/83
Unit 3: End of Unit 3 Cycle 8 Refueling Outage - 7/84

Procedures have been developed to use existing sampling equipment until these systems are operable.

II.F.1 Accident Monitoring

1. Noble Gas Monitors

These monitors had been installed on all units prior to January 1, 1982, but experienced erratic behavior and each monitor has been returned to the vendor at least twice. Recently, a completely new set of monitors from the same vendor was installed at Oconee, but after several weeks of operation, the detectors on Units 1 and 3 became

inoperable. This is thought to be due to a moisture problem. The monitors on Unit 2 have been working properly for over six weeks and that system is considered operational. A representative from the vendor is scheduled to visit Oconee to try to correct the malfunction on the Units 1 and 3 monitors. If the problem recurs, new monitors from another vendor will be used to replace the defective units. Therefore, for Units 1 and 3 if the repair work is sufficient, the monitors will be operable by June 1, 1983. If new monitors need to be ordered the operability date will be April 30, 1984. The installed, control grade stack monitors can be used to provide an indication of noble gas release until implementation is complete on the noble gas monitors.

3. Containment High-Range Radiation Monitors

Delays were experienced in obtaining qualified instruments such that Unit 1 had returned to operation following the last refueling outage prior to their receipt. Therefore, installation for Unit 1 is scheduled for the next (Cycle 8) refueling outage.

The monitors have been installed on Units 2 and 3 but are not considered operable because of connector qualification problems on Unit 2 and penetration problems on Unit 3. The monitors are scheduled to be fully operational on both units following the next refueling outage-Cycle 7 for Unit 2 and Cycle 8 for Unit 3. Presently installed area and airborne radiation monitors are control grade but can be used to provide in-containment radiation measurements until implementation of the high-range radiation monitors is completed.

III.D.3.4 Control Room Habitability

As a result of the licensee's review, three areas were identified for possible modifications: air in-leakage, lead shielding and chlorine and toxic gas detection. Further tests and evaluations now indicate that total isolation and sealing to prevent all in-leakage is neither

practical nor necessary. The installation of the lead shielding is complete. The need for toxic gas detection is being reevaluated and appropriate modifications, if any, will be identified and a schedule for installation will be provided.

Therefore, the licensee has completed all modifications determined to be necessary at this time. Following completion of the licensee's and the NRC's reviews, further modifications may be necessary.

We find, based on the above evaluation, that: 1) the licensee has taken corrective actions regarding the delays and has made a responsible effort to implement the NUREG-0737 requirements noted; 2) there is good cause for the several delays (unexpected design complexity, interface problems, and equipment delays); and 3) as noted above, interim compensatory measures have been provided.

In view of the foregoing, I have determined that these modifications and actions are required in the interest of public health and safety and, therefore, the licensee's commitments should be confirmed by Order.

IV.

Accordingly, pursuant to Sections 103, 161i, and 161o of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT the licensee shall:

Implement and maintain the specific items described in the Attachments to this Order in the manner described in the licensee's submittals noted in Section III herein no later than the dates in the Attachments.

V.

The licensee may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. A request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555. A copy shall also be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is requested by the licensee, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensee should comply with the requirements set forth in Section IV of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Robert A. Purple, Deputy Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 18thday of March
1983.

Attachments:
1. Licensee's Commitments on Applicable NUREG-0737 Requirements from Generic Letter 82-05
2. Licensee's Commitments on Applicable NUREG-0737 Requirements from Generic Letter 82-10

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-05 Attachment 1 Pg. 1

Item	Title	NUREG-0737 Schedule	Requirement	Licensee's Completion Schedule (or status)*
I.A.3.1	Simulator Exams	10/1/81	Include simulator exams in licensing examinations	Complete-All Units
II.B.2	Plant Shielding	1/1/82	Modify facility to provide access to vital areas under accident conditions	Complete-All Units
II.B.3	Post-Accident Sampling	1/1/82	Install upgrade post-accident sampling capability	Refueling Outage Unit 1-9/83 Refueling Outage Unit 2-12/83 Refueling Outage Unit 3-7/84
II.B.4	Training for Mitigating Core Damage	10/1/81	Complete training program	Complete-All Units
II.E.1.2	Aux. Feedwater Initiation & Flow Indication	7/1/81	Modify instrumentation to level of safety grade	Complete-All Units
II.E.4.2	Containment Isolation Dependability	7/1/81	Part 5-lower containment pressure setpoint to level compatible w/normal operation	Complete-All Units
		7/1/81	Part 7-isolate purge & vent valves on radiation signal	Complete-All Units

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-05

Item	Title	NUREG-0737 Schedule	Requirement	Licensee's Completion Schedule (or status)*
II.F.1	Accident Monitoring	1/1/82	(1) Install noble gas effluent monitors	Installation complete for Unit 2 If Repair Work is Sufficient / If Necessary to Order New Monitors Unit 1 June 1, 1983 or April 30, 1984 Unit 3 June 1, 1983 or April 30, 19[illegible]
		1/1/82	(2) Provide capability for effluent monitoring of iodine	Complete-All Units
		1/1/82	(3) Install containment radiation high-range monitors	Unit 1 - Refueling Outage 8 (~ 9/83) Unit 2 -Refueling Outage 7 (~ 12/83) Unit 3 - Refueling Outage 8 (~7/84)
		1/1/82	(4)Provide continuous indication of containment pressure	Complete-All Units
		1/1/82	(5)Provide continuous indication of containment water level	Complete-All Units
		1/1/82	(6)Provide continuous indication of hydrogen concentration in containment	Complete-All Units
II.K.2.10	Safety Grade Trips	7/1/81	Install anticipatory reactor trips	Complete-All Units

*Where completion date refers to a refueling outage (the estimated date when the outage begins), the item will be completed prior to the restart of the facility.

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-10 Attachment 2

Item	Title	NUREG-0737 Schedule	Requirement	Licensee's Completion Schedule (or status)*
I.A.1.3.1	** Limit Overtime	10/1/82 per Gen. Ltr. 82-12 dtd. 6/15/82	Revise administrative procedures to limit overtime in accordance w/NRC Policy Statement issued by Generic Ltr. No. 82-12, dtd. June 15,1982	Licensee has taken exception to the Technical Specification of Generic Ltr. 82-12 (See DPC ltr. of 7/23/82). Submittal under review
I.A.1.3.2	** Minimum Shift Crew	To be superseded by Proposed Rule	To be addressed in the Final Rule on Licensed Operator Staffing at Nuclear Power Units.	To be addressed when Final Rule is issued.
I.C.1	** Revise Emergency Procedures	Superseded by SECY 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability	To be determined
II.D.1.2	RV and SV Test Programs	7/1/82	Submit plant specific reports on relief & safety valve program	Complete-All Units
II.D.1.3	Block Valve Test Program	7/1/82	Submit report of results of test program	Complete -All Units
II.K.3.30 &31	** SBLOCA Analysis	One year after staff approval of model	Submit plant specific analyses	To be determined following staff approval of model
III.A.1.2	** Staffing Levels for Emergency Situations	Superseded by SECY 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability	To be Determined
III.A.1.2	** Upgrade Emergency Support Facilities	" " "	" " "	" "
III.A.2.2	** Meteorological Data	" " "	" " "	" "
III.D.3.4	Control Room Habitability	To be determined by licensee	Modify facility as identified by licensee study.	Complete (See Order)

*Where completion date refers to a refueling outage (the estimated date when the outage begins), the item will be completed prior to the restart of the facility.
**Not Part of Confirmatory Order