

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Duke Energy Corporation (EA-01-161)
Oconee Nuclear Station, Docket Nos. 50-269, 270, 287

Subject: EXERCISE OF ENFORCEMENT DISCRETION REGARDING REACTOR
VESSEL HEAD PENETRATIONS PRESSURE BOUNDARY LEAK

This is to inform the Commission that the staff will exercise Enforcement Discretion per section VII.B.6 of the Enforcement Policy, Discretion for Special Circumstances, and will not issue a Notice of Violation to the Oconee Nuclear Station. A Technical Specification violation existed for having reactor coolant system pressure boundary leakage identified by boric acid residue from cracking on one control rod drive mechanism (CRDM) nozzle and five of eight thermocouple nozzles on Unit 1, four CRDM nozzles on Unit 2, and nine CRDM nozzles on Unit 3. These conditions were discovered during outages between November 2000 and April 2001 and were not detectable during operation. The small leaks existed for extended periods prior to the outages, exceeding the twelve hours allowed by Technical Specifications prior to reaching hot standby.

This violation involved equipment failure not avoidable by reasonable quality assurance measures or management controls and is considered to have resulted from matters not within the licensee's control. Based on this the staff has determined that the exercise of Enforcement Discretion is warranted in accordance with Section VII.B.6 of the Enforcement Policy. Accordingly, a Notice of Violation will not be issued. It should be noted that in accordance with the Reactor Oversight Process, no licensee performance deficiencies were identified.

The staff is currently preparing a Bulletin on the generic issue of reactor vessel head penetration cracking.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Exercise of Enforcement Discretion	July 30, 2001
Telephone Notification of licensee	July 30, 2001

The State of South Carolina will be notified.

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**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**