

July 23, 2002  
EN-02-032

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Duke Energy Corporation (EA-02-034)  
(Oconee)  
Docket No. 50-269, 270, 287

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission that a WHITE Significance Determination Process (SDP) finding and associated Notice of Violation will be issued on or around July 26, 2002, to Duke Energy Corporation as a result of inspections at the Oconee Nuclear Station. This WHITE finding, an issue with low to moderate increased importance to safety, which may require additional NRC inspections, concerned a vulnerability to flooding in the Oconee Unit 1 auxiliary building from a potential rupture of the high pressure service water (HPSW) system piping that could disable safety related equipment. This condition represented a violation of 10 CFR 50, Appendix B, Criterion XVI, Corrective Action; 10 CFR 50.48, Fire Protection; and License Condition 3.D of the Oconee facility operating licenses, in that DEC failed to take timely corrective action after identifying this issue and did not assure that a rupture of the fire suppression system (HPSW system piping) in the auxiliary building would not significantly impair safety related equipment. Accordingly, a Notice of Violation associated with a WHITE finding is being issued.

The staff also concluded that this finding should be dispositioned within the Reactor Oversight Process as an "old design issue" in accordance with IMC 0305. Although DEC was untimely in its corrective actions after identifying the issue in 1996 and 1998, the staff concluded that the corrective action deficiencies were not indicative of DEC's current performance and that the additional factors specified in IMC 0305 for consideration of a finding as an old design issue have been satisfied. As a result, the staff will not use this finding in consideration of Oconee's overall performance in the Action Matrix. However, this White finding will be posted on the NRC's Web site for a period of four quarters. In addition, because some corrective actions have not been implemented or completed, a supplemental inspection is warranted, but will be limited in recognition of DEC's identification of the issue and inspections already performed.

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

Mailing of Final Significance Determination and Notice of Violation	July 26, 2002
Telephone Notification of licensee	July 26, 2002

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