March 15, 2007

U. S. Nuclear Regulatory Commission
Document Control Desk
Washington, D.C. 20555

Subject: Duke Power Company LLC d/b/a Duke Energy Carolinas, LLC
Oconee Nuclear Site, Units 1, 2, and 3
Docket Numbers 50-269, 50-270, and 50-287
Reply to a Notice of Violation (NRC Inspection Report Nos. 05000269/200706,
05000270/200706, and 05000287/200706)

Duke Energy Company (Duke) is in receipt of the referenced NRC Inspection Report. The
subject Inspection Report identified a White Finding and communicated a Notice of Violation
against Technical Specification 5.4.1 and Section 9.e of the Regulatory Guide 1.33 for failure to
comply with Nuclear System Directive 104. Specifically, the NOV states that appropriate
procedural controls were not in place to ensure that the Unit 3 Reactor Building Emergency
Sump was maintained free of foreign material.

Pursuant to the provisions of 10 CFR 2.201, Duke is submitting this written response to the
Notice of Violation. Duke does not contest the violation. Attachment 1 describes the violation,
immediate corrective actions, corrective actions to prevent recurrence, and the date when full
compliance was achieved. There are no commitments contained in this letter.

Questions or requests for additional information may be directed to Noel Clarkson, Oconee
Regulatory Compliance Group, at (864) 885-3077.

Very truly yours,

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ELL
NSRB
Attachment 1

Oconee Nuclear Station – Units 1, 2, and 3
Docket Nos. 50-269, 50-270, 50-287
Response to Notice of Violation
05000269/2007006, 05000270/2007006, and 05000287/2007006 EA-06-294
Restatement of Violation EA-06-294

During an NRC inspection completed on November 20, 2006, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Technical Specification 5.4.1 requires that written procedures shall be established, implemented, and maintained as recommended by Regulatory Guide (RG) 1.33, Revision 2, Appendix A, February 1978.

Section 9.e of RG 1.33 recommends procedures be prepared for control of maintenance, repair, replacement, and modification work.


Contrary to the above, some time prior to and for the duration of Oconee Unit 3 operating cycle 22 [December 24, 2005 (Mode 4 towards startup) through April 29, 2006 (Mode 5 for the end-of-cycle refueling outage)]; adequate foreign material exclusion controls had not been implemented in that on April 30 and May 1, 2006, foreign material was discovered in the A and B train reactor building emergency sump suction lines.

This violation is associated with a White significance determination process finding for Unit 3, in the Mitigating Systems cornerstone.

Admission or Denial

Duke does not deny the violation

Reasons for the Violation

On April 29, 2006, Oconee Nuclear Site (ONS) Unit 3 entered a scheduled refueling outage. As-found video inspections of the Unit 3 Reactor Building Emergency Sump (RBES) outlet piping were performed between April 30, 2006, and May 2, 2006. These inspections were performed to identify any foreign objects that might be present in this piping prior to modification of RBES screens. A metal washer (approximately 3 inches in outside diameter) was found in the Unit 3 'A' train outlet piping. A jaw from a crescent wrench (approximately 3 inches long) was found in the Unit 3 'B' train outlet piping, along with an 8 inch length of wire and some pipe scale. This debris was removed, on May 1, 2006, prior to restarting Unit 3. It was determined that the debris was a legacy (not recent) Foreign Material Exclusion (FME) event.
An evaluation was performed to determine the cause for the presence of this foreign material in the Unit 3 RBES outlet piping. This investigation yielded the following result:

The RBES outlet piping is pressure tested for leakage at each refueling outage. Testing of this line requires the installation and subsequent removal of a flange on the normally open outlet pipes. The horizontal orientation and large size of the outlet pipe openings make them especially vulnerable to the introduction of foreign material. The material identified by the video inspections is believed to have been introduced into the RBES outlet piping during flange installation and removal activities. The apparent cause of this event is substandard FME practices. Contributing factors include a lack of worker understanding of the importance of rigorous FME control in this work location coupled with inadequate procedural guidance for performing the flange installation and removal tasks.

**Corrective Steps Taken and Results Achieved**

The foreign material was removed from the RBES outlet lines between the RBES and the first isolation valve on all affected trains.

The following actions were taken in the two years preceding this event. While not subsequent to this specific event, the actions were taken to address the same apparent cause:

1. An FME procedure has been developed and implemented to guide flange installation and removal activities
2. An FME subject matter expert has been hired and is currently working in that capacity.
3. No clear plastic is allowed in the Reactor Building
4. FME monitors are utilized.
5. Nuclear System Directive (NSD) 104 has been enhanced to clarify and emphasize Cleanliness Zone boundaries and expectations.
6. Training has been provided to Maintenance personnel on the revised NSD 104

**Corrective Actions That Will Be Taken**

1. An FME inspection will be performed on the RBES outlet lines during each refueling outage until ONS has sufficient history to establish the effectiveness of current FME practices
2. ONS will evaluate the need for inspecting other piping sections which are required for accident mitigation but do not have the capability for flow testing.
Date of Full Compliance

The completed corrective actions identified above have corrected all parts of the stated violation. These corrective actions were complete as of May 1, 2006, restoring Oconee Nuclear Station to full compliance.