

June 1, 2007

Mr. Bruce H. Hamilton
Vice President, Oconee Site
Duke Power Company LLC
7800 Rochester Highway
Seneca, SC 29672

SUBJECT: OCONEE NUCLEAR STATION, UNITS 1, 2, AND 3, PERIOD OF
ENFORCEMENT DISCRETION DURING IMPLEMENTATION OF NATIONAL
FIRE PROTECTION ASSOCIATION STANDARD 805

Dear Mr. Hamilton:

In a letter dated April 30, 2007, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML071280287), you requested an extension of the period of enforcement discretion for existing identified incidents of noncompliance from 2 years to 3 years for Oconee Nuclear Station Units 1, 2, and 3 (Oconee).

In a letter dated June 8, 2005, (ADAMS No. ML051080005), the U.S. Nuclear Regulatory Commission (NRC) acknowledged your intention to adopt National Fire Protection Association (NFPA) Standard 805, "NFPA 805, Performance-Based Standard for Fire Protection for Light-Water Reactor Electric Generating Plants," 2001 edition, pursuant to Part 50, Section 50.48(c) of Title 10 of the *Code of Federal Regulations* (10 CFR 50.48(c)), and granted Oconee enforcement discretion during the expected 24-month transition period.

On April 18, 2006, the NRC published in the *Federal Register* (71 FR 19905) a revision to its enforcement policy extending the NFPA 805 transition discretion period from 24 to 36 months. Therefore, your request for an extension of the period of enforcement discretion from 2 years to 3 years for Oconee is granted. The NRC considers the discretion period for Oconee, which began on June 1, 2005, to expire on May 31, 2008.

As you are aware, in order to receive enforcement discretion, you must: (a) evaluate the risk significance of all noncompliances to assure that they do not constitute "Red" (or a Severity Level I) findings under the Reactor Oversight Program, (b) enter them into your corrective action program, and (c) implement and maintain appropriate compensatory measures until you complete your corrective actions, or until the NRC staff approves your license amendment request and issues its safety evaluation. You should refer to NRC Regulatory Issue Summary 2005-07, "Compensatory Measures to Satisfy the Fire Protection Program Requirements," for additional NRC staff guidance on appropriate compensatory measures.

B.Hamilton

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If you have any questions regarding this matter, please contact Leonard N. Olshan, Project Manager, at 301-415-1419 or LNO@nrc.gov.

Sincerely,

/RA/
T McGinty for
Catherine Haney, Director
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

cc: See next page

B.Hamilton

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DATE	5/30/07	6/1/07	6/1/07	

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Oconee Nuclear Station, Units 1, 2, and 3

cc:

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