

December 1, 2011
EN 11-038

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Duke Energy Carolinas, LLC EA-11-226
Oconee Nuclear Station, Units 1, 2, and 3
Docket Nos.: 50-269, 50-270, 50-287

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission that a Notice of Violation will be issued on or about December 6, 2011, to Duke Energy Carolinas, LLC (licensee) for a violation associated with a Yellow Significance Determination Process finding identified during an inspection and in-office review of Oconee Nuclear Station, Units 1, 2, and 3. This Yellow finding, an issue of substantial safety significance, will require additional U.S. Nuclear Regulatory Commission (NRC) inspections. It involves the failure of Oconee personnel to maintain the Standby Shutdown Facility (SSF) pressurizer heater breakers in accordance with the licensing and design basis of the plant, which resulted in the SSF being inoperable from 1983, until June 1, 2011.

The Notice of Violation is based on the licensee's failure to meet 10 CFR Part 50, Appendix B, Criterion III, "Design Control", which requires, in part, that measures shall be established to assure that deviations from appropriate quality and design standards are controlled and that the review for suitability of application of equipment essential to safety-related functions of structures, systems, and components is maintained.

In response to the preliminary determination letter, the licensee attended a Regulatory Conference and provided additional information on the risk characterization of this finding. After reviewing the information developed during the inspection and the information provided by the licensee, the staff concluded that the inspection finding is appropriately characterized as Yellow. Duke has informed the NRC that multiple corrective actions are in place and/or planned. Their corrective actions include, in part: (1) replacing the SSF pressurizer heater breakers with environmentally qualified fuses; (2) assessing their design change process and operability determination process; and, (3) performing an overall independent assessment of the SSF.

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 Final Significance Determination	December 6, 2011
Telephone Notification of Licensee	December 6, 2011

The State of South Carolina will be notified.

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