

# CATEGORY 1

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50-270 Oconee Nuclear Station, Unit 2, Duke Power Co.  
50-287 Oconee Nuclear Station, Unit 3, Duke Power Co.

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SUBJECT: Responds to violations noted in insp repts 50-269/96-05,  
50-270/96-05 & 50-287/96-05. Corrective actions: EOP changed  
on 960429 to include ref to NSD 202.

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**DUKE POWER**

May 16, 1996

U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, DC 20555

Subject: Oconee Nuclear Site  
Docket No. 50-269, -270, -287  
Inspection Report 50-269, -270, -287/96-05  
Reply to Notice of Violation

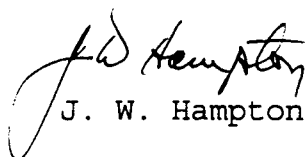
Dear Sir:

By letter dated April 17, 1996, the NRC issued a Notice of Violation as related to an NRC inspection conducted from March 16 - 23, 1996.

The violation involves the 10 CFR 50.72 report submitted by Oconee Nuclear Site staff following the Oconee Unit 3 trip on March 16, 1996. Duke Power Company acknowledges this violation. Oconee Management agrees with the concern that the report was both late and lacked the proper details and has taken corrective steps to improve the quality of future reports.

Pursuant to 10 CFR 2.201, Attachment 1 provides a written reply to the Notice of Violation identified in the subject inspection report.

Very truly yours,

  
J. W. Hampton

Attachment

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Document Control Desk

May 16, 1996

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cc: Mr. S. D. Ebnetter, Regional Administrator  
U.S. Nuclear Regulatory Commission, Region II

Mr. D. E. LaBarge, Project Manager  
Office of Nuclear Reactor Regulation

Mr. P. E. Harmon  
Senior Resident Inspector  
Oconee Nuclear Site

Attachment 1  
Reply to Notice of Violation  
Violation 96-05-01 Severity Level IV

Restatement of the violation

Code of Federal Regulations 10 CFR 50.72 (b) (2) (ii), requires, in part, that the licensee shall, within four hours, notify the NRC Operations Center via the Emergency Notification System of any event or condition that results in a manual or automatic actuation of any engineered safety feature, including the reactor protection system.

Contrary to the above, an automatic actuation of the Oconee Unit 3 reactor protection system caused a trip of that unit from full power at 1:18 p.m., on March 16, 1996, but the required notification to NRC did not occur until 9:45 p.m., on March 16, 1996 (over eight hours later).

1. The reason for the violation:

Duke Power Company acknowledges the violation.

The reason for the violation is that applicable post-trip procedures did not prompt the Operations Shift Manager (OSM) on the need to review the reportability requirements of 10 CFR 50.72.

The OSM did properly refer to the Station Emergency Plan to determine if an emergency classification was required. Reference to the Station Emergency Plan is contained within the Emergency Operating Procedure (EOP). However, there is no reference in the EOP, or in other operating procedures, to the requirements of 10 CFR 50.72. The OSM is expected to remember the requirements and respond accordingly. In this case, the OSM did not remember the applicable requirements from 10 CFR 50.72, and therefore, failed to make the four-hour notification.

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Although not cited in the violation, the subject inspection report also noted that the notification was inadequate in describing the event and the circumstances involved. Oconee management agrees with this observation. Previous training on reportability has not clearly defined the expectations regarding the level of detail in 10 CFR 50.72 notifications. Therefore, there was not a consistent understanding by the Oconee OSMs regarding the level of detail expected by the NRC concerning 10 CFR 50.72 (b)(2)(ii) notifications. This resulted in the lack of detailed information in the notification to the NRC.

2. Corrective steps taken and the results achieved:
  - a. An OSM meeting was held on March 21, 1996. One topic of this meeting was the missed four-hour notification. The OSM involved in the missed notification gave his assessment of the event and his involvement in the missed notification. After a discussion, the OSMs concluded that Operations Management Procedure 1-10 (Usage and Testing of the NRC Emergency Notification System) lacks sufficient detail and should not be used as a reference concerning 10 CFR 50.72 notifications. The OSMs agreed that Nuclear System Directive (NSD) 202 (10 CFR 50.72 Reports) fully sets forth the requirements of 10 CFR 50.72 and should be referenced for any reportability issues.
  - b. The Emergency Operating Procedure (EOP) was changed on April 29, 1996, to include a reference to NSD 202. This change requires the OSM to refer to NSD 202 to ensure that they address the requirements of the Code of Federal Regulations.

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- c. PT/0/A/0811/02, Reactor Trip Review Procedure, was changed on March 21, 1996, to require the OSM to review the requirements of the Code of Federal Regulations concerning four-hour notifications.
  - d. The reportability requirements of 10 CFR 50.72 were further discussed at an April 18, 1996, OSM meeting. The Station Manager, Superintendent of Operations, Manager of Regulatory Compliance and the Site Senior Resident NRC Inspector attended this meeting along with the Shift Operations Manager and the five Operations Shift Managers. The Site Senior NRC Inspector provided information on the purpose of the one-hour and four-hour notifications to the NRC and the quality of content required within these reports. The Regulatory Compliance Manager also provided his insight on what the NRC requires in notifications. This session raised the OSMs understanding of what is required to be included in the one-hour and four-hour notifications to the NRC.
3. The corrective steps that will be taken to avoid further violations:
- a. Regulatory Compliance has requested examples of good and poor notifications from the NRC. These examples will be forwarded to Operations to be included in a training package to the OSMs and the OSM reliefs. This corrective action will be completed by June 30, 1996.
  - b. Oconee Operations will develop a training package that will describe the level of content expected in NRC notifications. The training package will contain the examples obtained from the NRC and will

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be reviewed by all OSMS and their reliefs. This corrective action will be completed by August 31, 1996.

4. The date when full compliance will be achieved:

Duke Power is in full compliance. The corrective steps described in Section 3 will further enhance the timeliness, quality and consistency of our 10 CFR 50.72 reports.