

NOTICE OF VIOLATION

Duke Power Company
Oconee 1, 2, and 3

Docket Nos. 50-269, 270, and 287
License Nos. DPR-38, 47, and 55

During an NRC inspection conducted on June 2 through July 13, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG 1600, the violations are listed below:

- a. T.S. 3.5.2.2.d.2.b states in part that reactor thermal power shall be reduced to less than 60% of the allowable power for the reactor coolant pump combination within 1 hour and the Nuclear Overpower Trip Setpoints, based on flux and flux/flow/imbalance, shall be reduced within the next 4 hours to 65.5% of thermal power value allowable for the reactor coolant pump combination.

Contrary to the above, on July 6, 1996, the licensee did not reduce the Nuclear Overpower Trip Setpoints for the flux/flow/imbalance after reducing power to less than 60% when Control Rod 3 in Group 7 dropped into the core.

This is a Severity Level IV violation (Supplement I).

- b. 10 CFR 50, Appendix B, Criterion X, requires that inspection of activities affecting quality be performed by individuals other than those performing the activity being inspected.

Standard, ANSI N18.7-1976/ANS-3.2, which implements Regulatory Guide 1.33 Revision 2 requirements, is applicable by reference under Table 17.0-1 of the licensee's Quality Assurance (QA) Topical Report, Duke-1. Paragraph 5.2.17 of this Standard requires that inspections, examinations, measurements or tests of materials or activities shall be performed...by qualified individuals other than those who performed or directly supervised the activity being inspected.

Contrary to the above, on June 4, 1996, inspections, examinations, measurements...were not being performed by individuals other than those who performed the activity being inspected in that a single individual welded/brazed and tested specimens, qualified the process, performed Quality Control inspections and QA reviews, and certified the qualification of weld procedures, L-129D, L-137D, L-131D, L-133D and L-134D.

This is a Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Duke Power Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555

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with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the Oconee Nuclear Plant, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at Atlanta, Georgia
this 12th day of August 1996