

NOTICE OF VIOLATION

Duke Power Company
Oconee 1, 2, & 3

Docket Nos. 50-269, 50-270, 50-287, 72-04
License Nos. DPR-38, DPR-47, DPR-55, SNM-2503

During an NRC inspection conducted on August 25 - October 5, 1996, three 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. 10 CFR 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings", and the attendant licensee Quality Assurance Program (Final Safety Analysis Report, Topical Report, Duke-1-A, Sections 17.3.2.8, Test Control, and 17.3.2.12, Inspection) require in part that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings of a type appropriate to the circumstances which include appropriate quantitative or qualitative acceptance criteria.

Contrary to the above, on September 23, 1996, an inservice pressure test of Unit 2 reactor coolant system piping was inadequately written in Minor Modification Package ONOE-9496, in that it did not contain or reference appropriate acceptance criteria. Specifically, the package did not contain an exact test pressure range or prerequisite conditions.

This is a Severity Level IV violation (Supplement I) for Unit 2 only.

- B. 10 CFR 50.59 (b)(1) requires the licensee to maintain records of changes in the facility made pursuant to this section to the extent that these changes constitute changes in the facility as described in the safety evaluation report. These records must include a written safety evaluation that provides the basis for the determination that the test or experiment did not involve an unreviewed safety question.

Contrary to the above, on February 1, 1996, the written safety evaluation for a change to the facility as described in the safety evaluation report was not adequate. Specifically, the written safety evaluation for Modification 22975, Replace High Pressure Injection Check Valves 2HP-126, 2HP-127, and 2HP-152, did not adequately evaluate potential fatigue effects of this modification on the reactor coolant system.

This is a Severity Level IV violation (Supplement I) for Unit 2 only.

- C. 10 CFR 50, Appendix B, Criterion III, "Design Control," states in part "Measures shall be established to assure that applicable regulatory requirements and the design basis ... are correctly translated into specifications, drawings, procedures, and instructions. Measures shall also be established for the selection and review for suitability of application of materials, parts, equipment, and processes that are

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essential to the safety-related functions of the structures, systems, and components.

Contrary to the above:

1. As of May 1, 1993, several design deficiencies associated with the Emergency Condenser Cooling Water (ECCW) system existed. These deficiencies included the failure to install and maintain as safety-related portions of the ECCW/Condenser Circulating Water (CCW) and High Pressure Service Water (HPSW) systems and lack of seismic qualification of the ECCW/CCW and HPSW systems.
2. As of April 9, 1993, single failures were identified which could result in the CCW system control logic rendering the ECCW/CCW supply to LPSW inoperable. These failures would cause all the CCW discharge valves to fail closed causing a total loss of LPSW supply.
3. As of December 9, 1994, the HPSW system, a support system to the LPSW system, was taken out of service on two occasions (August to November 1985 and July to September 1990). The HPSW systems was necessary for LPSW system operability.

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

With respect to Violations A and B documented in this Notice, 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 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.

With respect to Violation C documented in this Notice, NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket in Inspection Report 50-269,270,287/94-39 and correspondence dated December 28, 1995, and July 2, 1996. However, you are required to submit a

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written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 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.

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 4th day of November 1996

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