

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 March 23, 1997, through May 3, 1997, 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 and the licensee's accepted Quality Assurance Program, Updated Final Safety Analysis Report Chapter 17 Quality Assurance and Topical Report (Duke 1-A), Instructions, Procedures, and Drawings, states in part, that activities affecting quality shall be prescribed by documented procedures or drawings and accomplished in accordance with these procedures or drawings.

Contrary to the above, on March 25, 1997, two examples were identified that violated the above requirements:

1. Several fillet welds at the connections between a rail beam web and the stiffener plates on both sides of the web for installed Horizontal Storage Module E21 of the Phase III of the Independent Spent Fuel Storage Installation were measured to be approximately 1/8" less than the 3/16" prescribed on Drawing 9-354-6105, Oconee Phase III NUHOMS ISFSI Horizontal Storage Module DSC Support Structure, Rev. 0.
2. Several existing fillet welds at the connections between the columns and the base plates of the Unit 3 Upper Surge Tank Supports were not inspected or verified to have a minimum of 5/16" fillet weld sizes as prescribed by the Step 4.12.4 and the attached drawing sheet 11 of 18 of Procedure TN/3/A/8979/MM/01C, Minor Modification OE-8979.

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

- B. 10 CFR 50, Appendix B, Criterion VIII, Control of Materials, Equipment, and Services, and the licensee's Quality Assurance Program (Duke 1-A) requires that measures shall be established to assure that purchased material, equipment, and services, whether purchased directly or through contractors and subcontractors, conform to the procurement documents.

Contrary to the above, adequate measures were not established to assure that purchased safety-related equipment and services conformed to the procurement documents, in that Purchase Order (PO) 8575, dated March 26, 1996, purchased an eight inch globe valve from Anchor Darling Company which did not conform to the requirement that the valve meet the Duke Power Valve Specification CNS 1205.00-0001. The specification required

Enclosure 1

9706120177 970602
PDR ADOCK 05000269
G PDR

that the valve be designed for clock-wise rotation to close; however, the procured valve was designed as counter clock-wise to close. The valve was installed in the Unit 3 Low Pressure Injection System and contributed to a shutdown loss of reactor coolant inventory event on February 1, 1997.

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

- C. 10 CFR 50 Appendix B, Criterion XVI, Corrective Action, and the licensee's Quality Assurance Program (Duke 1-A) requires significant conditions adverse to quality be identified, cause of condition determined and corrective actions taken to preclude repetition.

10 CFR 50 Appendix B, Criterion III, Design Control, and the licensee's Quality Assurance Program (Duke 1-A) requires that measures be established for the selection and review for suitability of application of material, parts, equipment and processes that are essential to the safety-related functions of structures, systems, and components.

Contrary to the above, during the period of March 24 - April 4, 1997, it was identified that the corrective action for a significant condition adverse to quality involving Reactor Building Cooling Unit (RBCU) fuse failures was inadequate in that adequate measures were not established for the selection and review for suitability of application of parts (fuses) that are essential to the safety-related function of the RBCU systems. Specifically, Problem Investigation Process report (PIP) 0-95-0267, dated February 27, 1995, identified a trend of Unit 3 RBCU failures due to blown fuses, but did not identify the issue as a significant condition adverse to quality in that the potential RBCU inoperability due to common mode failure was not addressed. The cause determination incorrectly determined the cause was the fuse type (instantaneous vs time delay) and did not address fuse rating; therefore, the review for fuse application suitability did not adequately evaluate the circuit design conditions. Consequently, the corrective action was inadequate in that the change in fuse type did not resolve the problem, as circuit evaluations following repeat Unit 3 RBCU fuse failures occurring in October 1996 demonstrated that the fuse rating was too low for the circuit conditions. The design is identical for the control circuits of the RBCUs for Units 1, 2, and 3.

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

- D. 10 CFR 50 Appendix B, Criterion V, Instructions, Procedures, and Drawings, as implemented by Duke Power Company Topical Report Quality Assurance Program (Duke 1-A), requires that activities affecting quality shall be prescribed by documented procedures and activities shall be accomplished in accordance with these procedures.

Nuclear Policy Manual, NSD 703 Administrative Instructions for Station Procedures, Conduct of Mechanical Maintenance Procedures, Section C.16 states: "Each procedure shall list those items which are to be completed and those conditions which are to exist prior to performing the specified maintenance. Appropriate provisions shall be made to document compliance with the prerequisites listed."

Contrary to the above, on April 9, 1997, during the performance of Maintenance Procedure MP/O/B/1800/121, Elevated Water Storage Tank Civil Inspection, the prerequisites, of which included maintenance of lake levels, were not completed before entering and completing steps in the procedure. This could have had an impact on low pressure service water/condenser circulating water siphon flow (on a loss of power) had lake levels been low.

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, DC 20555, with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector, 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 will be 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 a 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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information

Notice of Violation

4

is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Atlanta, Georgia
this 2nd day of June 1997

Enclosure 1