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SUBJECT: Suppl to 890929 application to Licenses DPR-38, DPR-47 & DPR-55, requiring proper test of Penetration 39.

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DUKE POWER

October 4, 1989

U. S. Nuclear Regulatory Commission
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Washington, DC 20555

Subject: Oconee Nuclear Station
Docket Nos. 50-269, -270, -287
Appendix J Testing, Penetration Number 39
Proposed Technical Specification Amendment

Gentlemen:

By letter dated September 29, 1989 (as supplemented), Duke Power Company (Duke) provided a proposed amendment to the Oconee Nuclear Station (ONS) Facility Operating Licenses and revisions to the ONS Technical Specifications regarding 10CFR50, Appendix J testing of penetration 53. Upon further review of the Appendix J testing program at ONS, Duke has determined that further revisions to Technical Specifications will be required. As such, this submittal is provided as a supplement to the September 29, 1989 amendment request. Changes included within this supplement are provided to require Type C local leak rate testing of penetration 39 (high pressure Nitrogen supply to Core Flood Tank 'B'). A footnote has also been incorporated to clarify when Type A and Type C testing becomes applicable for penetration 39.

This amendment request is necessary due to the discovery that penetration Number 39 had not been properly tested. During a Type A test, this penetration was challenged as required. However, appropriate post-maintenance and post-modification testing had not been performed on certain valves in penetrations 39 and 53 as required by Appendix J and ONS Technical Specification 4.4.1.3. As part of the resolution of these issues, this supplement to the September 29, 1989 amendment request is provided.

To prevent the shutdown of the Oconee Units 2 and 3 and to allow for the restart of Unit 1, I request that the September 29, 1989 amendment request (as supplemented by this letter) be processed on an emergency basis. In accordance with 10CFR 50.91(5) Attachment 2 provides the basis for existence of the emergency situation with regard to penetration 39. The basis for existence of the emergency situation with regard to penetration 53 provided in the September 29, 1989 amendment request remains valid.

In accordance with the provisions of 10CFR50.92 (c) members of my staff

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have determined that the attached supplement to the September 29, 1989 proposed amendment as having no significant hazards considerations. Please find attached (Attachment 3) the no significant hazards consideration evaluation and (Attachment 4) the supporting technical justification, including the basis for continued acceptable operation of Oconee until the proposed specification amendment is established. The Technical Justification and No Significant Hazards Consideration Evaluation provided within the September 29, 1989 amendment request address issues related to inappropriate Type A testing of penetration 53 and do not require supplement. By copy of this letter, I am forwarding a copy of this application to the South Carolina Department of Health and Environmental Control for review, and as appropriate, subsequent consultation with the staff.

As discussed in the September 29, 1989 amendment request, a modification of penetration 53 has recently been implemented and a successful Type C test performed on Unit 1. Similarly, penetration 39 will be modified to allow Type C testing. For Unit 1 outside isolation valves in penetration 39 have been leak rate tested and are considered to be operable without need for further compensatory actions. Unit 1 penetration 39 will be modified and Type C tested during the end of cycle 12 refueling outage. For Unit 2 penetration 39 will be modified and Type C tested no later than January 15, 1990. For Unit 3 penetration 39 will be modified and Type C tested during the end of cycle 11 refueling outage. An Integrated Leak Rate Test (ILRT) will be performed during the next refueling outage on Units 1,2, and 3.

Until a Type C test has been successfully performed for a given Unit, the following manual valves will be maintained normally closed when containment integrity is required:

Penetration 39

- 1) CA-29
- 2) N-130
- 3) HP-156
- 4) CF-41

Penetration 53

- 1) N-128
- 2) CA-27
- 3) HP-155
- 4) CF-47

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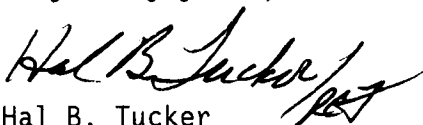
For Units 2 and 3, prior to successful completion of a Type C test, during the times when any of the above valves are opened, and while containment integrity is required, Compensatory Action as described within the Technical Justification will be established to assure prompt closure.

Existing approved ONS Technical Specifications require that penetrations 39 and 53 be challenged during a Type A test. During previous Type A tests, penetration 39 was challenged as required. As discussed in the September 29, 1989 amendment request, penetration 53 was not challenged by the Type A test as required. Further, certain valves within penetrations 39 and 53 were not tested as required following maintenance or modification. As a result, my staff has made the conservative determination that penetrations 39 and 53 are technically inoperable per Technical Specification 3.6.3. As required by Technical Specifications, penetrations 39 and 53 have been isolated by closing and maintaining closed the manual valves outside containment.

However, during operations these penetrations need to be utilized to charge the core flood tanks. The frequency will vary from approximately once a shift to about once a week. Therefore the temporary waiver of compliance will allow for the periodic use of the penetrations by temporarily waiving compliance with the stringent interpretation of technical specifications. The use of these penetrations will be in accordance with the compensatory actions discussed in this letter. These compensatory actions will remain in effect until we are in full compliance with the technical specifications.

Until the attached proposed amendment is approved by the NRC, a temporary waiver of compliance with Technical Specification requirements will be necessary. This waiver will allow periodic use of penetration 39 on Units 2 and 3, provided compensatory measures as described in the attached Technical Justification are implemented. As Unit 1 is currently in compliance with Technical Specification requirements, no waiver of compliance is necessary. For Unit 2, the temporary waiver of compliance is required until the provisions of the attached proposed technical specification amendment are met, but no later than January 15, 1990. For Unit 3, the temporary waiver of compliance is required until the next refueling outage for Unit 3, which is currently scheduled to begin November 8, 1989.

Very truly yours,


Hal B. Tucker

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PJN/52

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