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 Document Control Branch (Document Control Desk)

SUBJECT: Responds to NRC 941007 ltr re violations noted in insp repts
 50-269/94-25, 50-270/94-25 & 50-287/94-25. Corrective actions:
 operations shift manager now responsible for verifying that
 all operators have completed review prior to weekly exams.

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DUKE POWER

October 26, 1994

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

Subject: Oconee Nuclear Site
Docket Nos. 50-269, -270, -287
Inspection Report 50-269, -270, -287/94-25
Reply to Notice of Violation

Dear Sir:

By letter dated October 07, 1994 the NRC issued a Notice of Violation as described in Inspection Report No. 50-269/94-25, 50-270/94-25, and 50-287/94-25.

Pursuant to the provisions of 10 CFR 2.201, I am submitting a written response to the violations identified in the subject Inspection Report.

Very truly yours,

Ryan Polan for JWH
J. W. Hampton

Attachments

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

Mr. L. A. Wiens, Project Manager
Office of Nuclear Reactor Regulation

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

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Attachment 1
Reply to Notice of Violation
Violation 94-25-01, Severity Level IV

10 CFR 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings, "states, in part, "Activities affecting quality shall be prescribed by documented instructions, procedures, or drawings of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, or drawings."

Procedure OTG-004, Paragraph 5.3.D.3.c, discussed the content and requirements of the Shift Review Schedule. Step 5.3.D.3.c.3 required in part, that, "Each student place his/her initials and the date after reviewing the material" on a roster contained in the Shift Review Book.

Procedure ETQS 703, Step 5.3.4, required that when evaluating different groups of trainees on the same training content at different times, construct alternate tests which (a) duplicate no more than two thirds of the test questions from the previous test and (b) reorder questions duplicated from a previous test so that no two consecutive tests have the same structure."

Contrary to the above, on September 16, 1994, the NRC identified two instances where the licensee failed to follow approved procedures: 1) Procedure OTG-004, Step 5.3.D.3.c.3, was not followed in that a licensed operator took his annual examination culminating his annual requalification curriculum on August 24, 1994, without initialing and dating the roster in the Shift Review Book. 2) Procedure ETQS 703, Step 5.3.4, was not followed in that the licensee administered identical tests on both Thursday and Friday of each classroom segment.

RESPONSE:

1) The reason for the violation, or if contested, the basis for disputing the violation:

Duke Power Company acknowledges this violation.

A licensed operator participated in part of his annual exam without initialing and dating the Shift Review Book. The Oconee Training Center identified this error less than one hour after the operator completed the active simulator portion of the annual exam. The operator was immediately contacted at his home. He informed the training staff that he had completed the review but forgot to initial the roster. The Training Center did not have a formal program to verify completion of the review prior to the annual exam.

Attachment 1
Reply to Notice of Violation
Violation 94-25-01, Severity Level IV

1) continued

Identical quizzes were administered on both Thursday and Friday. The reason for this action was a transition was being made in the Requalification program from segmented written exams to an annual written exam. The quizzes were replacing what first had been work shop exercises based on the week's training without a score assigned. The replacement quiz was graded by the training staff and remedial training given when required. The initial quiz scores were not used as an absolute means of removal from licensed duty. This being the case the training staff did not consider the quizzes to be exams and therefore used the same quiz on Thursday and Friday. A conscious Management decision was made between Training and Operations Line Management to not call these tests, but to still utilize them as evaluation tools to encourage learning.

2) The corrective steps that have been taken and the results achieved:

The Operations Shift Manager is now responsible for verifying that all operators on their shift have completed the review prior to weekly exams and the annual exams. A separate roster for each shift and the backup operators has been developed. The Manager of Operator Training has ultimate responsibility to ensure the review is complete prior to exams. OTG-004 steps 5.3 D. 3. c. 3 and 5.4 F. 8 were revised on October 24, 1994 to include the above change. All licensed operators were notified of the above change on October 24, 1994.

Operator Training no longer administers quizzes on Thursday and Friday. This change was in effect prior to the first quiz given during the current requalification cycle on October 7, 1994. Our policy now is to administer quizzes only once per week, normally on Friday. Quizzes are now called exams. The above changes were incorporated into OTG-004, step 5.4 A. 1., on October 24, 1994. All licensed operators were notified of the above change on October 24, 1994.

3) The corrective steps that will be taken to avoid further violations:

No additional corrective actions are required.

4) The date when full compliance will be achieved:

October 24, 1994

Attachment 2
Reply to Notice of Violation
Violation 94-25-02, Severity Level IV

10 CFR 50.54 (i-l) states, in part, "The licensee shall have in effect an operator requalification program which must, as a minimum, meet the requirements of 10 CFR 55.59(c) of this chapter."

10 CFR 55.59(c)(3) states, in part, "The requalification program must include on-the-job training so that (i) Each licensed operator of a utilization facility manipulates the plant controls and each licensed senior operator either manipulates the controls or directs the activities of individuals during plant control manipulations during the term of the licensed operator's or senior operator's license."

10 CFR 55.59(c)(5)(i) states, in part, "The facility shall maintain records documenting the participation of each licensed operator and senior operator in the requalification program", and that the records must contain "The results of evaluations and documentation of operating tests..."

Procedure ETQS 2306 states, in part, "Each individual shall demonstrate competency by participating in reactivity manipulations and plant evolutions during simulator exercises. Each licensed operator shall participate in a variety of reactivity control manipulations as determined by a systematic evaluation of needs. These include normal, abnormal and emergency evolutions identified as needed to improve performance."

Contrary to the above, on September 16, 1994, records maintained to document licensed operator completion of operating tests and performance of on-the-job training in the requalification program were not maintained. Specifically, they did not contain sufficient information to furnish evidence that the control manipulations required by Procedure ETQS 2306 were conducted in accordance with regulations.

RESPONSE:

1) The reason for the violation, or if contested, the basis for disputing the violation:

Duke Power Company acknowledges this violation.

Records were not maintained to document that individuals had directly performed some reactivity control manipulations. Records were maintained to document all operators had participated in the control manipulations as a member of a crew. ETQS 2306 step 5.3.1 states in part that "Each licensed operator shall participate in a

Attachment 2
Reply to Notice of Violation
Violation 94-25-02, Severity Level IV

1) continued

variety of reactivity control manipulations as determined by a systematic evaluation of needs. OTG-004 was developed from ETQS 2306 and did not identify which control manipulations were required to be performed by all individuals and which required crew participation. This requirement was not clearly indicated by ETQS 2306. Therefore no individual participation was documented.

2) The corrective steps that have been taken and the results achieved:

- A. Control manipulations are now grouped to indicate which manipulations require individual participation and which ones are performed by crews. When required manipulations are performed each operator will document participation by initialing and dating a record sheet maintained for each licensed operator. These record sheets are maintained in the simulator and both Unit 1 and 2 and Unit 3 control rooms.
- B. OTG-004 steps 5.3 E. 2. b. and 5.7 A. 5. d. were revised on October 24, 1994 to include the above changes.

3) The corrective steps that will be taken to avoid further violations:

No additional corrective actions are required.

4) The date when full compliance will be achieved:

October 24, 1994.

Attachment 3
Reply to Notice of Violation
Violation 94-25-03, Severity Level IV

10 CFR 55.25 states "If during the term of the (an operator's) license, the licensee develops a physical or mental condition that causes the licensee to fail to meet the requirements of Section 55.21 of this part, the facility licensee shall notify the Commission within 30 days of learning of the diagnosis. For conditions for which a conditional license (as described in Section 55.33(b) of this part) is requested, the facility licensee shall provide medical certification on Form NRC 396 to the Commission (as described in Section 55.23 of this part)." Also, 10 CFR 50.74 states "Each (facility) licensee shall notify the Commission in accordance with Section 50.4 within 30 days of the following in regard to a licensed operator or senior operator: ... (c) Disability or illness as described in Section 55.25 of this chapter." 10 CFR 55.21 requires that a licensed operator (licensee) "shall have a medical examination by a physician every two years. The physician shall determine that the applicant or licensee meets the requirements of Section 55.33(a)(1)."

Contrary to the above, during the period January 5, 1988 through August 22, 1994, the facility licensee's physician made the determination that 16 operator's eyesights no longer met the minimum standards required by Section 55.33(a)(1) as measured by the standards of ANSI/ANS-3.4-1983. The facility licensee, in each case, failed to notify the Commission of the change in medical status of these operators within the 30 days required by 10 CFR 55.25 and 10 CFR 50.74.

Contrary to the above, on January 10, 1991, May 12, 1992, and November 30, 1993, three operator's eyesights did not meet the minimum standards required by Section 55.33(a)(1) as measured by the standards of ANSI/ANS-3.4-1983 and documented in each operator's medical record. The facility physician, in each case, failed to determine that the operators did not meet the required standards.

RESPONSE:

1) The reason for the violation, or if contested, the basis for disputing the violation:

Duke Power Company acknowledges this violation.

The first part of this violation is the failure of the facility to report a change of a licensed individual's medical status to the commission within 30 days. This was caused by a lack of assigned responsibilities to individuals in Operations, Operator Training and Medical Department. There was no clear line of accountability regarding who would be responsible for reporting to the commission any changes to the medical status of licensed individuals.

Attachment 3
Reply to Notice of Violation
Violation 94-25-03, Severity Level IV

1) continued

NRC violation 94-25-03 deals with notification to the NRC concerning medical status of licensed individuals. The violation addresses the failure of the facility to notify the commission within 30 days of a change to a licensed individual's vision. The violation is admitted by the facility. The reason for the violation is two fold. First, the Designated Medical Examiner on site misinterpreted ANSI 3.4. While the standard does address (in section 5.1) that corrective devices are a liability to safe operation, the medical examiner did not interpret this to include glasses/corrective lenses. Later in this standard, it addresses defective vision as a liability to safe operation. Again, the medical examiner did not consider corrective lenses a liability to safe operation. Since corrective lenses adjust eye vision to meet the guidance found in ANSI/ANS 3.4, 5.4.5(eyes)(ie 20/40); and the Designated Medical Examiner did not interpret corrective lenses to be a liability to safe operation, no notification was sent to the commission.

2) The corrective steps that have been taken and the results achieved:

An audit was performed of all medical records of licensed individuals. The results of this audit was presented to the NRC during the 1994 Requal Exam inspection on September 16. Training Package 94-27(NRC License Medical Examinations) was sent to all licensed individuals to review. This training package addresses the liability of using corrective lenses for licensed individuals. It also covers the need to contact Medical of any change to vision to ensure that the intent of ANSI/ANS 3.4 is met. This training package has been reviewed by all licensed individuals on site.

OMP 1-12(NRC License Maintenance) was changed on 9-14-94 to include in step 3.12 a clearly defined path for the responsibilities of when a reference to medical should be made concerning licensed individuals medical evaluations. This change also defined the responsibilities of the Medical Department concerning evaluating medical changes. This change also addressed the responsibility of the Operations Training Department concerning the 30 day notifications to the NRC. A checklist was also added in the back of this OMP that gives guidance on removing someone from service and returning the individual to service. This checklist assures that responsibilities are assigned and that the accountable individuals/groups are notified of this removal from service.

Attachment 3
Reply to Notice of Violation
Violation 94-25-03, Severity Level IV

3) The corrective steps that will be taken to avoid further violations:

The corrective actions listed above should prevent re-occurrence.

4) The date when corrective actions will be complete.

Oconee Nuclear station is in full compliance with the above corrective action.

Attachment 4
Reply to Notice of Violation
Violation 94-25-05, Severity Level IV

10 CFR 50.54(i) states, in part, "... the licensee may not permit the manipulation of the controls of any facility by anyone who is not a licensed operator or senior operator as provided in part 55 of this chapter."

10 CFR 55.53(e) states, in part, "If a licensee has not been actively performing the functions of an operator or senior operator, the licensee may not resume activities authorized by a license issued under this part except as permitted by paragraph (f) of this section."

10 CFR 55.53(f)(2) states, in part, the requirements for activating an inactive license:

"The licensee has completed a minimum of 40 hours of shift functions under the direction of an operator or senior operator, as appropriate, and in the position to which the individual will be assigned. The 40 hours must have included a complete tour of the plant and all required shift turnover procedures."

Contrary to the above, three licensed operators resumed licensed activities on December 13, 1993, February 13, 1993, and February 16, 1994, without having made a complete tour of the plant (under the direction of an active operator or senior operator).

RESPONSE:

1) The reason for the violation, or if contested, the basis for disputing the violation:

NRC violation 94-25-05 deals with the return to active duty of a licensed individual. The violation addressed the failure of the facility to ensure that the individuals that return to active status have performed the necessary plant tours and shift turnover under the guidance of an appropriately licensed individual. Duke Power Company admits to the proposed violation. The reason for the violation was a breakdown in communication between Operations Management and all licensed individuals. Operations Management's expectation for individuals returning to active duty is that the individual perform a plant tour while standing watch for the required 40 hours. OMP 1-12(NRC License Maintenance) was somewhat vague on what represented 'plant familiarization'. This led to personal interpretations by the licensed

Attachment 4
Reply to Notice of Violation
Violation 94-25-05, Severity Level IV

1) continued

individual(s). The result of this interpretation was inconsistency on the quality of time spent while being reactivated to licensed duties.

2) The corrective steps that have been taken and the results achieved:

OMP 1-12(NRC License Maintenance) was changed. This OMP now gives very specific guidance on what areas a complete plant tour shall involve. A checklist was included in this OMP in which the licensed operator must tour with the appropriately licensed individual. This OMP now states that the re-activating individual must perform the duties for which he/she is being reactivated to. This OMP ensures that Management's expectations are known regarding plant tours while returning to active duty.

3) The corrective steps that will be taken to avoid further violations:

The corrective action noted in step 2 should avoid further violations of this manner.

4) The date when full compliance will be achieved:

Oconee Nuclear Station is in full compliance with the above corrective action.