

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 February 26 - March 25, 1995, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

10 CFR 50, Appendix B, Criterion III, states in part that measures shall be established to assure that applicable regulatory requirements and the design basis are correctly translated into specifications, drawings, procedures, and instructions. It further states that design control measures shall provide for verifying or checking the adequacy of the design.

10 CFR 50, Appendix B, Criterion V, states in part that activities affecting quality shall be prescribed by documented procedures of a type appropriate to the circumstances.

Contrary to the above, from May 20, 1993, until March 20, 1995, the design control process, independent verification process, and operating procedure associated with establishing the maximum power limit of a Keowee Hydro Unit (KHU) while generating to the system grid, were inadequate. Specifically:

- a. Oconee Site Calculation (OSC)-6003, Revision 0, "Keowee Operating Limits To Prevent Overspeed Due To Load Rejection," a QA-1 calculation, established 66 MW as the maximum power output for a KHU generating to the grid. Revision 1 of this calculation, dated May 20, 1993, increased the limit to 75 MW. This revision was non-conservative in that it did not accurately account for instrument uncertainties. Taking appropriate account of these instrument uncertainties should have resulted in a limit of 68 MW. This calculation was independently reviewed and approved without identifying the error. The non-conservative limit of 75 MW was subsequently incorporated into procedure OP/O/A/2000/041, "Keowee-Modes Of Operation." As a result, for a cumulative time of thirty-one hours and three minutes between May 20, 1993, and January 27, 1995, the KHU aligned to the grid was technically inoperable due to potential overspeed lockout while operating in excess of 72 MW.
- b. OSC-6003, was revised (Revision 3) on March 14, 1995, in order to raise the maximum power output limit for a KHU from 56 MW to 69 MW. The statistical analysis methodology utilized to reduce instrument uncertainties was incorrect for this revision. Utilizing the appropriate statistical methodology should have resulted in a maximum power limit of 68 MW. This calculation was

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independently reviewed and approved without identifying the error. The non-conservative limit of 69 MW was subsequently incorporated into OP/O/A/2000/041, "Keowee-Modes Of Operation."

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 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. 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.

Dated at Atlanta, Georgia
this 21 day of April 1995