

Official

MAY 07 1991

Docket Nos. 50-269, 50-270, 50-287, 72-4
License Nos. DPR-38, DPR-47, DPR-55, SNM-2503

Duke Power Company
ATTN: Mr. M. S. Tuckman, Vice President
Nuclear Operations
P. O. Box 1007
Charlotte, NC 28201-1007

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(INSPECTION REPORT NOS. 50-269/91-09, 50-270/91-09 AND 50-287/91-09)

This refers to the inspection conducted by Mr. W. K. Poertner of this office on March 23 - April 27, 1991. The inspection included a review of activities authorized for your Oconee facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed Inspection Report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Based on the results of this inspection, certain activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). The violation is of concern because it constitutes a failure to maintain plant configuration in accordance with facility design.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In addition, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 10 CFR Part 2, Appendix C (1990). This violation involved one high pressure injection crossover valve in both Units 2 and 3 being incapable of performing its intended safety function for an extended period of time. Accordingly, no Notice of Violation is presently being issued for these inspection findings. Please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

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cc w/encls: (Continued)

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bcc w/encls: (See page 4)

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An enforcement conference to discuss this apparent violation has been scheduled for May 22, 1991. The purposes of this conference are to discuss the apparent violation, its cause and safety significance; to provide you the opportunity to point out any errors in our inspection report; to provide an opportunity for you to present your proposed corrective action; and to discuss any other information that will help us determine the appropriate enforcement action in accordance with the Enforcement Policy. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violation is required at this time.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,



Luis A. Reyes, Director
Division of Reactor Projects

Enclosures:

1. Notice of Violation
2. NRC Inspection Report

cc w/encls:

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County Supervisor of Oconee County
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(cc w/encls cont'd - see page 3)

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bcc w/encls:
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A. R. Herdt, RII
Document Control Desk

NRC Resident Inspector
U.S. Nuclear Regulatory Commission
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*SEE PREVIOUS CONCURRENCE	ATTACHED	
*RII:DRP	*RII:DRP	RII:DRP
WMiller	GBelisle	AHerdt
5/ /91	5/ /91	5/ /91

[Handwritten signature]
RII:DRP
GJenkins
5/23/91

Duke Power Company

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bcc w/encls:

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ASL 5/2/91
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RII:DRP
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