



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 4, 1999

Mr. W. R. McCollum, Jr.
Vice President, Oconee Site
Duke Energy Corporation
7800 Rochester Highway
Seneca, SC 29672

SUBJECT: OCONEE NUCLEAR STATION, UNITS 1, 2 AND 3 RE: REVISIONS TO THE
UFSAR - PAST AND FUTURE COMPLIANCE WITH 10 CFR 50.71(e)(4) (TAC
NO. M72446)

Dear Mr. McCollum:

Title 10 of the *Code of Federal Regulations* (10 CFR), Subsection 50.71(e)(4) specifies the schedular requirements whereby licensees are to submit revisions to their Updated Final Safety Analysis Reports (UFSARs). It requires revisions to be made "...annually or 6 months after each refueling outage provided the interval between successive updates does not exceed 24 months." In a 1997 survey we found numerous incidents of noncompliance by licensees of both single- and multi-unit plants with this schedular requirement. In many cases, licensees for multi-unit sites were basing their UFSAR submissions on the outage schedule of one unit.

We understand that some confusion about the proper interpretation of 10 CFR 50.71(e)(4) may have been caused by an NRC staff letter to Commonwealth Edison Company (ComEd) dated June 15, 1993, which endorsed a submission schedule proposed by ComEd for its plants. It has since been determined that neither ComEd's proposed schedule, nor the staff's endorsement, were in literal compliance with 10 CFR 50.71(e)(4). Nevertheless, many licensees adopted the staff position expressed in the June 15, 1993, letter and thus deviated from the schedular requirements of this regulation. Recently, the staff granted exemptions to the ComEd plants. The transmittal letter (D. Skay to O. D. Kingsley, dated July 27, 1999) resolved this issue for ComEd by stating: "this [Skay] letter and the enclosed exemptions supersede our letter of June 15, 1993."

We note that you have not requested a schedular exemption to 10 CFR 50.71(e)(4) for the Oconee Nuclear Station, Units 1, 2, and 3. This indicates that you intend to continue to comply with the correct interpretation of the regulation by continuing to submit revisions to the FSAR on an annual basis. Therefore, the purpose of this letter is to clarify any misunderstanding of this regulation that may occur in the future.

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PDR ADCK.

W. R. McCollum, Jr.

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We will exercise enforcement discretion, in accordance with Section VII.B.6 of the NRC Enforcement Policy, for any incidents of past violation of 10 CFR 50.71(e)(4). In the future we will enforce the schedular requirements as prescribed, or as modified by an exemption for the Oconee Nuclear Station, Units 1, 2, and 3.

There is no need to respond to this letter.

Sincerely,

Original signed by:

David E. LaBarge, Senior Project Manager, Section 1
Project Directorate II
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-269, 50-270, and 50-287

cc: See next page

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Sincerely,



David E. LaBarge, Senior Project Manager, Section 1
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Division of Licensing Project Management
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Docket Nos. 50-269, 50-270, and 50-287

cc: See next page

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