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50-287 Oconee Nuclear Station, Unit 3, Duke Power Co. 05000287

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RECIP.NAME RECIPIENT AFFILIATION
Records Management Branch (Document Control Desk)

SUBJECT: Application for amends to licenses DPR-38, DPR-47 & DPR-55
requesting temporary noncompliance w/surveillance
requirements of TS 4.5.4.1.b.1 until mods can be completed
to support pitot-tube traverse testing.

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Duke Power Company

A Duke Energy Company

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W. R. McCollum, Jr.
Vice President

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July 8, 1998

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

Subject: Oconee Nuclear Station
Docket Nos. 50-269, -270, -287
Proposed Technical Specification Changes Related
to Enforcement Discretion on Penetration Room
Ventilation System Surveillance (98-08)

During the Safety System Engineering Inspection at Oconee for the Control Room Ventilation System (CRVS) and Penetration Room Ventilation System (PRVS), the NRC identified a violation which indicated that the PRVS fans were not tested in accordance with the Technical Specifications and ANSI N510-1975. Technical Specification 4.5.4.1.b.1 requires that the Penetration Room Ventilation System fans shall be demonstrated to operate at design flow (+/- 10%) when tested in accordance with ANSI N510-1975. The NRC notified Duke Energy Corporation (Duke) of the violation in a letter dated May 4, 1998.

In a letter dated June 4, 1998, Duke denied the violation based on the belief that the use of orifice plates to measure flow from the PRVS fans met the requirements of the plant Technical Specifications and ANSI N510-1975. Following a review of the information which was provided by Duke, the NRC indicated, in a letter dated July 6, 1998, that the denial of the violation was not acceptable and the violation would not be rescinded.

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Based on a review of the information provided in the NRC letter dated July 6, 1998, Duke acted on the staff's position that the PRVS fan testing was not performed in accordance with the plant Technical Specifications. As a result, Technical Specification surveillance requirement 4.5.4.1.b.1 was considered to not be literally satisfied and both trains of PRVS on all three Oconee units were declared technically inoperable. Technical Specification 3.0 was entered at 1330 hours on July 6, 1998.

On July 6, 1998, via a Request for Enforcement Discretion, Oconee requested prompt support from the staff to avoid the operational risks that are associated with an unnecessary shutdown of Oconee Units 1, 2, and 3. Oconee requested enforcement discretion to apply to Oconee Units 1, 2, and 3 until a license amendment could be submitted and approved by the staff. Enforcement discretion was granted by the staff at 1735 hours on July 6, 1998, and Technical Specification 3.0 was exited.

Duke committed to provide the license amendment by July 8, 1998. The license amendment requests a temporary noncompliance with the surveillance requirements of Technical Specification 4.5.4.1.b.1 until modifications can be completed to support pitot-tube traverse testing to meet this Specification. The pitot-tube traverse measurements are scheduled to be completed on all three units by August 30, 1998. This submittal contains the subject license amendment.

Pursuant to 10CFR50, Part 50.90, Attachment 1 provides a proposed amendment to the Oconee Nuclear Station (ONS) Facility Operating Licenses and Technical Specifications. Attachment 2 provides a marked up copy of the current Technical Specifications. Attachment 3 provides the Technical Justification for the proposed amendment and Attachment 4 provides the No Significant Hazards Consideration. The Environmental Impact Analysis is provided in Attachment 5.

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The proposed Technical Specification amendment has been reviewed and approved by both the Plant Operations Review Committee and the Nuclear Safety Review Board. Any revisions to the UFSAR for this proposed amendment will be submitted in accordance with 10CFR50.71(e). The submittal for conversion to Improved Technical Specifications will be updated at a later date, as necessary, to reflect the changes associated with this submittal.

It is Duke's understanding that enforcement discretion will remain in effect until the staff completes its review and approves the proposed changes provided in this license amendment. Thus, Duke requests prompt attention to this matter.

A copy of this application is being forwarded to the South Carolina Department of Health and Environmental Control for their review and, as appropriate, subsequent consultation with the staff. Please address any questions to J. E. Burchfield, Jr., at (864) 885-3292.

Very Truly Yours,

A handwritten signature in dark ink, appearing to read 'W. R. McCollum, Jr.', is written over the typed name.

W. R. McCollum, Jr., Site Vice President
Oconee Nuclear Site

DAN

Attachments

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xc: Mr. L. A. Reyes
Regional Administrator, Region II

Mr. M. A. Scott
Senior Resident Inspector

Mr. D. E. LaBarge
ONRR, Project Manager

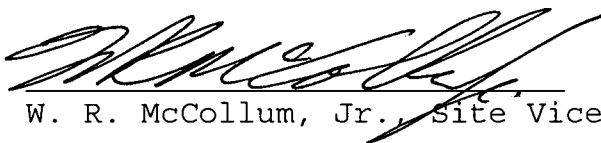
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DHEC

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W. R. McCollum, Jr., being duly sworn, states that he is Site Vice President of Duke Energy Corporation, that he is authorized on the part of said Company to sign and file with the Nuclear Regulatory Commission this revision to the Oconee Nuclear Station License Nos. DPR-38, DPR-47, and DPR-55; and that all statements and matters set forth therein are true and correct to the best of his knowledge.



W. R. McCollum, Jr., Site Vice President

Subscribed and sworn to before me the 8th day of July, 1998.



Notary Public

My Commission Expires:

2-12-2003