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

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Records Management Branch (Document Control Desk)

SUBJECT: Responds to NRC 980605 ltr re violations noted in insp repts
50-269/98-03, 50-270/98-03 & 50-287/98-03. Corrective actions:
revised UFSAR Section 9.4.1 & updated to refer to single
failure info in UFSAR Section 3.11.4.

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TITLE: General (50 Dkt)-Insp Rept/Notice of Violation Response

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W. R. McCollum, Jr.
Vice President

July 6, 1998

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, -287/98-03
Reply to Notice of Violation

Gentlemen:

By letter dated June 5, 1998, the NRC issued a Notice of Violation as described in Inspection Report No. 50-269/98-03, 50-270/98-03, and 50-287/98-03.

Duke Energy Corporation (Duke) accepts the violation. As described in the attachment, Duke is proposing corrective actions to address the root cause of the violation.

Pursuant to the provisions of 10 CFR 2.201, the attachment provides a written response to the subject violation as identified in the subject Inspection Report.

Corrective actions in Section 3 of each response are the only regulatory commitments in this submittal.

Very truly yours,

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

Attachment

9807100347 980706
PDR ADDCK 05000269
Q PDR

NRC Document Control Desk

July 6, 1998

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cc: Mr. L. A. Reyes, Regional Administrator
U. S. Nuclear Regulatory Commission, Region II

Mr. D. E. LaBarge, Project Manager
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Mr. M. A. Scott
Senior Resident Inspector
Oconee Nuclear Site

NRC Document Control Desk
July 6, 1998
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NRC Commitments
Bob Gill

Attachment 1
Reply to Notice of Violation (Reply)
Violation 98-03-04

Restatement of the Violation

10 CFR 50.59 states that changes in the facility as described in the safety analysis report may be made without prior Commission approval, unless the change involves an unreviewed safety question. A proposed change, test, or experiment shall be deemed to involve an unreviewed safety question (USQ) if the probability of a malfunction of equipment important to safety previously evaluated in the safety analysis report may be increased. The licensee shall maintain records of changes in the facility made pursuant to this section. These records must include a written safety evaluation which provides the bases for determination that the change does not involve a USQ. It further states that the licensee shall submit an application for amendment of his license pursuant to 10 CFR 50.90 for a change, test or experiment which involves a USQ.

Section 3.11.4 of the UFSAR states that redundant air conditioning and ventilation equipment is provided for the control area to assure that no single failure of an active component within these systems will prevent proper control area environmental control.

Section 9.4.1.2.1 of the UFSAR states that the control room zone included the Control Room and the Unit 1 and 2 Electrical Equipment and Cable Rooms.

Contrary to the above, as of March 11, 1998, a USQ, due to an increase in probability of a malfunction of equipment important to safety previously evaluated in the safety analysis report, was not identified in the licensee's safety evaluations for the 1984 Nuclear Station Modification NSM 2324, which isolated the redundant Unit 1 and 2 control room ventilation and air conditioning system from the Unit 1 and 2 electrical equipment and cable rooms. As a result, failure of a single fan could cause loss of cooling to the cable rooms, resulting in an increase in probability of tripping of safety-related breakers and the potential loss of all equipment required to mitigate an accident. In addition, the licensee did not submit an application for amendment of their license pursuant to 10 CFR 50.90 for a change which involved a USQ.

Attachment 1
Reply to Notice of Violation (Reply)
Violation 98-03-04

Reply to the Notice of Violation

Duke Power acknowledges the violation.

1. The reason for the violation:

Several items contributed to the performance of the inadequate 10 CFR 50.59 evaluations for the control area ventilation system modification in 1984. They are as follows:

- Guidance for performing 10 CFR 50.59 evaluations was minimal. No detailed, formal guidance on performing 10 CFR 50.59 evaluations existed for the 1984 time frame.
- All applicable sections of the UFSAR were not reviewed. Electronic searching capability of the UFSAR was not available. Information concerning the system's ability to withstand a single failure was not clearly stated in a more prominent location of the UFSAR, such as Section 9.4.1. This section contains the design basis and safety evaluation of the control room area ventilation system.
- Training was not required for 10 CFR 50.59 evaluation preparers.
- Emphasis in the 1984 time frame concerning the review of non-safety systems was for the effects of the non-safety system on safety related systems.

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

- a) Performed an operability evaluation assuming a single active failure and implemented compensatory measures to assure adequate cooling of Units 1 and 2 Cable and Equipment Rooms in the event of a single active failure.
- b) UFSAR Section 9.4.1 has been revised and updated to refer to the single failure information in UFSAR Section 3.11.4.

Attachment 1
Reply to Notice of Violation (Reply)
Violation 98-03-04

- c) Current Duke 10 CFR 50.59 guidance is much more detailed than the guidance that was available in the 1984 time frame. Duke also uses guidance which has been developed within the nuclear industry to assist utilities in performing more consistent 10 CFR 50.59 evaluations.
- d) Both the evaluation preparers and the qualified reviewers now have 10 CFR 50.59 training.
- e) The specific example of the control area 50.59 has been reviewed in the second quarter Engineering Support Continuing Training Program.
- f) The Design Basis Document was revised to address control area cooling single failure requirements.
- g) The current Duke 10 CFR 50.59 directive discusses that non-safety structures, systems, and components are included in the scope of the regulation. The directive also provides information that states changes to non-safety-related SSCs described in the safety analysis report must be considered because they can involve an unreviewed safety question.
- h) An audit of 50.59 safety evaluations was completed for mods implemented prior to 1989. A sample size of 59 was selected to provide a 95% confidence level that 95% of safety evaluations did not involve an unreviewed safety question. Focus of the review was to determine if other mods had incorrect 50.59 evaluations. The review determined that the conclusions of the 59 random 50.59 safety evaluations were correct. The ONS PIP database was reviewed for 50.59 problems. This review identified 5 other PIPs that involved 50.59 weaknesses.
Specific examples were:
 - 1) GO audit identified weaknesses in complying with NSD-209. Subject 50.59s were enhanced and NSD was improved.
 - 2) SAR testing requirements were not addressed in an NSM
 - 3) 50.59 weaknesses on minor mods for valves identified through GO audit.

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- 4) *Dose considerations in 50.59 for valve operator mod (1LP-21) were inadequate*
- 5) *Failure to perform a 50.59 for a Tech Spec bases change.*

The review covered the entire PIP database and concluded that the 5 examples over several years did not constitute an adverse trend. Duke's review concluded that programmatic changes to the 50.59 process are not warranted in light of this specific violation.

- 3. The corrective steps that will be taken to avoid further violations:
 - a) Implement modification to resolve the CRVS single active failure non-conformance by August 31, 1998.
 - b) The SITA process will be enhanced to ensure a review of 50.59s for past modifications.
- 4. The date when full compliance will be achieved:

August 31, 1998. Ocone is currently in an operable, but degraded condition for Units 1 and 2. Conditions were placed on the Units 1 and 2 equipment and cable rooms so that the Control Area Ventilation System that cools the Unit 1 and 2 control room, Units 1 and 2 equipment rooms, and the Units 1 and 2 cable rooms can withstand a single failure. The Unit 3 Control Area Ventilation System is not a part of this violation and is considered operable.