

CATEGORY 1

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 FACIL: 50-269 Oconee Nuclear Station, Unit 1, Duke Power Co. 05000269
 50-270 Oconee Nuclear Station, Unit 2, Duke Power Co. 05000270
 50-287 Oconee Nuclear Station, Unit 3, Duke Power Co. 05000287

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 Records Management Branch (Document Control Desk)

SUBJECT: Discusses NOV & exercise of enforcement discretion re insp
 repts 50-269/98-01, 50-270/98-01 & 50-287/98-01. NRC concluded
 that no response required.

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September 16, 1998

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

Subject: Oconee Nuclear Station
Docket Nos. 50-269, -270, -287
Notice of Violation and Exercise of Enforcement
Discretion (NRC Special Inspection Reports Nos.
50-269/98-12, 50-270/98-12, 50-287/98-12)

Corrective actions resulting from a Self Initiated Technical Audit (SITA) conducted in late 1997 identified issues with the adequacy of the borated water storage tank (BWST) level instrumentation, the reactor building wide range level instrumentation and emergency operating procedure (EOP) for all three units. The NRC documented its inspection of these issues in a letter dated June 3, 1998. A predecisional enforcement conference was conducted at the Region II office on June 22, 1998. At this conference, Duke Energy Corporation (Duke) discussed in detail the root causes and corrective actions associated with each apparent violation documented in the NRC's letter dated June 3, 1998.

In a letter dated August 5, 1998, the NRC issued a Notice of Violation and Exercise of Enforcement Discretion. The August 5, 1998, NRC letter states that the reason for the violation and the corrective actions taken and planned to correct the violation and prevent recurrence is already adequately addressed on the docket in NRC inspection reports, the Licensee Event Report (LER), and materials presented by Duke at the June 22, 1998, predecisional enforcement conference. Therefore, the NRC concluded that no response to the August 5, 1998, letter was required.

Duke acknowledges the violation and agrees that the information currently on the Oconee docket addresses the concerns associated with the Notice of Violation in a comprehensive manner. As such, Duke is not responding to this Notice of Violation in accordance with 10 CFR 2.790.

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PDR ADDCK 05000269
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Duke management recognizes and emphasizes the importance of self-identification and resolution of problems. The issues associated with the subject Notice of Violation involve old design issues that were self-identified through a thorough SITA. Significant resources were applied to these issues to assure prompt and comprehensive corrective actions. Duke recognizes that a fundamental principle of the enforcement policy is to encourage licensee identification and resolution of problems. It is encouraging that the NRC acknowledged the efforts of Oconee Nuclear Site in addressing these issues through the exercise of enforcement discretion.

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.', with a stylized, cursive script.

W. R. McCollum, Jr.
Site Vice President

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

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D. E. LaBarge, ONRR
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