

DUKE POWER COMPANY

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HAL B. TUCKER
VICE PRESIDENT
NUCLEAR PRODUCTION

January 6, 1984

TELEPHONE
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Mr. James P. O'Reilly, Regional Administrator
U. S. Nuclear Regulatory Commission
Region II
101 Marietta Street, NW, Suite 2900
Atlanta, Georgia 30303

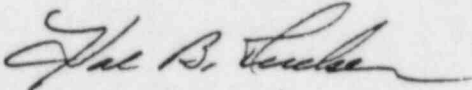
Subject: Oconee Nuclear Station
IE Inspection Report
50-269/83-34
50-270/83-34
50-287/83-34

Dear Sir:

In response to your letter dated December 8, 1983 which transmitted the subject Inspection Report, the attached response to the cited item of non-compliance is provided.

I declare under penalty of perjury that the statements set forth herein are true and correct to the best of my knowledge on January 6, 1984.

Very truly yours,



Hal B. Tucker

PFG:dyh

Attachment

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Q PDR

Violation

10 CFR 20.203(e) requires that each area or room in which licensed material is used or stored and which contains any radioactive material (other than natural uranium or thorium) in an amount exceeding 10 times the quantity of such material specified in Appendix C of this part be conspicuously posted with a sign or signs bearing the radiation caution symbol and the words: "Caution, Radioactive Material" or "Danger, Radioactive Material".

Contrary to the above, on November 16, 1983, a pond located in an unrestricted area at the plant site, which contained greater than 10 times Appendix C quantities of licensed material, was not posted.

This is a Severity Level V Violation (Supplement IV).

Response

- 1) Admission or denial of the alleged violation:

Duke denies the alleged violation. The regulations in 10 CFR 20 control the possession, use and transfer of licensed material by the license to limit the exposures of individuals to the radiation protective standards of this part.

The regulations governs control of radioactive materials in restricted areas and release of radioactive materials to unrestricted areas. Duke interprets the regulation as only requiring posting (§20.203(e)) in restricted areas. Posting of unrestricted areas is not required as the radioactivity contained therein has been released in a controlled manner from a restricted area in accordance with §20.106.

In this instance, sediment samples from Chemical Treatment Pond No. 3 (CTP-3) did indicate the presence of certain radionuclides. However, based on previous NRC findings, this area was considered to be an unrestricted area. Furthermore, it is to be expected that sediment samples collected from any effluent release unrestricted area of a receiving water body will contain a significant fraction of the total amount of radioactive material released. (This process is described in IAEA Safety Series #36, Disposal of Radioactive Wastes into Rivers, Lakes, and Estuaries, Vienna 1971.)

Previously, in NRC Inspection Report 50-287/79-33, the Oconee Sewage Treatment System as well as CTP-3 were considered to be outside the restricted area. The sources of activity in CTP-3 are from releases from CTP's 1 and 2 and the turbine building sumps. All activity has been accounted for to meet effluent release reporting requirements and has been assumed released to the environment.

The newly revised Oconee radiological effluent Technical Specifications (RETS), NRC approval pending, considers CTP-3 inside the restricted area for effluent releases. At the time of the violation the RETS was not in place and based on the previous NRC position noted above Duke's subsequent

treatment of CTP-3 and downstream areas as unrestricted areas, the provisions of 10 CFR 20 §20.203(e) as cited are not considered to be applicable.

- 2) Reasons for the violation if admitted:

Not applicable; see (1) above.

- 3) Corrective steps which have been taken and the results achieved:

Notwithstanding the statements provided above, CTP-3 was posted per 10 CFR 10.203(3) during the inspector's visit. Since CTP-3 now is inside the restricted area boundary for liquid effluents per the new RETS, and since this pond can under special circumstances be used to collect liquid effluents and delay their release, that area will remain posted as a conservative interpretation of 10 CFR 20.203(e). However, all areas downstream from the outlet of CTP-3 are still not considered to be storage areas per 10 CFR 20.203(e) and are thus not required to be posted.

- 4) Corrective steps which will be taken to avoid further violations:

As stated in (3) above, under the new RETS requirements and conservative interpretation of 10 CFR 20.203(e), CTP-3 will remain posted and will be periodically surveyed.

- 5) Date when full compliance will be achieved:

All corrective action is complete.