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March 20, 1985

Duke Power Company  
ATTN: Mr. H. B. Tucker, Vice President  
Nuclear Production Department  
422 South Church Street  
Charlotte, NC 28242

Gentlemen:

SUBJECT: REPORT NOS. 50-269/84-16, 50-270/84-15, AND 50-287/84-26

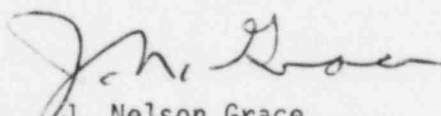
We have evaluated your response of December 21, 1984, to our Notice of Violation issued on November 23, 1984, concerning activities conducted at your Oconee facility under NRC Operating License Nos. DPR-38, DPR-47 and DPR-55.

After careful review, we find you have presented no new information to change our findings regarding Violations 1 and 2. Our comments related to your response are enclosed. We have evaluated your response to Violations 1 and 2 and found that it does not meet the requirements of 10 CFR 2.201; therefore, a supplemental response is required. This supplemental response should be submitted within 30 days of the date of this letter.

Violation 3 is withdrawn; however, we request that your response to this letter include a description of actions you plan in response to our comments relative to this item in the enclosure.

We appreciate your cooperation in this matter.

Sincerely,

  
J. Nelson Grace  
Regional Administrator

Enclosure:  
Staff Assessment of Duke Power  
Company Denial of Violation  
for Oconee

cc w/encl:  
M. S. Tuckman, Station Manager

bcc w/encl:  
NRC Resident Inspector  
Document Control Desk  
State of South Carolina

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State of South Carolina

*SEE PREVIOUS CONCURRENCE*

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
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## ENCLOSURE

### STAFF ASSESSMENT OF DUKE POWER COMPANY DENIAL OF VIOLATION FOR OCONEE

We have evaluated your response to the violations stated in NRC Inspection Report Nos. 50-269/84-16, 50-270/84-15, and 50-287/84-26 and have concluded the following:

#### Violation 1:

We acknowledge the excerpts from NRC and Duke Power Company correspondence referenced in your denial. We had considered them and other correspondence prior to the issuance of the violation. We originally found that the aforementioned correspondence supports the violation as written for the following reasons:

One aspect of the intent of NUREG-0578 (Section 2.2.1a), Shift Supervisors' Responsibilities, was to prevent distraction of the Shift Supervisor by administrative duties. This aspect of the intent was adequately addressed by Duke Power Company and accepted by the NRC. Another aspect of this item's intent is "administrative functions that detract from or are subordinate to the management responsibilities for assuring the safe operation of the plant shall be delegated to other operations personnel not on duty in the control room."

We have observed that subordinate administrative functions have been delegated to on-duty personnel in the control room at your Oconee Station. This situation is clearly contrary to the intent of the aforementioned item.

We observe that apparently Duke Power Company has recognized the aforementioned intent in regards to the operation of your McGuire and Catawba Nuclear Stations since operating crews have been provided with shift clerks at both stations. We also note that your control room staffing at your McGuire Station exceeds that required by their Technical Specifications as is the situation at your Oconee Station. This situation is commendable but does not justify assigning administrative duties to the SRO in charge of control room activities.

After thorough review of the information provided, we conclude your denial of this violation does not support your conclusion and, therefore, the violation remains as written.

#### Violation 2:

After our evaluation of your denial of the violation concerning Technical Specification Figure 6.1-1, we have concluded that you have not presented any information which would merit withdrawal or modification of the violation as written. We are further concerned that Duke Power unilaterally and without informing the NRC, as was done by Boston Edison Company, modified the STA program such that the STA and control room SRO functions are combined, based upon Duke Power Company's agreement with a draft Commission policy. Of additional concern is that you modified your STA program knowing that your Oconee STAs are non-degreed

personnel. You are cautioned that the NRC, in good faith, accepted your previously described STA program contingent on a commitment by Duke Power Company to provide degreed Shift Engineers by September 1985. It is our understanding that the combined SRO/STA concept was approved at Boston Edison based on those individuals holding a degree. It is our understanding that the Oconee counterparts do not hold degrees.

Violation 3:

Regarding your denial concerning NUREG-0737, Item 1.A.1.3, the NRC did accept, in error, your program to limit overtime. Based on our review of the pertinent documentation, apparently the initial acceptance evaluation concerned itself solely with operating personnel and did not consider key maintenance personnel and health physicists or other plant staff who perform safety-related functions. Since your program was accepted by NRC, we withdraw the violation as written; however, your action is now required to ensure that overtime restrictions for all plant staff who perform safety-related functions are consistent with the letter and intent of this NUREG-0737 action item.