

DMB

DUKE POWER COMPANY

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VICE PRESIDENT
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October 14, 1985

Dr. J. Nelson Grace, Regional Administrator
U. S. Nuclear Regulatory Commission
Region II
101 Marietta Street, NW, Suite 2900
Atlanta, Georgia 30323

Subject: Oconee Nuclear Station
IE Inspection Report
Nos. 50-269/85-25
50-270/85-25
50-287/85-25

Dear Dr. Grace:

In response to your letter dated September 19, 1985 which transmitted the subject Inspection Report, the attached response to the cited items of non-compliance is provided.

Very truly yours,

Hal B. Tucker

Hal B. Tucker

SGG:slb

Attachment

cc: Mr. J. C. Bryant
NRC Resident Inspector
Oconee Nuclear Station

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Violation

10 CFR 50.44(b) states that each boiling or pressurized light-water nuclear power reactor fueled with oxide pellets within cylindrical zircaloy cladding shall be provided with the capability for measuring the hydrogen concentration in the containment.

An NRC Confirmatory Order in the case of Oconee Nuclear Station dated March 18, 1983, required the implementation of certain post-TMI related items as set forth in NUREG-0737 for which the NRC staff requested completion on or after July 1, 1981. NUREG-0737, Item II.F.1.6, "Provides continuous indication of hydrogen concentration in containment," was reported as complete for all Oconee units by the Order. NUREG-0737, Item II.F.6 states, in part, that the accuracy and placement of the hydrogen monitors shall be provided and justified to be adequate for their intended function. The accuracy of the licensee's equipment was accepted by the NRC in a July 1984 Safety Evaluation.

Contrary to the above, trains A and B of the license's Unit 1 Reactor Building Hydrogen Monitoring System were inoperable from March 6, 1985, to March 26, 1985.

This is a Severity Level IV violation (Supplement 1).

Response

1) Admission or denial of the alleged violation:

Duke Power Company denies the violation for the reasons given below.

2) Reasons for denial:

10 CFR 50.44(b) does not specify operability or surveillance requirements for the system required to provide capability of measuring hydrogen concentration in the containment. While it is recognized that the intent of this regulation and the related Confirmatory Order for NUREG-0737, Item II.F.1.6, is to keep the RB Hydrogen Monitoring System as operable as possible during plant operations, it is also clear that plant specific operability and surveillance requirements were never intended to be included in 10 CFR 50.44(b).

As with all other required systems and programs, it is appropriate for operability and surveillance requirements to be contained in plant Technical Specifications and/or administratively controlled, detailed plans reviewed and approved by NRC; implementation of these requirements is accomplished through plant procedures. In the case of the Oconee RB Hydrogen Monitoring System, operability and surveillance requirements are contained in proposed Technical Specifications. These proposed requirements are presently being administered as binding until the approved Technical Specifications are issued by NRC.

As stated in the Enforcement Conference of July 3, 1985 and as summarized in the details of the inspection report, Duke Power Company maintains that a functionally operable RB Hydrogen Monitoring System was installed and available. Duke has worked closely with the manufacturer to resolve problems and meet all surveillance criteria; however, there was a brief period as stated when the relatively stringent self-imposed acceptance criteria for calibration of both Unit 1 Hydrogen Monitoring System trains could not be met. All reasonable efforts possible were expended to make the system meet all surveillance acceptance criteria.

In summary, Duke Power Company feels that all express requirements of 10 CFR 50.44(b) were met and that no violation is warranted.