



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931

October 9, 2002

Duke Energy Corporation
ATTN: Mr. W. R. McCollum
Vice President
Oconee Site
7800 Rochester Highway
Seneca, SC 29672

SUBJECT: ASSESSMENT FOLLOWUP - OCONEE NUCLEAR STATION

Dear Mr. McCollum:

By letter dated August 26, 2002, you were informed that Oconee Unit 1 performance during the first and second quarters of 2002 was within the Multiple/Repetitive Degraded Cornerstone Column of the NRC's Action Matrix. Unit 1 was in the Multiple/Repetitive Degraded Cornerstone Column because the degraded Mitigating Systems Cornerstone had continued for five consecutive quarters. At the end of the second quarter, the Mitigating Systems Cornerstone included a finding of low to moderate safety significance (White) and a Heat Removal System performance indicator (PI) that reflected performance at a level requiring increased regulatory response (White). The White inspection finding involved an inadequate tornado mitigation strategy utilizing the spent fuel pool as a suction source for a high pressure injection pump, which was initially identified in November 2000. This finding was closed after we completed our supplemental followup inspection during the second quarter of 2002. The White PI involved the maintenance-induced unavailability of the 1B motor driven emergency feedwater pump during the first and second quarters of 2001.

Ordinarily, performance assessed to be in the Multiple/Repetitive Degraded Cornerstone Column of the Action Matrix would require that a Supplemental Inspection be performed under Inspection Procedure 95003, Supplemental Inspection For Repetitive Degraded Cornerstone, Multiple Degraded Cornerstone, Multiple Yellow Inputs, Or One Red Input. However, in this rare instance, the NRC has determined that the regulatory actions required by the Action Matrix are not appropriate for the following reasons: (1) the actual safety significance of the associated PI issue was determined to be very low (Green) per a Significance Determination Process (SDP) review (documented in NRC Inspection Report No. 50-269/01-04); (2) the extended duration of the White PI, from the first quarter of 2001 to present, has existed, in part, because of lengthy discussions between your staff and the NRC regarding operability of the 1B motor driven emergency feedwater pump; (3) had the PI initially been reported as White during the second quarter of 2001, the Supplemental Inspection that was performed in the fourth quarter of 2001 under Inspection Procedure 95002, Inspection For One Degraded Cornerstone Or Any Three White Inputs In a Strategic Performance Area, would have also reviewed the White PI; (4) provided that your corrective actions had been thorough, the fault exposure hours associated with the PI could have been reset at the completion of the 95002 inspection per the guidance in NEI 99-02, Regulatory Assessment Performance Indicator Guidance, Revision 2; (5) there appears to be a significant difference between the root/contributing causes of the White tornado finding and the White PI; and

(6) had the "old design issue" option been available in the Reactor Oversight Program at the time the tornado issue was identified, it most likely would have been applied to the tornado issue and therefore the finding would not have been factored into Action Matrix considerations.

Consequently, in accordance with Inspection Manual Chapter 0305, Operating Reactor Assessment Program, Region II obtained the approval of the Executive Director for Operations to deviate from the Action Matrix and to implement the regulatory actions in the Degraded Cornerstone Column. Therefore, a Supplemental Inspection will be performed under Inspection Procedure 95002 in lieu of Inspection Procedure 95003.

Since the White Mitigating Systems tornado finding is already closed, the 95002 Supplemental Inspection scheduled for the week of November 4, 2002, will assess the White Mitigating Systems PI involving the maintenance-induced unavailability of the 1B motor driven emergency feedwater pump. In addition, the inspection will also assess a Barrier Integrity Cornerstone inspection finding involving a problem with the abnormal procedure for maintaining and/or restoring containment closure during reduced inventory conditions.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If circumstances arise which cause us to change the planned inspection, we will contact you to discuss the change as soon as possible. Please contact Mr. Robert Haag at 404-562-4550 with any questions you may have regarding this letter or the planned inspection.

Sincerely,

/RA/

Luis A. Reyes
Regional Administrator

Docket Nos. 50-269, 50-270, 50-287
Licensee Nos. DPR-38, DPR-47, DPR-55

cc: L. E. Nicholson
Compliance Manager (ONS)
Duke Energy Corporation
Electronic Mail Distribution

Lisa Vaughn
Legal Department (PB05E)
Duke Energy Corporation
422 South Church Street
Charlotte, NC 28242

cc: Continued see page 3

cc: Continued
Anne Cottingham
Winston and Strawn
Electronic Mail Distribution

Beverly Hall, Acting Director
Division of Radiation Protection
N. C. Department of Environmental
Health & Natural Resources
Electronic Mail Distribution

Henry J. Porter, Director
Div. of Radioactive Waste Mgmt.
S. C. Department of Health and
Environmental Control
Electronic Mail Distribution

R. Mike Gandy
Division of Radioactive Waste Mgmt.
S. C. Department of Health and
Environmental Control
Electronic Mail Distribution

County Supervisor of
Oconee County
415 S. Pine Street
Walhalla, SC 29691-2145

Lyle Graber, LIS
NUS Corporation
Electronic Mail Distribution

M. T. Cash, Manager
Regulatory Issues & Affairs
Duke Energy Corporation
526 S. Church Street
Charlotte, NC 28201-0006

Peggy Force
Assistant Attorney General
N. C. Department of Justice
Electronic Mail Distribution