Duke seeks lesser penalty

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Energy company faces NRC action over crack at Oconee

By Eric Connor
Staff writer

The Oconee Nuclear Station's top leadership claimed responsibility Thursday for safety violations that allowed a crack in its oldest reactor to go undetected for years, but they stopped short of agreeing with nuclear regulators on the severity of the lapse in oversight.

"There's no doubt we missed the bar," Preston Gillespie, senior vice president for Duke Energy's nuclear operations, told U.S. Nuclear Regulatory Commission regulators in a conference in Atlanta.

The company faces potential penalties for failing to detect a small crack in a reactor cooling vessel that resulted in a radioactive water leak.

The leak — first reported by *The Greenville News* last November — forced a shutdown of the oldest of the station's three reactors on Lake Keowee, 30 miles west of Greenville.

In June, the NRC issued a notice to Duke of an "apparent violation" that had a safety significance of "greater than green" and ordered the conference to hear from Duke before making a final determination on the severity of the penalty.

Green — followed in severity by white, yellow and red — is the lowest level in the agency's graduated, color-coded system to evaluate safety conditions at commercial nuclear plants.

A final determination will come in "relatively short order" and likely before the end of August, NRC regional administrator Victor McCree said.

However, Duke representatives said Thursday that the violation was one of "very low safety significance" and presented information from its engineers and private consultants to make a case for a lesser penalty.

The company's presentation revealed that it had changed its inspection procedures in 2004 in such a way that it couldn't detect the flaw in a weld in its "high-pressure injection system," which

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landfill for most of its existence. Much of the pollution is tritium, although a handful of other toxins have been detected.

Tritium-polluted groundwater has seeped into a creek that drains toward the Savannah River and not far from a small neighborhood. Past tests haven't found unsafe pollution levels in the river or private wells.

The Barnwell County landfill accepts low-level atomic waste from South Carolina, New Jersey and Connecticut, states that have a compact to use the 235-acre, South Carolina-owned site for disposal of old reactor parts and other nuclear refuse.

The landfill once took waste from across the country and, at one time, was one of just two operating nationally. But former Gov. Jim Hodges limited the landfill's use to three states by helping establish the Atlantic Compact. The site closed to all but the three states in 2008.

Wednesday's appeals court decision overturns key parts of a 2005 lower court ruling that upheld a DHEC permit for the site. The ruling doesn't say that Chem-Nuclear will lose its permit, but it does focus on better disposal practices.

The decision questioned why DHEC had issued the new operating license for Chem-Nuclear without demanding tougher ways of managing the low-level nuclear waste.