

Official

SEP 17 1991

Docket Nos. 50-269, 50-270, 50-287
and 72-4
License Nos. DPR-38, DPR-47, DPR-55
and SNM-2503

Duke Power Company
ATTN: Mr. M. S. Tuckman, Vice President
Nuclear Operations
P. O. Box 1007
Charlotte, NC 28201-1007

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(INSPECTION REPORT NOS. 50-269/91-18, 50-270/91-18 AND 50-287/91-18)

This refers to the inspection conducted by Mr. P. E. Harmon of this office on July 28 - August 24, 1991. The inspection included a review of activities authorized for your Oconee facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed inspection report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Based on the results of this inspection, certain activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). The violations are of concern because they involve failures to operate the station in accordance with approved procedures.

The first violation described in the enclosed Notice is similar to a violation contained in the Notice sent to you by our letter dated November 21, 1990. Recurring violations are of particular concern because the NRC expects licensees to learn from their past failures and to take effective corrective actions. Although the NRC does not normally consider monetary civil penalties for Severity Level IV violations, the "General Statement of Policy and Procedure for NRC Enforcement Actions: (Enforcement Policy), 10 CFR Part 2, Appendix C (1991), states that such penalties may be considered for Severity Level IV violations which could have been reasonably expected to have been prevented by corrective action for the previous violation. In this case, escalation of this event is not deemed appropriate because of the low safety significance.

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PDR ADOCK 05000269
Q PDR

TRD

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You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,

*Original Signed by
Ellis W. Merschoff*

Ellis W. Merschoff, Acting Director
Division of Reactor Projects

Enclosures:

1. Notice of Violation
2. NRC Inspection Report

cc w/encls:

H. B. Barron
Station Manager
Oconee Nuclear Station
P. O. Box 1439
Seneca, SC 29679

A. V. Carr, Esq
Duke Power Company
422 South Church Street
Charlotte, NC 28242-0001

County Supervisor of Oconee County
Walhalla, SC 29621

Robert B. Borsum
Babcock and Wilcox Company
Nuclear Power Generation Division
Suite 525, 1700 Rockville Pike
Rockville, MD 20852

(cc w/encls cont'd - see page 3)

Duke Power Company

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(cc w/encls: Continued)
J. Michael McGarry, III, Esq.
Bishop, Cook, Purcell and Reynolds
1400 L Street, NW
Washington, D. C. 20005

Office of Intergovernmental Relations
116 West Jones Street
Raleigh, NC 27603

Heyward G. Shealy, Chief
Bureau of Radiological Health
South Carolina Department of Health
and Environmental Control
2600 Bull Street
Columbia, SC 29201

Manager, LIS
NUS Corporation
2650 McCormick Drive
Clearwater, FL 34619-1035

Stephen Benesole
Duke Power Company
P. O. Box 1007
Charlotte, NC 28201-1007

R. L. Gill
Nuclear Production Department
Duke Power Company
P. O. Box 1007
Charlotte, NC 28201-1007

Karen E. Long
Assistant Attorney General
N. C. Department of Justice
P. O. Box 629
Raleigh, NC 27602

H. B. Tucker
Senior Vice President-Nuclear
Duke Power Company
P. O. Box 1007
Charlotte, NC 28201-1007

bcc w/encls: (See page 4)

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bcc w/encls:

L. Wiens, NRR

W. Miller, RII

G. A. Belisle, RII

A. R. Herdt, RII

Document Control Desk

J. Johnson, RII

NRC Resident Inspector

U.S. Nuclear Regulatory Commission

Route 2, Box 610

Seneca, SC 29678

RII:DRP

W Miller

9/4/91

RII:DRP

G Belisle

9/9/91

RII:DRP

AR Herdt

9/9/91

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9/9/91