

FEB 22 1993

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. J. W. Hampton  
Vice President  
Oconee Site  
P. O. Box 1439  
Seneca, SC 29679

Gentlemen:

SUBJECT: NOTICE OF VIOLATION  
(NRC INSPECTION REPORT NOS. 50-269/93-03, 50-270/93-03 AND  
50-287/93-03)

This refers to the inspection conducted by P. E. Harmon of this office on January 3 - 30, 1993. 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 17 September, 1991. Recurring violations are of particular concern because the NRC expects licensees to learn from their past failures and to take effective corrective actions. Although NRC does not normally consider civil penalties for Severity Level IV violations, the Enforcement Policy states that such penalties may be imposed for Severity Level IV violations that are similar to previous violations for which the licensee did not take effective corrective action. In this case, we have decided not to hold an enforcement conference nor to propose a civil penalty because your staff identified the misplaced fuel assemblies and took proper corrective actions and due to the low safety consequences of the particular events. Since lack of strict configuration control of fuel assemblies can result in damaged assemblies, errors made in fuel handling procedures should receive careful scrutiny and response by your staff.

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PDR ADOCK 05000269  
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In your response to the enclosed Notice, you should document the specific actions taken and any additional actions you plan to prevent recurrence. We will review your response, including your proposed corrective actions, and the results of future inspections to determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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 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 the NRC regulatory requirements.

In accordance with 10 CFR 2.970 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,

*Orig signed by E. W. Merschoff*

E. W. Merschoff, Director  
Division of Reactor Projects

Enclosures:

1. NRC inspection Report
2. Notice of Violation

cc w/encls:

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