

December 8, 1994

EA 94-252

Carolina Power and Light Company
ATTN: Mr. W. R. Robinson
Vice President
Shearon Harris Nuclear Power Plant
P. O. Box 165 Mail Code: Zone 1
New Hill, NC 27562-0165

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NO. 50-400/94-23 AND NOTICE OF VIOLATION)

Dear Mr. Robinson:

This refers to the inspection conducted by S. Elrod of this office on November 13 - December 3, 1994. The inspection included a review of activities authorized for your Harris 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. The purpose of the inspection was to determine whether activities authorized by the license were conducted safely and in accordance with NRC requirements.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice).

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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. 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 addition, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 10 CFR Part 2, Appendix C. The apparent violation involves inadequate control room shift staffing on November 28, 1994. Accordingly, no Notice of Violation is presently being issued for this inspection finding. Please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

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An enforcement conference to discuss this apparent violation has been scheduled for December 28, 1994, at 1:00 p.m., in the Region II Office. The decision to hold an enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. The purposes of this conference are to discuss the apparent violation, its causes and safety significance; to provide you the opportunity to point out any errors in our inspection report; and to provide an opportunity for you to present your proposed corrective action(s). In addition, this is an opportunity for you to provide any information concerning your perspectives on 1) the severity of the violation, 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violation is required at this time.

In accordance with 10 CFR 2.790, of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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,



Bruce A. Boger, Acting Director
Division of Reactor Projects

Docket No.: 50-400
License No.: NPF-63

Enclosures: 1. Notice of Violation
2. NRC Inspection Report

cc w/encls: (See page 3)

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cc w/encls: (cont'd - See page 4)

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NRC Resident Inspector
U. S. Nuclear Regulatory Commission
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New Hill, NC 27562-9998

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TO	NAME	JStare (s:tj)	SElrod	HChristensen	BUry	
PDR?	DATE	12/7/94	12/7/94	12/2/94	12/18/94	1/194
No	COPY?	(Yes) No	(Yes) No	(Yes) No	(Yes) No	Yes No