

DCS

OCT 28 1989

Docket Nos. 50-413 and 50-414
License Nos. NPF-35 and NPF-52
EA 89-46

Duke Power Company
ATTN: Hal B. Tucker
Vice President
Nuclear Production
Post Office Box 33189
Charlotte, North Carolina 28242

Gentlemen:

This will acknowledge receipt of your letter dated September 28, 1989 and your check for \$75,000 in payment for the civil penalty imposed by NRC in an order dated August 31, 1989.

In your September 28, 1989 letter, you raised a concern that the NRC conducted only a limited review of Duke's response to the Notice of Violation and that you were not given the opportunity to further discuss your reasons for mitigation. Please be assured that the information provided to us by Duke Power Company was carefully reviewed by the Region II Office, the Office of Nuclear Reactor Regulation, the Office of Enforcement, and the Office of the General Counsel. Based on that review and related information discussed in an Enforcement Conference for the inoperable Catawba RVLIS system, we concluded that no further purpose would be served by an additional meeting.

Your corrective actions will be examined during future inspections.

Sincerely,

Original Signed By
James Lieberman

James Lieberman, Director
Office of Enforcement

cc: S. Ebnetter, RII

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