

DEC 26 1989

Docket Nos. 50-369, 50-370
License Nos. NPF-9, NPF-17

Duke Power Company
ATTN: Mr. H. B. Tucker, Vice President
Nuclear Production Department
422 South Church Street
Charlotte, NC 28242

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NOS. 50-369/89-38 AND 50-370/89-38)

This refers to the Nuclear Regulatory Commission (NRC) inspection conducted by A. Gooden on November 13-17, 1989. The inspection included a review of activities authorized for your McGuire 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 inspection findings indicate that certain activities appeared to violate NRC requirements. The violations, references to pertinent requirements, and elements to be included in your response are described in the enclosed Notice of Violation.

The first violation described in the enclosed Notice is similar to a Non-Cited Violation contained in Inspection Report No. 50-369, 370/89-34 sent to you by our letter dated January 13, 1989. Because "similar violations," as described in the NRC Enforcement Policy, are of significant concern to the NRC, please give particular attention in your response to the identification of the root cause of this problem and your corrective action to prevent recurrence.

The enclosed Inspection Report documents an oral commitment (see Paragraph 9) made by a licensee representative and discussed in the exit interview. If your understanding of this commitment differs from the report statements, please inform this office promptly.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

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The responses directed by this letter and its enclosures 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
DOUGLAS M. COLLINS

Douglas M. Collins, Chief
Emergency Preparedness and
Radiological Protection Branch
Division of Radiation Safety
and Safeguards

Enclosures:

1. Notice of Violation
2. NRC Inspection Report

cc w/encls:

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cc w/encls: (Continued on page 3)

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R11:DRSS
A.S.
AGooden:tj
12/12/89

R11:DRSS
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MRankin
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R11:DRP
MS
MShynlock
12/21/89

R11:EJCS
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GJenkins
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