

APPENDIX A

NOTICE OF VIOLATION

Duke Power Company
McGuire 1

Docket No. 50-369
License No. NPF-9

As a result of the inspection conducted on April 27 - May 15, 1981, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980), the following violations were identified.

- A. 10 CFR 50, Appendix B, Criterion V, as implemented by Duke Power Company Topical Report, Quality Assurance Program, part 17.2.5 requires that activities affecting quality shall be prescribed by written approved procedures and that the procedures shall be followed. Technical Specification 3.0.4 requires that entry into an Operational Mode or other specified condition shall not be made unless the conditions of the Limiting Conditions for Operations are met without reliance on provisions contained in the Action Statements. McGuire Nuclear Station Directive 3.1.4, Conduct of Operations, requires in part that "The shift supervisor...must be cognizant of all operational conditions affecting the safety of the plant...(and)...of all maintenance activities affecting plant operation being performed while he is on duty".

Contrary to technical specification requirement 3.0.4, on May 8, 1981, while the plant was in an Action Statement due to an inoperable decay heat removal train, the reactor vessel head was torqued down thus changing plant status from Mode 6 to Mode 5. Contrary to Station Directive 3.1.4, the shift supervisor and control room staff for more than three hours were unaware that maintenance activities in progress had taken the plant from Mode 6 to Mode 5.

This is a Severity Level V Violation (Supplement I.E.).

- B. 10 CFR 50, Appendix B, Criterion V, as implemented by Duke Power Company Topical Report, Quality Assurance Program, 17.2.5 requires that adequate written, approved procedures be established, implemented and maintained concerning activities pertaining to safety-related equipment.

Contrary to the above requirements, on March 30 and April 29, 1981, licensee personnel did not employ a procedure during maintenance and operation of a solid state protection system. This resulted in three inadvertent safety injections initiations. Also, a review of the applicable procedures, IP/0/A/3010/07 and AP/1/A/5500/35 do not appear to provide adequate information to preclude the occurrences had they been used.

This is a Severity Level V Violation (Supplement I.E.).

- C. Technical Specification 6.8.1 requires that written procedures be established, implemented and maintained for safety-related activities, including administrative control of safety-related equipment.

Contrary to the above, on April 24, 1981, the waste monitor tank discharge flow monitor required by Technical Specification 3.3.3.8 was removed from service for calibration without executing procedure OP/O/B/6200/44, Radwaste Chemistry Procedure for Component Removal from and Restoration to Service. Procedure OP/O/A/6100/09, Removal and Restoration of Station Equipment was inadequately implemented in that the flow monitor was incorrectly identified as not safety-related, therefore the portions of the procedure for safety-related equipment were not implemented, and the subsystem was not removed from service. As a result, a discharge from the waste monitor tank was initiated without the knowledge that the system was operable only with compliance with the Action statement.

This is a Severity Level V Violation (Supplement I.E.).

Pursuant to the provisions of 10 CFR 2.201, you are hereby required to submit to this office within thirty days of the date of this Notice, a written statement or explanation in reply, including: (1) admission or denial of the alleged violations; (2) the reasons for the violations if admitted; (3) the corrective steps which have been taken and the results achieved; (4) corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown. Under the authority of Section 182 of the Atomic Energy Act of 1954, as amended, this response shall be submitted under oath or affirmation.

Date: JUL 09 1981