

NOTICE OF VIOLATION

Duke Power Company
McGuire Nuclear Station
Unit 1

Docket No. 50-369
License No. NPF-9
EA 90-125

During an NRC special inspection conducted on June 26 - July 5, 1990, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1990) the violations are listed below:

- A. Technical Specification (TS) 6.8.1.a requires written procedures to be established, implemented, and maintained covering the applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978.

Appendix A of Regulatory Guide 1.33 requires in part that appropriate procedures be implemented for performing maintenance on safety-related equipment.

Contrary to the above, on June 21-25, 1990, maintenance procedures for safety-related equipment were inadequate regarding the control of Emergency Diesel Generator painting activities in that inadequate instructions were provided concerning what areas on the diesels were not to be painted. As a result of the inadequacies, paint applied to the fuel racks prevented proper functioning of the linkage and injector pump plungers. This resulted in both Unit 1 Emergency Diesel Generators being unable to meet the full loading requirements of Technical Specifications.

This is a Severity Level III violation (Supplement I).

- B. Technical Specification (TS) 6.8.1.a requires written procedures to be established, implemented, and maintained covering the applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978.

Appendix A of Regulatory Guide 1.33, requires in part that administrative procedures be implemented for log entries.

Station Directive 2.8.2, Operability Determination, paragraph 5.1.3, requires components which fail to meet quantitative acceptance criteria of TSs be considered clearly inoperable upon initial discovery and that the start of a TS Action Statement begins at the point a decision is reached on operability.

Operations Management Procedure 2-5, Technical Specifications Action Item Logbook, paragraph 6.5, requires that all entries should be made in chronological order at the time of occurrence or when knowledge of the occurrence is first obtained.

Contrary to the above, on June 26, 1990, the licensee logged diesel generator 1A inoperable upon failure of the diesel generator to meet quantitative acceptance criteria approximately 40 minutes after the occurrence and logged diesel generator 1B inoperable approximately 24 minutes after knowledge of an inoperable condition.

This is a Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Duke Power Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region II, and if applicable, a copy to the NRC Resident Inspector, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By
J. L. Milhoan

Stewart D. Ebnetter
Regional Administrator

Dated at Atlanta, Georgia
this 16th day of August 1990