

ENCLOSURE 1

NOTICE OF VIOLATION

Duke Power Company
McGuire Unit 1

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

During the Nuclear Regulatory Commission (NRC) inspection conducted on June 25, 1990 through July 25, 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 identified below:

A. Technical Specification 3.9.11 states, in part:

The Fuel Handling Ventilation Exhaust System shall be operable whenever irradiated fuel is in the storage pool. With the Fuel Handling Ventilation Exhaust System inoperable, suspend all operations involving crane operation with loads over the storage pool until the Fuel Handling Ventilation Exhaust System is restored to operable status.

Contrary to the above, on July 10, 1990, while the Fuel Handling Ventilation Exhaust System was inoperable, a control rod was moved in the storage pool.

This is a Severity Level IV violation applicable to Unit 1 only (Supplement I).

B. Technical Specification 4.5.2.c requires:

Each Emergency Core Cooling System subsystem shall be demonstrated operable by a visual inspection which verifies that no loose debris (rags, trash, clothing, etc.) is present in the containment which could be transported to the Containment Sump and cause restriction of the pump suction during LOCA conditions. The visual inspection shall be performed:

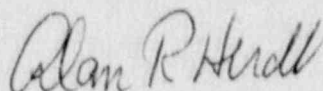
- (1) For all accessible areas of the containment prior to establishing containment integrity, and
- (2) Of the areas affected within containment at the completion of each containment entry when containment integrity is established.

Contrary to the above, on two occasions, loose debris was found in the Upper Containment following the completion of the containment cleanliness inspection. The first instance, during June, 1989, was not recognized as a Technical Specification violation and subsequently was not reported. The second occurrence took place during May, 1990. In neither case had successful completion of the Technical Specification Surveillance requirements been met.

This is a Severity Level IV violation applicable to Unit 1 only
(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, DC 20555 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector, McGuire Nuclear Station within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) admission or denial of the violation, (2) the reason for the violation if admitted, (3) the corrective steps which have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time. 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.

FOR THE NUCLEAR REGULATORY COMMISSION



Alan R. Herdt, Chief
Reactor Projects Branch 3
Division of Reactor Projects

Dated at Atlanta, Georgia
this 10th day of Aug. 1990