

ENCLOSURE 1

NOTICE OF VIOLATION

Duke Power Company  
McGuire Units 1 and 2

Docket Nos. 369 and 370  
License Nos. NPF-9 and NPF-17

During an Nuclear Regulatory Commission (NRC) inspection conducted from December 19, 1993, through February 5, 1994, 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, the violations are listed below:

- A. Technical Specification 3.8.1.1 requires that there be two separate and independent diesel generators with separate fuel oil storage systems containing a minimum volume of 39,500 gallons while in MODE 1.

Contrary to the above, the licensee did not maintain the required minimum volume of fuel oil in the 1B fuel oil storage tank for a period of five months prior to November 15, 1993 while in MODE 1.

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

- B. Technical Specification 3.8.1.1.d requires that with one diesel generator inoperable that the off site power sources shall be verified within one hour and every eight hours thereafter AND; if the inoperability was caused by an event other than preplanned maintenance or testing the licensee shall demonstrate the operability of the remaining diesel by performing Surveillance Requirement 4.8.1.1.1.a.4 and 4.8.1.1.12.a.5 within 24 hours.

Contrary to the above,

1. On January 24, 1994 at 0500 the 2A diesel was declared inoperable for scheduled maintenance and the licensee did not verify the offsite power sources until 11.5 hours later.
2. On November 15, 1993 the licensee declared the 1B diesel inoperable due to fuel oil tank storage level below technical specification requirements and the licensee did not perform the required surveillance tests on the remaining diesel.

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, 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 or demand for information may be issued as to 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.

Dated in Atlanta, Georgia  
this 4th day of March 1994