

ENCLOSURE 1

NOTICE OF VIOLATION

Duke Power Company
McGuire Unit 2

Docket No. 50-370
License No. NPF-17

During the Nuclear Regulatory Commission (NRC) inspection conducted on February 17, 1991 through March 16, 1991, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1990), the violation is identified below:

Technical Specification 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, Section 9.a, states in part, that maintenance that can affect the performance of safety-related equipment should be properly preplanned and performed in accordance with written procedures, documented instructions, or drawings appropriate to the circumstances.

Technical Specification (TS) 3.3.2 requires that with any of the eight Containment Pressure Control System channels inoperable, the inoperable channel is to be placed in the start permissive mode within one hour and the applicable action statement for the associated system, Containment Spray or Containment Air Return/Hydrogen Skimmer, is to be applied.

Contrary to the above, on March 11, 1991, licensee procedure IP/O/A/3090/14, Tripping Inoperable Protection Channels, was not used to place the inoperable Containment Pressure Control System channels in the start permissive mode.

This resulted in the unit remaining outside of the TS action statement requirement for approximately six hours.

This is a Severity Level IV violation (Supplement 1) and applies to Unit 2 only.

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 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

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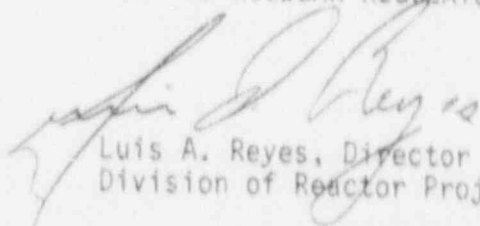
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disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is 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.

FOR THE NUCLEAR REGULATORY COMMISSION



Luis A. Reyes, Director
Division of Reactor Projects

Dated at Atlanta, Georgia
this 26th day of Mar. 1991