

ENCLOSURE 1

NOTICE OF VIOLATION

Duke Power Company
McGuire Nuclear Plant

Docket Nos. 50-369
License Nos. NPF-9

During an NRC inspection conducted on December 5-9, 1994, 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, the violations are listed below:

- A. Technical Specification 4.0.5 requires inservice inspections of ASME Code Class 1, 2 and 3 components to be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable addenda as required by 10 CFR 50, Section 50.55a (g). ASME Code Section XI, 1986 Edition, Table IWB-2500-1 requires that the Reactor Vessel interior, as defined under category B-N-1 be VT-3, be visually examined during each inspection period after the first 10 year interval.

Contrary to the above, on December 7, 1994, the licensee identified that this inspection, which was required to be performed during refueling outage IEOC9, the last scheduled refueling outage of the first period of the second inspection interval had not been done.

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

- B. 10 CFR Appendix B, Criterion V, as implemented by Duke Power Company Topical Quality Assurance Program (Duke 1-A), Amendment 16 & 17 Section 17.5. requires that activities affecting quality be performed in accordance with instructions appropriate to the circumstance.

Contrary to the above on September 20, 1994, the licensee discovered that a Steam Generator tubing, Replacement Plug had not been installed in Unit 1, S/G "D" tube R5-C90 due to a weakness in administrative and implementing Procedures used to control this activity.

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 a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, 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 at Atlanta, Georgia
this 6th day of January 1995