

FEB 07 1992

official

Docket Nos. 50-369, 50-370
License Nos. NPF-9, NPF-17

Duke Power Company
ATTN: Mr. T. C. McMeekin
Vice President-
McGuire Site
12700 Hagers Ferry Road
Huntersville, NC 28078-8985

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NOS. 50-369/91-31 AND 50-370/91-31)

This refers to the Nuclear Regulatory Commission (NRC) inspection conducted by Mr. P. K. Van Doorn on December 15, 1991 - January 18, 1992. The inspection included a review of activities authorized for your McGuire facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed inspection report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). We are concerned about the violation(s) because of your repeated problems regarding both trains of the Annulus Ventilation System being degraded due to open doors. Although you identified the problem, a Notice is being issued due to the repetition of the problem and apparent ineffectiveness of previous corrective actions.

The violation described in the enclosed Notice is similar to violations contained in the Notices sent to you by our letters dated July 16, 1991, and September 30, 1991. Recurring violations are of particular concern because the NRC expects licensees to learn from their past failures and to take effective corrective actions. Although NRC does not normally consider monetary civil penalties for Severity Level IV violations, the Enforcement Policy states that such penalties may be imposed for Severity Level IV violations that are similar to previous violations for which the licensee did not take effective corrective action. In this case, we have decided not to hold an enforcement conference nor to propose a civil penalty, however, if subsequent violations occur in this area they will be considered for escalated enforcement actions.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional

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actions you plan to prevent recurrence. Other specific responses required should be addressed as appropriate. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

The responses directed by this letter and its enclosures are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,

Original Signed by
Jon R. Johnson / for
Luis A. Reyes, Director
Division of Reactor Projects

Enclosures:

1. Notice of Violation
2. NRC Inspection Report

cc w/encls:

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(cc w/encls cont'd - see page 3)

FEB 07 1992

cc w/encls: (Continued)
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bcc w/encls:
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NRC Resident Inspector
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