

Official

SEP 04 1992

Docket Nos. 50-413 and 50-414
License Nos. NPF-35 and NPF-52

Duke Power Company
ATTN: Mr. M. S. Tuckman, Vice President
Catawba Site
4800 Concord Road
York, SC 29745

Gentlemen:

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NOS. 50-413/92-18 AND 50-414/92-18)

This refers to the Nuclear Regulatory Commission (NRC) inspection conducted by Mr. William Orders of this office on July 12, 1992 - August 8, 1992. The inspection included a review of activities authorized for your Catawba 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 activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). The violation involved an incorrect operator response for an annunciator.

The violation is similar to a violation contained in the Notice sent to you by our letter dated July 30, 1991. The violation involved inadequate operator response to an annunciator which was caused by a failure to follow procedures. 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 impose a civil penalty because of the low safety significance of the event. Although the operator did not follow the appropriate procedure, after the actions were completed he did refer to the procedure to verify that all steps had been completed. At that time, he recognized the need for additional action and took it promptly.

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. 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 10 CFR 2.790 of the NRC's "Rules of Practice", a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice 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,

Very signed by Ellis W. Merschoff

Ellis W. Merschoff, Director
Division of Reactor Projects

Enclosures:

1. Notice of Violation
2. NRC Inspection Report

cc w/encls:

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cc w/encls: Continued
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