

April 4, 1996

EA 96-080 and EA 96-100

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

SUBJECT: NRC INSPECTION REPORT NOS. 50-369/96-02 AND 50-370/96-02

Dear Mr. McMeekin:

This refers to the inspection conducted on March 11 - April 1, 1996 at the McGuire facility. The purpose of the inspection was to determine whether activities authorized by the licensee were conducted safely and in accordance with NRC requirements. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed report.

Areas examined during the inspection are identified in the report. The inspection was conducted to evaluate the circumstances and conditions that resulted in the Unit 2 refueling water storage tank level instrumentation becoming inoperable during cold weather and to evaluate the long term deficiency associated with the Unit 2 emergency diesel generator lube oil pressure sensing instrumentation. 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, two apparent violations were identified and are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. The first apparent violation resulted from a procedural inadequacy for the cold weather protection of the Unit 2 refueling water storage tank level instrumentation that allowed the level transmitters to become frozen and rendered the automatic swapover feature for the storage tank to the containment emergency core cooling system sump inoperable. The second apparent violation was identified following a valid failure of the Unit 2 emergency diesel generator during the performance of a diesel generator operability test. A review of the performance history for the Unit 2 emergency diesel generators indicated that the generators have a long term uncorrected deficiency associated with their lube oil pressure sensing circuits. Accordingly, no Notice of Violation is presently being issued for these inspection findings. In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

A predecisional enforcement conference to discuss these apparent violations has been scheduled for April 15, 1996, at 1:00 p.m. in the Region II office.

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The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violation sooner, corrective actions, significance of the issues and the need for lasting and effective corrective action. In particular, we expect you to address the circumstances and conditions that allowed Unit 2 refueling water storage tank level instrumentation to become frozen and therefore inoperable. We also would like to understand what long term action you intend to take to prevent similar occurrence. Concerning the emergency diesel generator, please be prepared to explain what corrective actions have been taken or planned to eliminate the deficiency associated with the lube oil pressure instrumentation. In addition, this is an opportunity for you to point out any errors in our inspection report and for you to provide any information concerning your perspectives on 1) the severity of the violations, 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII.

You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding these apparent violations is required at this time.

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

Sincerely,

Original signed by
Ellis W. Merschoff

Ellis W. Merschoff, Director
Division of Reactor Projects

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

Enclosure: NRC Inspection Report

cc w/encl:
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cc w/encl cont'd:

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NRC Resident Inspector
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12700 Hagers Ferry Road
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OFFICE	RII/DRP	RII/DRP	RII/DRP	RII/DRP	RII/DRP	RII/EICS
SIGNATURE	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>
NAME	SRudisail:sm	RCrlenjak	GMaxwell <i>for per telco</i>	MSykes <i>for per telco</i>	GHarris <i>per E-mail</i>	BUyc
DATE	04/3/96	04/4/96	04/3/96	04/3/96	04/3/96	04/0/96
COPY?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO