ENCLOSURE 1

NOTICE OF VIOLATION

Duke Power Company
McGuire Nuclear Station

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

The following violations were identified during an inspection conducted on November 27 - December 11, 1984. The Severity Levels were assigned in accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C).

1. Technical Specification 3.3.1 requires that the Overpower ΔT Reactor Trip System Instrumentation Channels of Table 3.3-1 be operable when the reactor is operated in Modes 1 and 2 and states that a minimum of three channels are required for startup and/or power operation.

   Technical Specification 3.0.3 requires that when a Limiting Condition for Operation (LCO) is not met, except as provided in the associated ACTION requirements, within 1 hour action shall be initiated to place the unit in a Mode in which the specification does not apply.

   Contrary to the above, from initial criticality on May 8, 1983 to November 26, 1984, Unit 2 was operated in Modes 1 and 2 with less than three operable channels of the Overpower ΔT Reactor Trip System. Channels I and IV were inoperable and in a condition which would have resulted in a channel setpoint change which was nonconservative for a main steam line break accident.

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

2. 10 CFR 50, Appendix B, Criterion V requires that activities affecting quality be prescribed by documented instructions, procedures, or drawings which shall include appropriate quantitative or qualitative acceptance criteria for determining that important activities have been satisfactorily accomplished.

   10 CFR 50, Appendix B, Criterion XI requires that testing be performed to demonstrate that structures, systems, and components will perform satisfactorily in service.

   Contrary to the above, the licensee failed to provide an adequate procedure necessary to ensure that the Overpower ΔT Derivative Cards were correctly installed. Additionally, the Overpower ΔT Reactor Trip System Instrumentation was not tested in a manner that would confirm that the system would perform satisfactorily. Specifically, testing with a decreasing Tavg was not performed on the initial or periodic testing of the Overpower ΔT reactor protective circuit.

This is a Severity Level IV Violation (Supplement I) and is applicable to Units 1 and 2.

3. Technical Specification 6.8.1 requires that current written approved procedures be established, implemented, and maintained covering the activities referenced in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978 which include recovery from Reactor Trip. Station Directive 3.1.10 requires that malfunctions or failures in equipment or components subject to Technical Specification LCO requirements be evaluated and corrected as required prior to restart. It further requires in Enclosure 4.1 that a review of safety systems, including the Reactor Protection System, be performed to identify other than expected performance, and also that abnormal behavior be evaluated and resolved prior to restart.

   Contrary to the above, the post trip review preceding Unit 2 reactor startup of November 25, 1984, was deficient in that it did not evaluate and resolve the abnormal response noted on Channels I and IV of the Overpower ΔT Reactor Trip System.

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

Pursuant to 10 CFR 2.201, you are required to submit to this office within 30 days of the date of this Notice, a written statement or explanation in reply, including: (1) admission or denial of the alleged violations; (2) the reasons for the violations if admitted; (3) the corrective steps which have been taken and the results achieved; (4) corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved.

Security or safeguards information should be submitted as an enclosure to facilitate withholding it from public disclosure as required by 10 CFR 2.790(d) or 10 CFR 73.21.

Date: MAR 0 1 1985