

Yellow

MAR 15 1985

Duke Power Company  
ATTN: Mr. H. B. Tucker, Vice President  
Nuclear Production Department  
422 South Church Street  
Charlotte, NC 28242

Gentlemen:

SUBJECT: SEVERITY LEVEL III VIOLATION: EA 84-135  
VIOLATION OF FIRE PROTECTION SEPARATION REQUIREMENTS  
(INSPECTION REPORT NOS. 50-369/84-28 AND 50-370/84-25)

A special safety inspection was conducted on September 24-28, 1984, of activities authorized by NRC Operating License Nos. NPF-9 and NPF-17 for the McGuire Nuclear Station, Units 1 and 2. As a result of this inspection, several violations of fire protection separation requirements were identified. At the conclusion of the inspection, these findings were discussed with those members of your staff identified in the enclosed inspection report.

Violation I in the enclosed Notice of Violation (NOV) involved the lack of fire protection features necessary to satisfy the separation requirements of 10 CFR Part 50, Appendix R, Section III.G, between redundant Unit 1 systems necessary to achieve and maintain hot shutdown. This violation has been categorized as a Severity Level III violation in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, as revised, 49 FR 8583 (March 8, 1984). The base civil penalty for this type of violation is \$50,000. Duke Power Company discovered the event, reported the event immediately upon its discovery, and took decisive action to preclude its recurrence. In recognition of these factors, and after consultation with the Director, Office of Inspection and Enforcement, I have decided to mitigate the penalty in its entirety.

Violations II-V in the enclosed NOV involve other failures to comply with NRC fire protection requirements identified during this inspection. Violation II involves the failure to provide adequate breaker and/or fuse protection for equipment required for hot standby where there is a common power source with other circuits. Violation III involves the failure to provide automatic fire detection capabilities and fire barriers to separate safety-related pumps. Violation IV identifies two examples where structural steel fire barrier supports were not provided with the fire resistant rating that is equivalent to the fire barriers. Violation V identified several plant areas with inadequate emergency lighting. Violations II-IV have been categorized as Severity Level IV violations, while Violation V has been categorized as a Severity Level V violation.

Another potential violation was also identified during this inspection. It involved the failure to provide adequate fixed suppression systems for rooms, areas, or zones contrary to 10 CFR Part 50, Appendix R, Section III.G.3

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requirements. This additional potential violation relates to your letter of September 4, 1984 to Harold R. Denton, Director, Office of Nuclear Reactor Regulation. This matter is under review and will be handled in separate correspondence.

The inspection findings also indicate that certain activities having safety significance appeared to deviate from commitments made by Duke Power Company to the NRC. The deviations are set forth in the enclosed Notice of Deviation.

Your attention is also directed to unresolved items identified in the inspection report. These matters will be pursued during future inspections.

You are required to respond to the enclosed Notice of Violation, and you should follow the instructions specified therein when preparing your response. Your response should specifically address the corrective actions taken or planned with regard to the violations described in the Notice of Violation. In your response, appropriate reference to previous submittals is acceptable. A reply to the Notice of Deviation is also requested. Your written reply to this letter and the results of future inspections will be considered in determining whether further enforcement action is appropriate.

In accordance with 10 CFR 2.790(a), a copy of this letter, its enclosures, and your reply will be placed in NRC's Public Document Room upon completion of our evaluation of the reply. If you wish to withhold information contained therein, please notify this office by telephone and include a written application to withhold information in your response. Such application must be consistent with the requirements of 2.790(b)(1).

The responses directed by this letter and the enclosures are not subject to the clearance procedures of the Office of Management and Budget issued under the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,

ORIGINAL SIGNED BY:  
J. NELSON GRACE

J. Nelson Grace  
Regional Administrator

Enclosures:

1. Notice of Violation
2. Notice of Deviation
3. Inspection Report Nos. 50-369/84-28  
and 50-370/84-25

cc w/encls:

M. D. McIntosh, Station Manager

Duke Power Company

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bcc w/encls:  
 NRC Resident Inspector  
 Document Control Desk  
 State of North Carolina  
 PDR  
 LPDR  
 SECY  
 CA  
 JMTaylor, IE  
 RVollmer, IE  
 JNGrace, RII  
 JAxelrad, IE  
 BBeach, IE  
 JLieberman, IE  
 VStello, DED/ROGR  
 FIngram, PA  
 Enforcement Coordinators  
 RI, RII, RIII, RIV, RV  
 BHayes, OI  
 SConnelly, OIA  
 JCrooks, AEOD  
 HDenton, NRR  
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IE:ES *MB*  
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