

NOTICE OF VIOLATION

Duke Energy Corporation
McGuire Nuclear Station

Docket No. 50-370
License No. NPF-17

During an NRC inspection conducted between July 12 and August 22, 1998, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," (NUREG-1600) the violation is listed below:

McGuire Technical Specification 6.8.1 requires that written procedures shall be established, implemented and maintained for activities recommended in Appendix A of Regulatory Guide 1.33, Quality Assurance Program Requirements, revision 2, February 1978. Procedures for filling and venting the emergency core cooling system (ECCS) are included in Appendix A.

Operation Management Procedure (OMP) 7-1, Removal and Restoration (R&R) Requirements, requires, in part, that when designating vent valves for filling and venting, consider the physical layout of piping to ensure all system high points are vented.

Technical Specification Surveillance Requirement (TSSR) 4.5.2.b.1, requires, in part, that each ECCS subsystem shall be demonstrated operable, at least once per 31 days by verifying that the ECCS piping is full of water by venting the ECCS pump casings and accessible discharge piping high points, unless the pumps and associated piping are in service or have been in service within 31 days.

Implementation of TSSR 4.5.2.b.1 is accomplished by McGuire procedure PT/2/A/4200/019, Revision 12, Unit 2 ECCS Pumps and Piping Vent.

Contrary to the above:

1. On or before December 17, 1997, during restoration of the Unit 2 ECCS subsystems following maintenance on valve 2NI-136B, operations personnel failed to designate the appropriate vent valves for venting to properly return the system to service as required by OMP 7-1. Specifically, high point vent valve 2ND-77 was not designated following drain and refill of its associated segment of ECCS piping. As a result, an undetected volume of gas was left in the ECCS piping.
2. Procedure PT/2/A/4200/019, Revision 12, Unit 2 ECCS Pumps and Piping Vent, was inadequate to ensure that the ECCS piping was full of water during monthly system venting performed between December 17, 1997, and June 5, 1998. Specifically, accessible discharge piping high point vent 2ND-77 was not included in the

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venting process. Subsequently, it was determined that a significant amount of gas was located in proximity to vent valve 2ND-77 during the subject period.

This is a Severity Level IV violation (Supplement I)

Pursuant to the provisions of 10 CFR 2.201, Duke Energy Corporation is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the McGuire facility within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an Order or Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should provide a copy of your response to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Atlanta, Georgia
this 21st day of September 1998