

SAFEGUARDS INFORMATION
FEB 28 1986

Docket Nos. 50-269, 50-270, and 50-287
License Nos. DPR-38, DPR-47, and DPR-55
EA 86-21

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

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
(NRC INSPECTION REPORT NOS. 50-269/85-39, 50-270/85-39 AND
50-287/85-39)

This refers to the inspection conducted on December 9-13, 1985, at the Oconee Nuclear Station, Seneca, South Carolina. The inspection included a review of certain protected area barriers. As a result of this inspection, a significant failure to comply with NRC regulatory requirements was identified, and accordingly, the NRC's concerns relative to the inspection findings were discussed by Dr. J. N. Grace, Regional Administrator, of this office and Mr. H. B. Tucker, Vice President, Nuclear Production Department, of your office in an Enforcement Conference held in the Region II Office on January 14, 1986.

The violation described in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty involved a failure to maintain adequate barriers for a portion of the protected area. The events that resulted in this violation included a failure to install certain barriers and a lack of review to ensure that barriers conformed to drawings. It would appear that the inadequacy was in effect from the 1979-1980 time period until discovered during this inspection.

To emphasize the need to maintain adequate protected area barriers, I have been authorized, after consultation with the Director, Office of Inspection and Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Twenty-Five Thousand Dollars (\$25,000) for the violation described in the enclosed Notice. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985), the violation described in the enclosed Notice has been categorized as a Severity Level III violation. The base value of a civil penalty for a Severity Level III violation is \$50,000. The NRC Enforcement Policy allows for reduction of a civil penalty under certain circumstances. In this case, the base civil penalty is reduced by fifty percent because of your prior good performance and prompt and extensive corrective action. The penalty was not completely reduced because of the duration of the violation.

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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 actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions, 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(d) and 10 CFR 73.21, safeguards activities and security measures are exempt from public disclosure; therefore, the enclosures to this letter, with the exception of the report cover page which presents a nonexempt summary, will not be placed in NRC's 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, PL 96-511.

Sincerely,

J. Nelson Grace
Regional Administrator

Enclosures:

1. Notice of Violation and Proposed Imposition of Civil Penalty (Safeguards Information)
2. Inspection Report Nos. 50-269/85-39, 50-270/85-39, and 50-287/85-39 (Safeguards Information)

cc w/encls:
M. S. Tuckman, Station Manager

bcc w/encls:
IE File
NMSS/SGPL
NRR/DL/SSPB

bcc w/Inspection Summary:
Document Control Desk, 016
NRC Resident Inspector
State of South Carolina

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[Signature]
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