

SAFEGUARDS INFORMATION

MAR 25 1986

Docket Nos. 50-413; 50-414
License Nos. NPF-35; CPPR-117
EA 86-26

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
(NRC INSPECTION REPORT NOS. 50-413/86-04 AND 50-414/86-02)

This refers to the security inspection conducted on January 6-9, 1986 at your Catawba Nuclear Station, Unit 1, in York, South Carolina. The inspection was in response to your telephonic notification to us on December 31, 1985, and your letter of January 3, 1986, regarding a security incident that occurred on December 30, 1985. The findings of our inspection were discussed with you during an Enforcement Conference held in this Office on January 14, 1986.

We have concluded that an inadequate vehicle search was performed at the protected area entrance to the Catawba Station which resulted in the undetected entry of a loaded handgun into the protected area. Within five minutes of entry the driver surrendered the weapon to the security officer who was escorting him. As discussed at the Enforcement Conference, Unit 1 was at 92 percent power and Unit 2 was anticipating fuel load. We view this failure to be the result of personnel and procedural errors.

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 classified as a Severity Level III violation. Normally, a civil penalty is proposed for a Severity Level III violation. However, after consultation with the Director, Office of Inspection and Enforcement, I have decided that a civil penalty will not be proposed in this case because of your prior good performance in the security area as demonstrated by a Category 1 rating for your last Systematic Assessment of Licensee Performance (SALP). Nonetheless, we emphasize that any similar violations in the future may result in additional enforcement action.

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

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PDR ADOCK 05000413
Q PDR

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IE-0411

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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 represents 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.

Should you have any questions concerning this letter, please contact us.

Sincerely,

J. Nelson Grace
Regional Administrator

Enclosures:

1. Notice of Violation
(Safeguards Information)
2. Inspection Report Nos. 50-413/86-04
and 50-414/86-02
(Safeguards Information)

cc w/encls:

R. L. Dick, Vice President -
Construction
J. W. Hampton, Station Manager

bcc w/encl:

IE File
NMSS/SGPL
NRR/DL/SSPB

bcc w/Inspection Summary:

NRC Resident Inspector
Document Control Desk, 016
State of South Carolina

RII

WTobin:jw
02/17/86

RII

DMcGuire
02/13/86

RII

KBarr
02/13/86

RII

JStohr
02/13/86

RII

CBurger
02/17/86

RII

RWalker
02/19/86

RII

GJenkins
02/19/86

RII

BJones
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Distribution w/o Safeguards
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LPDR
SECY
JMTaylor, IE
JAxelrad, IE
JNGrace, RII*
PRobinson, IE*
JLieberman, ELD
Enforcement Coordinators
RI, RII, RIII, RIV, RV
RBurnett, NMSS
IE/ES
IE/EA
DCS

IE:ES
PRobinson
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