

SAFEGUARDS INFORMATION

Duke Power Company

Power Building, Box 33189, Charlotte, N.C. 28242

W. H. OWEN
EXECUTIVE VICE PRESIDENT
ENGINEERING, CONSTRUCTION & PRODUCTION GROUP

36 MAR 24 AM 11:41
(704) 373-4120

U.S. NRC REG.-II
Atlanta, GA

March 20, 1986

CLASSIFIED BY:

NAME: James W. Davis
TITLE: ENG SPEC
ORGANIZATION: NPD LICENSING
DATE: 3/20/86

Mr. J.M. Taylor, Director
Office of Inspection and Enforcement
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Subject: Duke Power Company - Oconee Nuclear Station
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) (License Nos. DPR-38, DPR-47 and DPR-55)

Dear Mr. Taylor:

As requested by letter from Dr. J. Nelson Grace, dated February 28, 1986, please find attached the requested response to the Oconee Nuclear Station Violation 85-39-01 which was identified in the subject report. Also attached is a Duke Power Company check for the proposed civil penalty payable to the Treasurer of the United States in the cumulative amount of twenty-five thousand dollars (\$25,000).

Even though the specified civil penalty payment is attached, and the base value of the civil penalty for this Severity Level III Violation has been mitigated, Duke transmits this civil penalty payment with some reservation. Duke feels the Severity Level III Violation with Civil Penalty should have been mitigated in its entirety based on the outstanding security record as reflected in the SALP rating for Oconee Nuclear Station, the security program performance history, the prompt and extensive corrective action to the violation taken both at Oconee and McGuire Nuclear Stations and the clarifications described in the attached response to violation. It is Duke's contention that the NRC did not fully consider all the mitigating factors applicable to this violation prior to proposing this civil penalty. This material is applicable to the security provisions at Oconee Nuclear Station; therefore, Duke requests that this material be withheld from public disclosure pursuant to 10CFR73.21.

WHEN SEPARATED FROM ENCLOSURES,
HANDLE THIS DOCUMENT AS DECONTROLLED

8604210190 860415
PDR ADOCK 05000269
Q PDR

THIS DOCUMENT CONTAINS SAFEGUARDS INFORMATION.
ANY PERSON WHO ALLOWS UNAUTHORIZED DISCLOSURE
MAY BE GUILTY OF A CRIME; AND UPON CONVICTION
MAY BE PUNISHED BY A FINE OR IMPRISONMENT
OR BOTH UNDER THE PROVISIONS OF 10 CFR 73.80

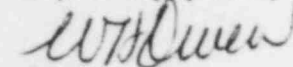
SAFEGUARDS INFORMATION

SAFEGUARDS INFORMATION

Mr. J.M. Taylor, Director
March 20, 1986
Page 2

If you have any questions regarding this response, please contact us for any additional information concerning this matter.

Very truly yours,



s/W.H. Owen
W.H. Owen

JWD/jgm

xc: w/Violation Response Attachment
Dr. J. Nelson Grace, Regional Administrator
U.S. Nuclear Regulatory Commission - Region II
P.O. Box 2203
Atlanta, Georgia 30301

w/o Violation Response Attachment
J.C. Bryant
NRC Resident Inspector
Oconee Nuclear Station

WHEN SEPARATED FROM ENCLOSURES,
HANDLE THIS DOCUMENT AS DECONTROLLED

THIS DOCUMENT CONTAINS SAFEGUARDS INFORMATION.
ANY PERSON WHO ALLOWS UNAUTHORIZED DISCLOSURE
MAY BE GUILTY OF A CRIME; AND UPON CONVICTION
MAY BE PUNISHED BY A FINE OR IMPRISONMENT
OR BOTH UNDER THE PROVISIONS OF 10 CFR 73.80

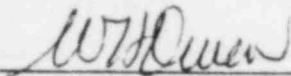
SAFEGUARDS INFORMATION

SAFEGUARDS INFORMATION

Mr. J.M. Taylor, Director
March 20, 1986
Page 3

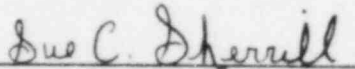
W.H. OWEN, being duly sworn, states that he is the Executive Vice-President, Engineering, Construction and Production Group, Duke Power Company; that he is authorized on the part of said Company to sign and file with the Nuclear Regulatory Commission this response to notice of Violation and Proposed Imposition of Civil Penalty for Oconee Nuclear Station License Nos. DPR-38, DPR-47 and DPR-55 and that all statements and matters set forth therein are true and correct to the best of his knowledge.

s/W.H. Owen
W.H. Owen



Subscribed and sworn to before me this 20th day of March, 1986.

s/Sue C. Sherrill
Notary Public



My Commission Expires:

September 20, 1989

WHEN SEPARATED FROM ENCLOSURES,
HANDLE THIS DOCUMENT AS DECONTROLLED

THIS DOCUMENT CONTAINS SAFEGUARDS INFORMATION.
ANY PERSON WHO ALLOWS UNAUTHORIZED DISCLOSURE
MAY BE GUILTY OF A CRIME; AND UPON CONVICTION
MAY BE PUNISHED BY A FINE OR IMPRISONMENT
OR BOTH UNDER THE PROVISIONS OF 10 CFR 73.89

SAFEGUARDS INFORMATION