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### NOTICE OF VIOLATION

Duke Power Company  
Catawba Nuclear Station

Docket Nos. 50-413 and 50-414  
License No. NPF-35 and NPF-52

During an NRC inspection conducted on June 8 - July 19, 1997, violations of NRC requirements were identified. In accordance with NUREG 1600 "General Statement of Policy and Procedure for NRC Enforcement Actions," the violations are listed below:

- A. Technical Specification 6.8.1 requires that written procedures be established, implemented, and maintained covering the activities recommended in Appendix A of Regulatory Guide (RG) 1.33, revision 2. As referenced, this includes 10 CFR 50, Appendix J, Type C local leak rate testing of containment isolation valves.

Periodic Test (PT) procedure PT/2/A/4200/01C, Containment Isolation Valve Leak Rate Test, Enclosure 13.7, Penetration No. M228 Type C Leak Rate Test, Step 2.2.3, requires Standby Makeup Test Vent Valve 2NV-873 to be opened to provide a test vent path for Type C leak rate testing the Inside Containment Isolation Standby Makeup System Header Check Valve, 2NV-874.

Contrary to the above, on April 24, 1997, an Operations Test Group (OTG) Technician failed to open valve 2NV-873 as required by Step 2.2.3 of PT/2/A/4200/01C, resulting in a closed test vent flowpath and invalid local leak rate test of valve 2NV-874. This discrepancy was not identified until June 4, 1997, after unit startup from the refueling outage, when the required completed procedure verification review was performed by the OTG Supervisor.

This is a Severity Level IV violation (Supplement IV).

- B. 10 CFR 50, Appendix B, Criterion V, Instructions, Procedures, and Drawings, as implemented by Duke Power Company Topical Quality Assurance Program (Duke-1-A) requires that activities affecting quality shall be accomplished in accordance with documented prescribed procedures.

Catawba Nuclear Site Directive (NSD) 209, 10 CFR 50.59 Evaluation, revision 5, requires documentation of justification for response to 10 CFR 50.59 screening evaluations. Also required, is that the justifications be complete enough so an independent reviewer could come to the same conclusion.

Catawba Engineering Directives Manual (EDM) 170, Design Specifications, revision 5, requires that open items identified during the development of the station Design Basis Documents (DBD) be entered into the Problem Investigation Process (PIP) for tracking and resolution.

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Contrary to the above, on June 9-13, 1997, the following examples were identified in which activities affecting quality were not accomplished in accordance with the above documented prescribed procedures:

1. A number of 10 CFR 50.59 screening evaluations performed between January 1995 and June 1997 for Emergency Operating Procedure changes did not meet the requirements of NSD 209, in that, the documented justifications for responses to screening questions were not complete enough so that an independent reviewer could come to the same conclusion. Specifically, in many cases, documented justifications were just negative restatements of the screening questions. Examples include: EP/2/A/5000/FR-I.2 dated November 17, 1995; EP/1/A/5000/FR-I.1 dated September 19, 1996; OP/1/A/6350/08 dated February 28, 1996; EP/2/A/5000/F-0 dated March 26, 1997; EP/1/A/5000/FR-H.1 dated August 16, 1996; and EP/1/A/5000/FR-H.1 dated January 30, 1995.
2. Open items in DBDs CNS-1435.00-0002, Post Fire Safe Shutdown, revision 4 and CNS 1465.00-0018, Station Blackout, revision 2 were not entered into the PIP for tracking and resolution as required by EDM 170.

This is a Severity Level IV violation (Supplement IV).

Pursuant to the provisions of 10 CFR 2.201, Duke Power Company 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 Catawba Nuclear Station, 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.

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

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