

ENCLOSURE 1

NOTICE OF VIOLATION

Duke Power Company
Catawba

Docket Nos. 50-413, 50-414
License Nos. NPF-35, NPF-52

During the Nuclear Regulatory Commission (NRC) inspection conducted on January 30 - February 3, 1989, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), the violations are listed below:

- A. 10 CFR 50 Appendix B Criterion XVI states that measures shall be established to assure that conditions adverse to quality, such as deviations, and nonconformances are promptly identified and corrected. In the case of significant conditions adverse to quality, the measures shall assure that the cause of the condition is determined and corrective action taken to preclude repetition.

Contrary to the above, measures have not been established nor adequately implemented to assure that corrective actions for identified failure to follow radiological procedures preclude recurrence, as evidenced by the following:

1. In September 1987, NRC Inspection Report Nos. 50-413, 414/87-31 identified a failure to follow radiation control procedures relative to proper contamination monitoring and use of daily dose records.
2. In November 1987, NRC Inspection Report Nos. 50-413, 414/87-40 identified an additional example of failure to follow radiation control procedures relative to proper contamination monitoring.
3. In July 1988, NRC Inspection Report Nos. 50-413, 414/88-27 identified the failure to implement all of the corrective actions for the above violations by a March 1, 1988 completion date.
4. A licensee audit conducted in December 1988 (LN-88-34) identified failure to frisk hand held items leaving the Radiological Control Area in accordance with licensee procedures, dose cards not being completed for each entry/exit of RCA, and employees exiting the RCA from areas that were not normal exit points.

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

- B. 10 CFR 19.12 requires a licensee to provide certain specified information and instructions to individuals who work in or frequent any portion of a restricted area.

10 CFR 20.203(c)(1) requires a licensee to post each high radiation area with a conspicuous sign or signs bearing the radiation caution symbol and the words: Caution High Radiation Area. A "high radiation area" is defined, in 10 CFR 20.202(b)(3), as any area, accessible to personnel, in which there exists radiation, originating in whole or in part within licensed material, at such levels that a major portion of the body could receive in any one hour a dose in excess of 100 millirems.

Technical Specification 6.11 requires that procedures for personnel radiation protection be prepared consistent with 10 CFR 20 and adhered to for all operations involving personnel radiation exposure.

Technical Specification 6.12 requires that, for individual high radiation areas accessible to personnel with radiation levels of greater than 100 mR/hr that are located within large areas, such as PWR containment, where no enclosure exists for purposes of locking, and where no enclosure can be reasonably constructed around the individual areas, that individual area shall be barricaded, conspicuously posted, and a flashing light shall be activated as a warning device.

Contrary to the above, on December 16, 1988, two licensee employees were not provided proper information and instructions in that they unknowingly entered a high radiation area which was not posted as such and they had not received instructions concerning the significance of a flashing yellow light used to warn individuals of areas with radiation levels greater than 100 mR/hr. A similar violation concerning training, was cited by the NRC in a Notice of Violation issued September 16, 1988.

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 Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector, within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) admission or denial of the violation, (2) the reason for the violation if admitted, (3) the corrective steps which have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the

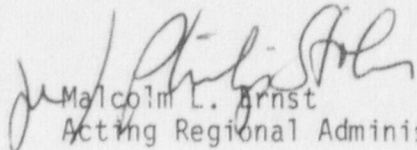
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license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken.

FOR THE NUCLEAR REGULATORY COMMISSION


Malcolm L. Arnst
Acting Regional Administrator

Dated at Atlanta, Georgia
this 3rd day of March 1989