

ENCLOSURE 1

NOTICE OF VIOLATION

Duke Power Company
McGuire

Docket No. 50-369
License No. NPF-9

During the Nuclear Regulatory Commission (NRC) inspection conducted on July 7-18, 1989, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989), the violation is listed below:

License NPF-9, Paragraph 2.C.(1) limits core thermal power to 3411 thermal megawatts.

Contrary to the above, on July 5, 1989, the core was operated briefly in excess of 102 percent of this limit and was operated in excess of 101 percent of this limit for nearly three hours. The computer input errors, which led to the overpower operation, could have been identified earlier in power ascension at about 80 percent core thermal power.

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

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, McGuire, 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 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

Original Signed by
Caudle A. Julian

Caudle A. Julian, Chief
Engineering Branch
Division of Reactor Safety

Dated at Atlanta, Georgia
this 21st day of August 1989