



Duke Energy Corporation

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H. B. Barron  
Vice President

November 23, 1999

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20555

Subject: McGuire Nuclear Station, Unit 1 and 2  
Docket No. 50-369 and 50-370  
Special Report Number 99-03, Revision 0  
Problem Investigation Process No. M-99-5256

Special Report 99-03, Revision 0 is attached. Revision 0 provides an abstract and will be updated with a cause evaluation and any additional corrective actions by December 15, 1999.

Special Report 99-03 describes a failure to implement and maintain in effect all provisions of the plant Fire Protection Program. This report is being provided pursuant to the provisions of McGuire Facility Operating License Conditions G {Unit 1} and F {Unit 2}.

This occurrence is considered to be of no significance to the health and safety of the public. The plant remained within its design basis during this occurrence since the McGuire Nuclear Station Standby Shutdown Facility remained available to place the plant in a safe shutdown condition if required.

Very truly yours,

H. B. Barron, Jr.

Attachment

cc: Mr. L. A. Reyes  
U.S. Nuclear Regulatory Commission  
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Atlanta, GA 30323

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Mr. Scott Shaeffer  
NRC Resident Inspector  
McGuire Nuclear Station

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PDR ADOCK 05000309

**Duke Energy Corporation  
McGuire Nuclear Station  
Special Report 99-03  
Revision 0**

Abstract

License Conditions C.(4) {Unit 1} and C.(7) {Unit 2} require that McGuire Nuclear Station implement and maintain in effect all provisions of the plant Fire Protection Program. Contrary to these requirements, the station failed to fully implement Selected Licensee Commitment 16.9-5, Fire Rated Assemblies.

McGuire Nuclear Station staff discovered on November 15, 1999, fire barriers that were not properly implemented. There were six penetrations in walls between safety and non-safety areas identified as deficient. Specifically, two penetrations were discovered with no seal installed, and four penetrations were found with an improper seal installation.

Repair of the affected fire barriers has been completed. The NRC was notified of this violation of the McGuire Facility Operating License Conditions via phone and facsimile on November 16, 1999 (Event Number 36440).

This condition did not impair the ability of the Standby Shutdown System to perform the function of mitigating a 10 CFR 50 Appendix R fire event; therefore, McGuire did not operate outside the design basis of the plant.

Special Report 99-03 will be updated with a cause evaluation and any additional corrective actions by December 15, 1999.