

ENCLOSURE 1

NOTICE OF VIOLATION

Duke Power Company
McGuire Nuclear Station
Oconee Nuclear Station

Docket Nos. 50-369, 50-370, 50-269,
50-270, 50-287
License Nos. NPF-9, NPF-17, DPR-38,
DPR-47, DPR-55

During the Nuclear Regulatory Commission (NRC) inspection conducted on November 3-12, 1986, violations of NRC requirements were identified. The violations involved (a) failure to follow McGuire Nuclear Station (MNS) procedures for radiological sample analyses prior to realignment from radiological to nonradiological effluent discharge pathways; (b) inadequate surveys for MNS radiological releases to unrestricted areas; (c) failure to complete a 10 CFR 50.59 review to properly evaluate functional changes to a MNS Auxiliary Building Laboratory; and (d and e) inadequate radiological environmental monitoring reports for McGuire and Oconee Nuclear Stations. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1986), the violations are listed below:

- A. McGuire Nuclear Station Technical Specification 6.8.1 requires that written procedures be established, implemented, and maintained covering the applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978.

MNS Procedure OP/1/B/6400/01A requires that Operations verify with Health Physics that the Turbine Building Sump (TBS) is clean prior to realignment of TBS effluents from the Condenser Cooling Water (RC) radioactive waste discharge system to the Conventional Wastewater (WC) discharge system.

Contrary to the above, on May 6, 1986, MNS Operations realigned TBS effluent discharge from the RC to WC system prior to verifying that the required health physics sample analyses had been performed and the TBS effluents met requirements for release to the WC system. This resulted in the release of TBS effluents containing tritium to the WC system.

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

- B. 10 CFR 50.59(a)(1) states that the holder of a license authorizing operation of a production or utilization facility may make changes in the facility as described in the safety analysis report without prior Commission approval, unless the proposed change, test or experiment involves an unreviewed safety question. Furthermore, a proposed change shall be deemed to involve an unreviewed safety question if a possibility for an accident or malfunction

of a different type than any evaluated previously in the safety analysis report may be created.

MNS Technical Specification 6.5.2.8 states that the Nuclear Safety Review Board (NSRB) shall review safety evaluations for changes to procedures, equipment or systems, to verify that such actions did not constitute an unreviewed safety question.

Contrary to the above, a safety analysis report was not prepared and evaluated by the NSRB for functional changes to the Auxiliary Building Laboratory Room 954 made at approximately the time of McGuire Nuclear Station Unit 1 startup. The Auxiliary Building Laboratory Room 954 function was changed from that of an environmental laboratory which processed nonradiological samples to a health physics shift laboratory which processed radiological samples. Use of Room 954 laboratory for processing and/or disposal of radioactive liquid samples resulted in the contamination of the MNS Domestic (sanitary) Waste Treatment (WT) system and subsequent unmonitored release of radioactive liquid effluents to unrestricted areas.

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

- C. 10 CFR 20.201b, requires a licensee to perform such surveys as (1) may be necessary to demonstrate compliance with 10 CFR 20.106 which limits the release of radioactivity in unrestricted areas to the concentrations in Appendix B, Table II and (2) are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present.

Contrary to the above, from February 1982 to June 1986, McGuire Nuclear Station did not conduct adequate radiological surveys of potentially contaminated liquid effluents released through the Domestic Wastewater Treatment (WT) system to demonstrate compliance with 10 CFR 20.106 limits.

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

- D. McGuire Nuclear Station Technical Specification 6.9.1.6 requires the Annual Radiological Environmental Operating Reports to include summaries, interpretations, and an analysis of trends of the results of the radiological environmental surveillance activities for the report period, including a comparison with preoperational studies, with operational controls as appropriate, and with previous environmental surveillance reports.

Contrary to the above, the MNS Annual Radiological Environmental Operating Report for the calendar year 1985, dated April 30, 1986, did not contain a summary comparing radiological environmental surveillance data for the report period to preoperational studies.

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

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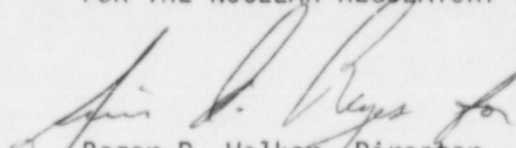
- E. Oconee Nuclear Station (ONS) Technical Specification 6.6.1.5 requires the Annual Radiological Environmental Operating Report to include summaries, interpretations, and statistical evaluation of the results of the radiological environmental surveillance activities for the report period, including a comparison with preoperational studies, operational controls (as appropriate), and previous environmental surveillance reports and an assessment of the observed impacts of the plant operation on the environment.

Contrary to the above, the ONS Annual Radiological Environmental Operating Report for the calendar year 1985, dated April 30, 1986, did not contain summaries or interpretations of the results of the radiological environmental surveillance activities for the report period, nor was there an assessment of the observed impacts of the plant operation on the environment.

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

Pursuant to the provisions of 10 CFR 2.201, Duke Power Company is hereby required to submit to this Office within 30 days of the date of the letter transmitting this Notice a written statement or explanation in reply including (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.

FOR THE NUCLEAR REGULATORY COMMISSION


Roger D. Walker, Director
Division of Reactor Projects

Dated at Atlanta, Georgia
this 24 day of December 1986