

Duke Power Company  
McGuire Nuclear Generation Department  
12700 Hagers Ferry Road (MG01VP)  
Huntersville, NC 28078-8985

T. C. McMEekin  
Vice President  
(704)875-4800  
(704)875-4809 Fax



**DUKE POWER**

August 1, 1994

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

Subject: McGuire Nuclear Station, Units 1 and 2  
Docket Nos. 50-369 and 50-370  
NRC Inspection Report No. 50-369, 370/94-02  
Violation 50-369, 370/94-02-04  
Supplemental Reply to a Notice of Violation

Gentlemen:

As a result of implementing a new computerized method to track NRC commitments on June 28, 1994, a small number of overdue NRC commitments were identified which require supplemental responses to previously submitted Notice of Violation responses.

Enclosed is a supplemental response to the Notice of Violation issued February 16, 1994 concerning failure to maintain and implement packaging instructions in accordance with selected Certificate of Compliance (CoC) requirements. The initial response to violation 369, 370/94-02-04 was submitted on March 18, 1994.

Chem-Nuclear issued updated complete sets of applicable Chem-Nuclear manuals to Duke Power Company. These manuals, which included the Certificates of Compliance, were distributed by the General Office Document Control Group directly to the McGuire Document Control Group, the accountable McGuire site engineer and the accountable McGuire site Radiation Protection individual with specific instructions to destroy superseded manuals or mark the manuals "Superseded". As part of the distribution, a cover sheet was attached to each manual set stating "Certificates of Compliance shall be incorporated into station procedures with all technical requirements intact. Any deviations from the Certificates of Compliance due to procedure formatting requirements or standardized maintenance practices is not allowed." A document control copy number was assigned to each manual by Chem-Nuclear, therefore processing a minor modification to add the manuals to the McGuire Document Control Program is not necessary. This corrective action was completed on July 26, 1994.

As addressed in the March 18, 1994 violation response, maintenance procedure MP/0/A/7550/11 was revised on June 1, 1994. However, it was determined on July 29, 1994 that cask maintenance procedures MP/0/A/7550/11, 13, 16, 18 and 20 were not reviewed against the Chem-Nuclear manual which contained the vendor's maintenance procedure. Cask maintenance procedures MP/0/A/7550/11, 13, 16, 18 and 20 will be reviewed against the latest revision of the Chem-Nuclear manuals and the Chem-Nuclear Certificates of Compliance and will be revised, as applicable. This corrective action will be completed by October 28, 1994.

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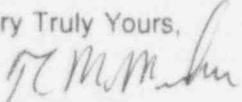
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U. S. Nuclear Regulatory Commission  
August 1, 1994

These changes are reflected in the attached supplemental violation response. Should there be any questions concerning this response, contact Randy Cross at (704) 875-4179.

Very Truly Yours,

  
T. C. McMeekin

Attachment

xc: (w/attachment)

Mr. S. D. Ebner  
Regional Administrator, Region II  
U. S. Nuclear Regulatory Commission  
101 Marietta St., NW, Suite 2900  
Atlanta, Georgia 30323

Mr. George Maxwell  
Senior Resident Inspector  
McGuire Nuclear Station

Mr. Victor Nerses  
U. S. Nuclear Regulatory Commission  
Office of Nuclear Reactor Regulation  
One White Flint North, Mail Stop 9H3  
Washington, D. C. 20555

Mr. Bob Martin  
U. S. Nuclear Regulatory Commission  
Office of Nuclear Reactor Regulation  
One White Flint North, Mail Stop 9H3  
Washington, D. C. 20555

McGuire Nuclear Station  
Supplemental Reply to a Notice of Violation

Violation 369, 370/94-02-04

10 CFR 71.5(a) requires, each licensee who transports licensed material outside the confines of its plant or other place of use, or who delivers licensed material to a carrier for transport, to comply with the applicable requirements of the regulations appropriate to the mode of transport of the Department of Transportation (DOT) in 49 CFR Parts 170-189.

10 CFR 71.12 (Subpart C) requires, in part, that (a) a general license is issued to any licensee of the Commission to deliver to a carrier for transport, licensed material in a package for which a license, Certificate of Compliance (CoC), or other approval has been issued by the NRC; and applies only to a licensee who (c)(1) has a copy of the specific CoC, and other approval of the package and has the drawings and other documents referenced in the approval relating to the use and maintenance of the packaging and to the actions to be taken prior to shipment and (c)(2) complies with the terms and conditions of the license, CoC, or other approval as applicable, and the applicable requirements of Subparts A, G, and H of this Part.

49 CFR 173.415 authorizes pursuant to section 173.416, shipment of Type B, B(U), or B(M) packages that do not contain radionuclide quantities exceeding  $A_1$ , or  $A_2$  values, as appropriate.

49 CFR 173.416(c) authorizes pursuant to 173.471, shipping of Type B, B(U), or B(M) packaging that meets the applicable packaging requirements in the regulations of the U.S. Nuclear Regulatory Commission (10 CFR Part 71) and that has been approved by that Commission.

49 CFR 173.471(a) requires, in part, for Type B, B(U), or B(M) packaging approved by the USNRC in accordance with 10 CFR Part 71, that shippers be registered with the USNRC as a party to the approval, and the shipment must be made in compliance with the terms of the approval.

Contrary to the above, the licensee failed to follow 10 CFR Part 71 regulations for packaging and shipping in that:

1. For LLRW shipments made during 1993 which exceeded Type A quantities using CoC No. 9094, USA/9094/A packaging, the licensee failed to maintain appropriately, the applicable CoC and drawings and other documents referenced in the approval relating to the use of the packaging, and the applicable procedures failed to specify selected Safety Analysis Report (SAR) packaging fastener torque values and/or tolerances required for preparation of the package for shipment.
2. For LLRW shipments made during 1993 which did not exceed Type A quantities using CoC 9111, USA/9111/A and CoC No. 9094, USA/9094/A packaging, the licensee failed to comply with the terms of the approval in that licensee procedures did not list torque wrench tolerance limits for all specified fastener values detailed in the CoC referenced vendor loading procedures.

This is a Severity Level IV violation (Supplement 5).

1. Reason for the Violation

The reason for the violation is Inappropriate Action by the procedure preparer. The procedure preparer failed to incorporate Certificate of Compliance specified fastener torque values into station cask maintenance procedure MP/0/A/7550/11. Maintenance procedures for station equipment are generated from information obtained from vendor manuals, procedure formatting guidelines and maintenance experience. Experience with tightening of mechanical joints has shown that torque passes performed at 50%, 75% and 100% of vendor supplied fastener torque values ensures that the mechanical joint is tightened evenly and that fastener relaxation due to uneven tension is minimized. This approach was used in development of the Chem-Nuclear cask maintenance procedures. This resulted in the first torque value as specified in the Certificate of Compliance not being included in procedure MP/0/A/7550/11. The final torque value was incorporated into MP/0/A/7550/11 and was also used as the basis for calculating the 50% and 75% torque passes. Although vendor instructions identified in the Chem-Nuclear Certificate of Compliance were incorporated into station cask maintenance procedures with the exception of MP/0/A/7550/11 as stated above, the Certificate of Compliance was not treated as an equipment maintenance manual and was not included in the normal document control program.

2. Corrective steps that have been taken and the results achieved:

- a. Chem-Nuclear issued updated complete sets of applicable Chem-Nuclear manuals to Duke Power Company. These manuals, which included the Certificates of Compliance, were distributed by the General Office Document Control Group directly to the McGuire Document Control Group, the accountable McGuire site engineer and the accountable McGuire site Radiation Protection individual with specific instructions to destroy superseded manuals or mark the manuals "Superseded". As part of the distribution, a cover sheet was attached to each manual set stating "Certificates of Compliance shall be incorporated into station procedures with all technical requirements intact. Any deviations from the Certificates of Compliance due to procedure formatting requirements or standardized maintenance practices is not allowed." This corrective action was completed on July 26, 1994.
- b. Effective July 26, 1994, manuals are sent directly from Chem-Nuclear to the General Office Station Support, Radiation Protection staff with a document control copy number assigned to each manual by the vendor. The manuals are then forwarded to the General Office Document Control Group for distribution.
- c. Effective July 26, 1994, prior to distribution of Chem-Nuclear manual revisions to McGuire Nuclear Station, the General Office Document Control Group will attach a cover sheet to each manual revision which states "Certificates of Compliance shall be incorporated into station procedures with all technical requirements intact. Any deviations from the Certificates of Compliance due to procedure formatting requirements or standardized maintenance practices is not allowed."
- d. A change to correct cask maintenance procedure MP/0/A/7550/11 was completed on June 1, 1994.

As stated in the March 18, 1994 violation response, all Chem-Nuclear cask maintenance procedures (MP/0/A/7550/11, 13, 16, 18 and 20) were reviewed against the latest revision of the Chem-Nuclear Certificates of Compliance and no other discrepancies were identified. However, it was determined on July 29, 1994 that these cask maintenance procedures were not reviewed against the Chem-Nuclear manual which contained the vendor's maintenance procedure.

3. Corrective steps that will be taken to avoid further violations:

Cask maintenance procedures MP/0/A/7550/11, 13, 16, 18 and 20 will be reviewed against the latest revision of the Chem-Nuclear manuals and the Chem-Nuclear Certificates of Compliance and will be revised, as applicable. This corrective action will be completed by October 28, 1994.

4. Date when full compliance will be achieved:

McGuire Nuclear Station is now in full compliance.