



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

February 21, 1985

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Chairman
Subcommittee on Energy Conservation and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Enclosed for your information is an announcement that the Nuclear Regulatory Commission staff has proposed a \$50,000 civil penalty against Duke Power Company for alleged noncompliance with NRC requirements at the McGuire nuclear power plant.

It is planned to mail this information to the news media today, February 21, 1985.

Sincerely,

Carlton Kammerer, Director
Office of Congressional Affairs

Enclosure:
As stated

cc: Rep. Carlos Moorhead

IDENTICAL LETTER SENT TO:
Sen. Simpson/cc: Sen. Hart
Rep. Udall/cc: Rep. Lujan
Sen. East
Sen. Helms
Rep. McMillan

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UNITED STATES NUCLEAR REGULATORY COMMISSION

**Office of Public Affairs
Washington, D.C. 20555**

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FOR IMMEDIATE RELEASE
(Thursday, February 21, 1985)

NRC STAFF PROPOSES \$50,000 CIVIL PENALTY AGAINST DUKE POWER

The Nuclear Regulatory Commission staff has proposed a \$50,000 civil penalty against Duke Power Company for alleged noncompliance with NRC requirements at the McGuire nuclear power plant near Charlotte, North Carolina.

In a letter to the company, J. Nelson Grace, Administrator of the NRC's Region II office in Atlanta, said the civil penalty was being proposed because of noncompliance associated with operation of the upper head injection (UHI) accumulator system at McGuire Units 1 and 2. The UHI system is part of the emergency core cooling system (ECCS).

In April of 1984, the utility modified the Unit 1 accumulator system to replace four level transmitters. They were installed incorrectly and, upon UHI initiation, the isolation valves would not have closed as designed when water ran low in the accumulator tanks. This could result in the injection of nitrogen gas, used to drive the water from the accumulator tanks, into the core. Such an event could potentially preclude the ECCS from fulfilling its intended function of limiting fuel cladding temperature to within specified limits. The NRC said the licensee's test program failed to assure that the UHI accumulator system was tested in a manner that would confirm that the system would perform satisfactorily in service.

In a separate event, the company earlier reported to the NRC that an engineering error resulted in setpoints for closure of UHI accumulator tank isolation valves being set so that they would close too soon. The NRC said this would have resulted in reduced water injection into the reactor vessel had the system been called upon. This condition existed from March of 1983 at Unit 1 and April of 1983 at Unit 2 until November 1, 1984.

The company has 30 days in which to either pay the civil penalty or to protest its imposition, in whole or in part.

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