



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931**

December 7, 2000

EA-00-163

Tennessee Valley Authority
ATTN: Mr. J. A. Scalice
Chief Nuclear Officer and
Executive Vice President
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

**SUBJECT: ACKNOWLEDGMENT OF RESPONSE TO NOTICE OF VIOLATION AND
EXERCISE OF ENFORCEMENT DISCRETION, BROWNS FERRY NUCLEAR
PLANT (NRC OFFICE OF INVESTIGATIONS REPORT NO. 2-1999-028 AND
INSPECTION REPORT NOS. 50-259/00-03, 50-260/00-03, 50-296/00-03)**

Dear Mr. Scalice:

By letter dated November 22, 2000, Mr. T. E. Abney, Manager, Licensing and Industry Affairs, Browns Ferry Nuclear Plant, provided Tennessee Valley Authority's (TVA) response to our Notice of Violation (Notice) and Exercise of Enforcement Discretion, issued on October 27, 2000. The violation involved a former TVA employee who deliberately failed to perform measuring and test equipment nonconformance evaluations in accordance with site procedures, and was characterized at Severity Level III.

We have reviewed TVA's response and have concluded that it satisfies the provisions of 10 CFR 2.201. TVA's response provided clarifying information regarding your review of the circumstances involving this issue, and how the details of your review were communicated with the NRC. Based on our review, we have concluded that TVA's response addressed our concerns, and no additional corrective actions appear warranted. In that our characterization of the violation at Severity Level III with no proposed civil penalty has remained unchanged, no further response regarding this matter is required.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room (PDR) or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS).

ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Loren R. Plisco, Director
Division of Reactor Projects

Docket Nos. 50-259, 50-260, 50-296
License Nos. DPR-33, DPR-52, DPR-68

cc w/encl:
Karl W. Singer
Senior Vice President
Nuclear Operations
Tennessee Valley Authority
Electronic Mail Distribution

Jack A. Bailey, Vice President
Engineering and Technical Services
Tennessee Valley Authority
Electronic Mail Distribution

John T. Herron
Site Vice President
Browns Ferry Nuclear Plant
Tennessee Valley Authority
Electronic Mail Distribution

R. J. Adney, General Manager
Nuclear Assurance
Tennessee Valley Authority
Electronic Mail Distribution
General Counsel
Tennessee Valley Authority
Electronic Mail Distribution

Ashok S. Bahtnager, Plant Manager
Browns Ferry Nuclear Plant
Tennessee Valley Authority
Electronic Mail Distribution

Mark J. Burzynski, Manager
Nuclear Licensing
Tennessee Valley Authority
Electronic Mail Distribution

Timothy E. Abney, Manager
Licensing and Industry Affairs
Browns Ferry Nuclear Plant
Tennessee Valley Authority
Electronic Mail Distribution

State Health Officer
Alabama Dept. of Public Health
RSA Tower - Administration
Suite 1552
P. O. Box 303017
Montgomery, AL 36130-3017

Distribution:

WBorchardt, OE

DNelson, OE

OE:EA File (BSummers)

CEvans, RII

LPlisco, RII

CCasto, RII

PFredrickson, RII

PTaylor, RII

ABoland, RII

WLong, NRR

VOrdaz, NRR

OFFICE	RII:DRP	RII:EICS	RII:ORA	RII:DRP	
SIGNATURE	PF	AB	CE	LP	
NAME	PFREDRICKSON	ABOLAND	CEVANS	LPLISCO	
DATE	12 / 7 /00	12 / 7 /00	12 / 7 /00	12 / 7 /00	/ /00
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO

C:\ackletter.wpd