

August 24, 2007
EN-07-051

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Shearon Harris Nuclear Power Plant (EA-07-040)
P. O. Box 165, Mail Code: Zone 1
New Hill, NC 27562-0165
Docket No.: 50-400

Subject: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY-
\$65,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$65,000 will be issued on or about August 30, 2007, to the California Power & Light Co., (CPL) Shearon Harris Nuclear Power Plant. This action is based on a Severity Level (SL) III violation of re-qualification testing requirements related to the security and radiation safety programs. The violation involved three supervisors who deliberately provided answers to security officers during the administration of multiple written armed responder re-qualification tests and annual re-qualification computer based tests for Plant Access and Radiation Worker/Respiratory Protection Training. As a result, numerous security officers failed to demonstrate their independent job task knowledge as required.

Credit was not warranted for the factor of *Identification* in this matter because these testing concerns were brought to the attention of the NRC by outside stakeholder organizations in December 2005, and the NRC subsequently notified CPL of the concerns during its investigation into the matter as part of an on-site inspection and investigation in January 2006. Because credit for *Identification* was not warranted, a civil penalty has been proposed. The NRC staff concluded that the licensee's corrective actions in response to the violation were prompt and comprehensive.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule for issuance and notification is:

Mailing of the Notice	August 30, 2007
Telephone Notification to the Licensee	August 30, 2007

The State of North Carolina will be notified.

Contacts: M. Burrell, OE, 415-2740 N. Hilton, OE, 415-3055

Distribution: EN-07-051, August 24, 2007

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