

Dec 5
December 3, 1992
EN 92-094

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Philadelphia Electric Company (EA 92-164)
(Limerick)
Docket No. 50-352

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$25,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$25,000 will be issued on or about December 8, 1992, to the Philadelphia Electric Company. This action is based on a violation of the employee protection requirements of 10 CFR 50.7. The violation is based on a Department of Labor Administrative Law Judge's Recommended Decision and Order finding that Protection Technology, Inc. (PTI), a contractor for the Philadelphia Electric Company at the Limerick Generating Station, discriminated against an employee because he engaged in protected activities. This violation has been categorized at Severity Level III and has a base civil penalty of \$50,000. The base civil penalty was mitigated 50 percent after finding 100 percent mitigation for past performance and 50 percent escalation for corrective actions.

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

Mailing of Notice	December 8, 1992
Telephone Notification of Licensee	December 8, 1992

The State of Pennsylvania will be notified.

The licensee is not required to respond to this Notice until 30 days after a final decision by the Secretary of Labor on PTI's appeal, which is still pending. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: R. Rosano, OE, 504-3282 J. Lieberman, OE, 504-2741

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