



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

July 30, 1996

EA 96-208

Donald Smith
[Address Deleted]
10 CFR 2.790(a)]

SUBJECT: NRC INVESTIGATION REPORT NO. 3-96-019

Dear Mr. Smith:

This refers to a review of an investigation involving your actions at the Commonwealth Edison Company's (ComEd) LaSalle County Nuclear Station. Information provided by ComEd to the U. S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) indicated that you had furnished inaccurate information about your involvement in an event resulting in an alarm from a security console.

Based on this information, an apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600 (60 FR 34381; June 30, 1995). The NRC is considering its enforcement options. On June 28, 1996, you were contacted to schedule a predecisional enforcement conference. A mutually agreeable time for the conference could not be established. However, the NRC is offering you an opportunity to provide a written response concerning your activities at the LaSalle County Station on January 27, 1996. You are not required to respond to the questions, but should you choose to do so, your response should include, as a minimum, the answers to the questions listed in the enclosure to this letter. Your response should be clearly marked as a "Response to An Apparent Violation EA 96-208," and your response should be submitted under oath or affirmation. If a response is not received within 30 days from the date of this letter, or an extension of time has not been granted by the NRC, we will assume you have elected not to respond and will proceed with an enforcement decision based on the currently available information. You will be advised by separate correspondence of the results of our deliberations on this matter.

Please contact Mr. James R. Creed at telephone number (708) 829-9857 (630-829-9857 after August 3, 1996) if you have any questions.

A copy of this letter, its enclosure, and your response (if you choose to provide one) will be withheld from the NRC Public Document Room (PDR) until the NRC makes a final decision on enforcement action in this case. Since we

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Mr. Donald Smith

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plan to place these materials in the PDR after we have made a decision on enforcement and you have had the opportunity to respond, we ask that your response not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,

/s/ G. E. Grant

Geoffrey Grant, Director
Division of Reactor Safety

Enclosure: As Stated

Dockets No. 50-373; 50-374
Licenses No. NPF-11; NPF-18

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NAME	Weil		Creed		Benson		Lieberman		Burgess		Grant	
DATE	7/26/96		07/26/96		07/26/96		07/26/96		07/26/96		07/26/96	

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**Reviewed in Draft.*

¹ OE concurrence received in 7/25/96 E-Mail from J. Gray, OE.