

October 17, 1996
EN 96-077

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Centerior Service Company (EA 96-304)
Davis-Besse Nuclear Power Station
Docket No. 50-346

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$50,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$50,000 will be issued on or about October 22, 1996, to Centerior Service Company. The action is based on an inspection conducted at the Davis-Besse Nuclear Power Station concerning: (1) certain motor operated valves potentially being unable to perform their post-fire safe shutdown function and (2) degraded radiant energy shields in the containment and containment annulus. One Severity Level III violation was cited for the motor operated valve issue and one Severity Level IV violation was cited for the matter involving the degraded radiant energy shields.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$50,000 is considered for a Severity Level III. The staff considered whether the licensee should be given credit for its corrective actions. Because the NRC identified the violation, credit was not warranted for the factor of identification; however, the licensee's corrective actions were considered prompt and comprehensive and credit was given for the factor of corrective action. Consideration of these factors resulted in the civil penalty being assessed at \$50,000.

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	October 22, 1996
Telephone Notification of Licensee	October 22, 1996

The State of Ohio will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contacts: M. Satorius, OE, 415-3280 J. Lieberman, OE, 415-2741

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PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION

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