

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Northern States Power Company EA 96-402  
Prairie Island  
Docket Nos. 50-282, 50-306

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 January 23, 1997, to Northern States Power Company. This action is based on a Severity Level III violation involving an unreviewed safety question (USQ). The USQ was created by the licensee when they took credit for the use of a non-seismic intake canal and manual operator action in an evaluation performed to address the failure of the emergency intake line to meet the FSAR design basis requirement. The use of operator action to meet the requirements of the FSAR created a USQ because it introduced the potential for creating an accident or malfunction of a type different than evaluated previously in the FSAR. The use of the non-seismic intake canal introduced the potential for increasing the probability of the consequences of the accident. Because this was the first escalated enforcement action within the last 2 years, the staff considered whether credit was warranted for corrective action. The staff concluded that credit was not warranted for corrective action because the licensee's immediate corrective actions were not timely and NRC intervention was required to cause the licensee to perform the necessary operability determination. 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	January 23, 1997
Telephone Notification of Licensee	January 23, 1997

The State of Minnesota 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: BClayton, EICS-RIII, 603-829-9666; BBeach, RA-RIII, 603-829-9657

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