

May 6, 1997
EN 97-033

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Entergy Operations, Inc. (EA 97-099)
Waterford-3
Docket No. 50-382

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$55,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$55,000 will be issued on or about May 9, 1997, to Entergy Operations, Inc., for violations related to cooling water flows to containment fan coolers at the company's Waterford-3 facility. The action is based on a Severity Level III problem consisting of: 1) a failure to assure containment fan cooler flows met Technical Specification surveillance acceptance requirements; 2) a failure to properly translate design basis information into accident analyses and specifications; 3) a failure to test containment fan cooler flows under post-accident conditions; and 4) a failure to take prompt action to resolve discrepancies between design basis documents and attained flows.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$55,000 is considered for a Severity Level III problem. Because this was not the first escalated enforcement action within 2 years, the staff considered whether credit was warranted for *Identification* and *Corrective Action*. Although a licensee self-assessment in August 1996 identified potential discrepancies between attained flows and Technical Specification values, the staff determined that credit was not warranted for *Identification* because the licensee did not conclude that Technical Specifications were violated, and because the licensee had a significant missed opportunity to identify these problems in October 1995 when flow balance testing was conducted. The staff determined that *Corrective Action* credit was warranted because the licensee's corrective actions were prompt and comprehensive once the violations were recognized. This assessment resulted in a base penalty.

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	May 9, 1997
Telephone Notification of Licensee	May 9, 1997

The State of Louisiana 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: G. Sanborn, RIV, (817) 860-8222 M. Satorius, OE, 415-2747

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