

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Consolidated Edison Company of New York, Inc. (EA-00-179, EA-01-033)  
Indian Point 2 Station  
Docket No. 50-247

Subject: CONTESTED VIOLATION UPHELD ASSOCIATED WITH RED FINDING ON  
STEAM GENERATOR INSPECTIONS

This is to inform the Commission that a Notice of Violation issued to Indian Point 2 on November 20, 2000 and formally denied by Consolidated Edison in its letter dated January 19, 2001, has been upheld by the staff. The violation was cited against 10 CFR 50, Appendix B, Criterion XVI, Corrective Action, for failure to take appropriate corrective actions regarding steam generator tube inspections in 1997. This finding was assessed using the significance determination process (SDP) as Red, an issue of high safety significance. The licensee previously accepted the Red SDP finding by not contesting it within 10 days of issuance.

The staff has carefully reviewed and considered the licensee's bases for denial of the violation. The staff concluded that no additional information was presented in the denial that would alter the NRC's conclusion that a violation existed. The information in the denial was not substantially different than provided to the NRC during the NRC special inspection and subsequent meetings, including during the regulatory conference conducted on September 26, 2000.

This notification is being provided to the Commission due to the previous interest of the Commission and the high interest of stakeholders in Indian Point 2 issues.

It should be noted that Consolidated Edison has not been specifically informed of this conclusion. The schedule of notification is:

Mailing of Letter Upholding the Notice of Violation  
Telephone Notification of Licensee

March 1, 2001  
March 1, 2001

Contacts: D. Nelson, OE, 415-3280

R. W. Borchardt, OE, 415-2741

Distribution

OWFN _____	OWFN _____	TWFN _____	Regional Offices	<u>MAIL</u>
Chairman Meserve	EDO	RES	RI ____	RIV ____
				NUDOCS
Comm. Dicus	DEDE	ACRS	RII ____	PUBLIC
Comm. Diaz	OE	OP CTR	RIII ____	
Comm. McGaffigan	OGC	NMSS		
Comm. Merrifield	OCFO	OCIO		
SECY	NRR	OIG		
OCA	OI			
PA	SP			
IP				

OE:ES      OE:D  
DNelson/RA/    RWBorchardt/RA/  
02/28/01      02/28/01  
G:\OECASES\EN01-006.wpd

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