

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Union Electric Company (EA-01-005)  
Docket No. 50-483

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 14, 2001, to the Union Electric Company. The violation involved discrimination by Union Electric and The Wackenhut Corporation (TWC) against a security officer and a training instructor for having engaged in protected activity. The security officer and training instructor identified to the Wackenhut Company (TWC), a contractor to Union Electric, a violation of NRC requirements at the Callaway Nuclear Plant, namely that TWC had hired and assigned an individual to the security organization when that individual did not have a high school diploma or equivalent. The hiring of this individual was in violation of 10 CFR Part 73, Appendix B, Section I.A.1.a, which provides that prior to employment or assignment to a security organization, an individual must possess a high school diploma or pass an equivalent performance examination. Based at least in part on this protected activity, TWC unfavorably terminated the security officer's employment for lack of trustworthiness and gave a written reprimand to the training instructor on November 19, 1999, and Union Electric revoked the security officer's unescorted access authorization for lack of trustworthiness.

Because the violations were willful, the staff considered whether credit was warranted for identification and corrective action. Credit was not warranted for identification. Credit was warranted for corrective action. This resulted in the assessment of a civil penalty at the base value for a Severity Level III violation.

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 14, 2001
Telephone Notification of Licensee	May 14, 2001

The State of Missouri 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: Barry Westreich, OE, 415-3456; James Luehman, OE, 415-2741

Distribution

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

G:\oecases\en01-014.wpd  
 OE:ES                      OE:DD  
 BWestreich                JLuehman  
 05/09/01                    05/09/01

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