



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-8064**

EA-01-304

March 30, 2002

Mr. C. L. Terry, Senior Vice President  
& Principal Nuclear Officer  
TXU Generation Management Company LCC,  
Managing General Partner for TXU Generation  
Company LP  
ATTN: Regulatory Affairs Department  
P.O. Box 1002  
Glen Rose, Texas 76043

**SUBJECT: NRC REVIEW OF FINAL SIGNIFICANCE DETERMINATION APPEAL OF A  
WHITE FINDING AND NOTICE OF VIOLATION FOR NRC INSPECTION  
REPORT NO. 50-445/01-07; 50-446/01-07**

Dear Mr. Terry:

On December 31, 2001, the NRC issued Inspection Report 50-445/01-07; 50-446/01-07, which documented an apparent White finding and Technical Specification 5.4.1.a violation. The issue was associated with 11 examples in which radioactive material was inadvertently released from the radiologically controlled area. On January 23, 2002, you presented your perspective on the apparent White finding and violation at a regulatory conference conducted in the NRC's Region IV office. On February 21, 2002, the NRC issued its final significance determination for the White finding and Notice of Violation (NOV). On March 6, 2002, following the issuance of the final significance determination and NOV, you submitted an appeal response to the White finding.

Consistent with NRC Manual Chapter 0609, Attachment 2, the NRC has convened an appeal panel to review your appeal. Because we recognize the importance of the questions you have raised in your appeal, we will require additional time to fully consider the issues. We will notify you in writing when our deliberations are concluded.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

Ellis W. Merschoff  
Regional Administrator

TXU Electric

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Docket Nos: 50-445, 50-446  
License Nos: NPF-87, NPF-89

cc:

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