

November 21, 2002
EN-02-056

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Exelon Generation Company, LLC EA-02-121 and EA-02-142
Peach Bottom
Docket Nos. 50-277, 50-278

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission that a WHITE Significance Determination Process (SDP) finding and associated Notice of Violation will be issued on or around November 26, 2002, to Exelon as a result of inspections at the Peach Bottom facility. This WHITE finding, an issue with low to moderate increased importance to safety, which may require additional NRC inspections, involved an undue delay by the shift manager in declaring an Alert on June 2, 2002, after carbon dioxide discharged into an emergency diesel generator room. The delay was caused because the shift manager was engaged in non-emergency response related activities. This condition represented a violation of the NRC-approved Emergency Response Plan required by 10 CFR 50.54(q) and 10 CFR 50.47. Accordingly, a Notice of Violation associated with a WHITE finding is being issued.

A separate GREEN finding and associated non-cited violation that was preliminarily characterized as WHITE is being issued to Exelon at the same time. This finding involved an inadequate critique of a February 14, 2002 emergency preparedness exercise.

These two issues were processed simultaneously and both discussed in a Regulatory Conference held with Exelon on August 23, 2002. Exelon also provided a written response dated September 4, 2002.

It should be noted that the licensee has not been specifically informed of this action. The schedule of issuance and notification are:

Mailing of Final Significance Determination and Notice of Violation	November 26, 2002
Telephone Notification of licensee	November 26, 2002

The State of Pennsylvania will be informed.

Contacts: D.J. Nelson, OE, 415-3280 J. Luehman, OE, 415-2741

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

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