

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

April 26, 2005
EN 05-012

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Exelon Generation Company, LLC (EA-04-170)
LaSalle County Station
Docket Nos. 05000373 and 05000374

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$60,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$60,000 will be issued on or about April 29, 2005 to Exelon Generation Company, LLC. This action is based on a Severity Level III violation involving a foreman and three workers of The Venture (a contractor at LaSalle County Station) who entered a posted high radiation area (HRA) in the Unit 1 reactor building raceway on January 25, 2004, and each employee failed to review the survey data for the specific HRA, review and sign the radiation work permit appropriate to the area, and receive a briefing from radiation protection personnel prior to entering the HRA. Because the actions of the contract foreman and two of the three contract workers were willful (in careless disregard for the regulations), the staff considered whether credit was warranted for the civil penalty adjustment factors of identification and corrective action. Credit was not warranted for the identification factor because the violation was discovered as result of alarming dosimeters and because there were three similar non-willful violations of radiation protection requirements, which constituted sufficient prior notice that employees were not following radiation protection procedures and which demonstrated that the licensee's staff did not fully address the root cause for the continuing violations. Credit was warranted for the corrective action factor because the licensee took prompt and comprehensive corrective actions. Therefore, to emphasize the significance of willful violations and the need for prompt identification of and corrective action for violations, a civil penalty in the base amount for the Severity Level III violation is warranted.

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	April 29, 2005
Telephone Notification of Licensee	April 29, 2005

The State of Illinois will be notified.

The licensee has 30 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: L. Trocine, OE, 301-415-2319 C. Nolan, OE, 301-415-3360

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