

August 14, 1997  
EN 97-074

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: New York Power Authority (NYPA) (EA 97-294)  
Indian Point 3  
Docket No. 50-286

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 August 19, 1997 to NYPA. This action is based on a violation involving three examples of design basis information not being correctly translated in Emergency Operating Procedures (EOPs) and appropriate direction not being provided to operators to ensure that adequate ultimate heat sink cooling was promptly available in certain accident scenarios. The violation is classified at Severity Level III.

Because this was not the first escalated enforcement action within the past 2 years, the staff considered whether credit was warranted for identification and corrective action. Credit was not warranted for identification because the violations were identified by the NRC. Credit was warranted for corrective action because the corrective actions were considered prompt and comprehensive.

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	August 19, 1997
Telephone Notification of Licensee	August 19, 1997

The State of New York 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: M. Satorius, OE (301) 415-2747, D. Holody, RI, (610) 337-5312

Distribution

OWFN	OWFN	TWFN	Regional Offices
Chairman Jackson	EDO	OC	RI
Comm. Dicus	DEDR	AEOD	RIV
Comm. Diaz	DEDE	OP CTR	WCFO
Comm. McGaffigan	OE	NMSS	RIII
SECY	OGC	IRM	MAIL
OCA	NRR	OIG	NUDOCS
IP	OI	RES	PDR
PA	SP	ACRS	

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

9709030241 970814  
PDR I&E  
EN-97-074 PDR

1E33  
C/1