

February 22, 2010
EN 10-007

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: FirstEnergy Nuclear Operating Company EA-09-283
Davis-Besse Nuclear Power Station
Docket No. 50-346

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE
OF VIOLATION

This is to inform the Commission that a White Significance Determination Process finding will be issued on or about February 25, 2010, to FirstEnergy Nuclear Operating Company as a result of an inspection at the Davis-Besse Nuclear Power Station. This White finding, an issue with low to moderate safety significance, which may require additional NRC inspections, involved the licensee's failure to implement the emergency classification and action level scheme during an actual event for an explosion in the switchyard. Specifically, immediately following an electrical fault and catastrophic failure of a voltage transformer in the switchyard resulting in an explosion, fire, and damage to several switchyard components which affected plant operations, the licensee failed to recognize that the hazard to station operations met the emergency action level conditions for declaring an Alert. Several hours later, during a shift turnover, it was recognized that the Alert threshold had been breached and subsequently an Alert was declared. The licensee did not contest the characterization of the risk significance of this finding and declined the opportunity to discuss this issue in a Regulatory Conference.

A Notice of Violation is included based on a violation of 10 CFR 50.54(q) which requires, in part, that a holder of an operating license shall follow emergency plans which meet the standards in 10 CFR 50.47(b). 10 CFR 50.47(b) requires, in part, that the licensee have a standard emergency classification and action level scheme in use. The Davis-Besse Emergency Plan requires, in part, that the Shift Manager shall verify the indication of an off-normal event and classify the situation. Specifically, on June 25, 2009, the Shift Manager failed to verify the indications of an off-normal event (explosion), assess the information available from valid indications and classify the situation as an Alert in accordance with the Emergency Action Level Conditions during an actual event.

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 Final Significance Determination	February 25, 2010
Telephone Notification of Licensee	February 25, 2010

The State of Ohio will be notified.

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Distribution: EN-10-007, February 22, 2010

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