

April 14, 2014  
EN 14-012

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Constellation Energy Nuclear Group, LLC EA-13-247  
R.E. Ginna Nuclear Power Plant  
Docket No.: 50-244

Subject: ISSUANCE OF FINAL SIGNIFICANCE DETERMINATION AND NOTICE OF VIOLATION

This is to inform the Commission that a Notice of Violation will be issued on or about April 17, 2014, to Constellation Energy Nuclear Group, LLC (CENG) for a violation associated with a White Significance Determination Process finding identified during an inspection of the R.E. Ginna Nuclear Power Plant (Ginna). This White finding, an issue of low to moderate safety significance, will require additional U.S. Nuclear Regulatory Commission (NRC) inspections. The finding involves CENG's failure to assure prompt identification and correction of conditions adverse to quality concerning two cable penetrations between manhole 1 and battery room 'B' at Ginna which were not hydrostatically sealed as required. Specifically, CENG failed to promptly correct the improperly sealed penetrations, a significant adverse condition, in May 2013 following identification and to take timely action in early September 2013 when CENG was presented with evidence challenging its May 2013 evaluation of the non-conforming condition. As a result, certain flooding scenarios could have resulted in flooding the battery rooms and the eventual loss of all alternating current (AC) and direct current (DC) power with no capability for using installed plant equipment for decay heat removal.

A Notice of Violation (NOV) is included based on CENG's failure to meet 10 CFR Part 50, Appendix B, Criterion XVI, "Corrective Action," which requires, in part, that measures shall be established to assure that conditions adverse to quality, such as failures, malfunctions, deficiencies, deviations, defective material and equipment, and non-conformances are promptly identified and corrected. In accordance with the NRC Enforcement Policy, the NOV is considered an escalated enforcement action because it is associated with a White finding.

The NRC issued a preliminary determination letter for this issue on February 14, 2014. On March 14, 2014, CENG provided a written response agreeing with the finding and providing additional information. After considering the information provided by CENG, the staff concluded that the finding is appropriately characterized as White.

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	April 17, 2014
Telephone Notification of Licensee	April 17, 2014

The State of New York will be notified.

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