

September 15, 2016
EN 16-021

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Exelon Generation Company, LLC EA-16-128
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 September 20, 2016, to Exelon Generation Company, LLC (Exelon) 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 an inadvertent change Exelon made that introduced an error to the Ginna Emergency Plan. Specifically, Exelon implemented a revision to the emergency action level (EAL) table for the fission product barrier matrix that was incorrect with respect to the EAL threshold associated with a potential loss of containment barrier. This could have resulted in an untimely declaration of a General Emergency or a failure to declare a Site Area Emergency during an actual event.

A Notice of Violation is included based on Exelon's failure to meet 10 CFR Part 50.54(q)(2), which requires that a holder of a license under this part shall follow and maintain the effectiveness of an emergency plan that meets the requirements in Appendix E to this part; and for nuclear power reactor licensees, the planning standards of 10 CFR 50.47(b). 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 August 18, 2016. On August 25, 2016, in a telephone conversation Exelon indicated that they did not contest the characterization of the risk significance of this finding and declined the opportunity to discuss this issue at a Regulatory Conference or to provide a written response. After considering the information developed during the inspection, 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	September 20, 2016
Telephone Notification of Licensee	September 20, 2016

The State of New York will be notified.

CONTACTS: Thomas Marenchin, OE (301) 415-2979	Robert Fretz, OE (301) 415-1980
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NAME	TMarenchin	RFretz
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