

CATEGORY I

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FACIL: 50-220 Nine Mile Point Nuclear Station, Unit 1, Niagara Powe 05000220
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RECIP.NAME RECIPIENT AFFILIATION

SUBJECT: EN-97-102: on 971105, notice of proposed imposition of civil penalty in amount of \$50,000 issued to licensee. Action based on Severity Level III problem involving failures to meet requirements of Maint Rule, 10CFR50.65.

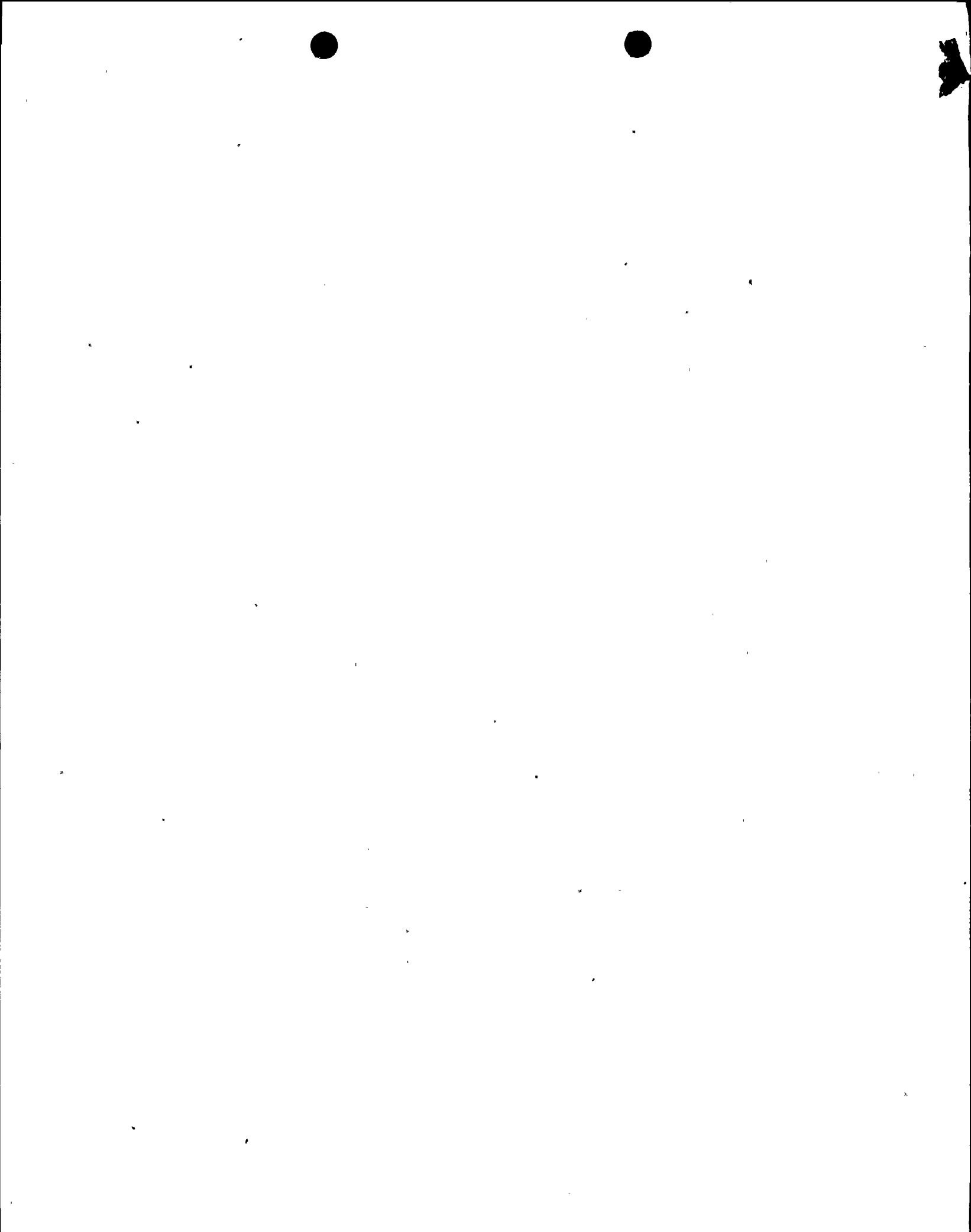
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October 31, 1997
EN 97-102

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Niagara Mohawk Power Corporation (EA 97-007)
(Nine Mile Point Nuclear Station, Unit 1)
Docket No. 50-220

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$50,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$50,000 will be issued on or about November 5, 1997, to Niagara Mohawk Power Corporation. The action is based on a Severity Level III problem involving failures to meet the requirements of the Maintenance Rule, 10 CFR 50.65.

Because this was not the first escalated enforcement action with 2 years, the staff considered whether credit was warranted for identification and corrective action. Credit was not warranted for identification because the violations in the problem were identified by the NRC. Credit was warranted for corrective action because the licensee's actions were prompt and comprehensive. This resulted in a proposed civil penalty at the base amount of \$50,000.

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	November 5, 1997
Telephone Notification of Licensee	November 5, 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 J. Lieberman, OE, (301) 415-2741

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

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EN-97-102 PDR

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