



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555



June 27, 1979

Alan S. Rosenthal, Esq., Chairman
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Michael C. Farrar, Esq.
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. John Buck
Atomic Safety and Licensing Appeal
Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

In the Matter of
Virginia Electric and Power Company
(North Anna Nuclear Power Station, Units 1 and 2)
Docket Nos. 50-338 OL and 50-339 OL

Gentlemen:

Enclosed for your information is a copy of a letter from Victor Stello, Jr., Director, Office of Inspection and Enforcement, to Mrs. June Allen dated June 25, 1979, with an attached copy of "Director's Decision Under 10 CFR §2.206 Request for Enforcement Action" of the same date. The referenced Decision is relevant to the pumphouse settlement issue in this proceeding in that it represents the final Staff position on VEPCO's compliance with Technical Specification 3.7.12.1 requiring a report to the Staff within 60 days of the time that the service water pumphouse settlement survey detected settlement of 75% of the allowable limit. As indicated on page 7 of the Decision, the Staff concluded that VEPCO had complied with this requirement when it submitted its May 1978 report. This conclusion is consistent with the findings of Joseph Lenahan contained in "NRC Staff Testimony Regarding Pumphouse Settlement" dated April 27, 1979, Appendix C, Summary of Inquiry. Accordingly, we believe that there is no need to offer the Decision as an exhibit in the pumphouse settlement phase of this proceeding, for which the record has presumably already been closed.

Sincerely,

Daniel T. Swanson

Daniel T. Swanson
Counsel for NRC Staff

Enclosure: As stated

cc w/enclosure:
Service List

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JUN 25 1979

Mrs. June Allen, President
North Anna Environmental Coalition
412 Owens Drive
Huntsville, Alabama 35801

Dear Mrs. Allen:

This letter is written in response to your letter of November 1, 1978, addressed to the Commissioners on behalf of the North Anna Environmental Coalition requesting revocation of the operating licenses for the North Anna Power Station, Units 1 and 2, as enforcement action against the Virginia Electric & Power Company for alleged material false statements. For the reasons set forth in the enclosed response to your letter, your request is hereby denied.

A copy of this determination will be placed in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D.C. 20555 and at the local public document rooms for the North Anna Power Station located at the Louisa County Courthouse, Louisa, Virginia 22901. A copy will also be filed with the Secretary of the Commission for review in accordance with 10 CFR 2.206(c) of the Commission's regulations.

Sincerely,

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Victor Stello, Jr.
Director
Office of Inspection
and Enforcement

Enclosure:
Director's Denial
(2.206)

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF INSPECTION AND ENFORCEMENT
Victor Stello, Jr., Director

In the Matter of
VIRGINIA ELECTRIC & POWER CO.
(North Anna Power Station,
Units 1 and 2)

Docket Nos. 50-338
50-339 (2.206)

DIRECTOR'S DECISION UNDER 10 CFR 2.206
REQUEST FOR ENFORCEMENT ACTION

By letter dated November 1, 1978, June Allen on behalf of the North Anna Environmental Coalition (NAEC) requested that the Nuclear Regulatory Commission revoke the operating licenses issued to the Virginia Electric and Power Company (VEPCO) for the North Anna Power Station, Units 1 and 2, as an enforcement sanction for material false statements stemming from VEPCO's alleged failure to timely report information concerning settlement of foundations at the North Anna site. This letter is being treated as a request for action pursuant to 10 CFR 2.206 of the Commission's regulations. Notice of receipt of this request was published in the Federal Register on December 20, 1978. 43 Fed. Reg. 59451 (1978). For the reasons set forth below, the request is denied.

The asserted basis for the NAEC's request is as follows:

- (1) By August 1977, the average
North Anna pumphouse for Unit
limit according to meas

DUPLICATE DOCUMENT

Entire document previously entered
into system under:

ANO

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No. of pages:

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