

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

THIS DOCUMENT CONTAINS  
POOR QUALITY PAGES

In the Matter of )  
 )  
Metropolitan Edison )  
(Three Mile Island Nuclear Power )  
Station, Unit 2) )

Docket No. 50-320

ORDER IMPOSING CIVIL MONETARY PENALTIES

I.

The Metropolitan Edison Company (the "licensee") is the holder of Provisional Operating License No. DPR-73 (the "license") which authorizes operation of Three Mile Island Nuclear Power Station, Unit 2 (the "facility") at steady state reactor core power levels not in excess of 2772 megawatts thermal (rated power). The license was issued on February 8, 1978. The facility consists of a pressurized light water moderated and cooled reactor (PWR), located at the licensee's site in Londonderry Township, Dauphin County, Pennsylvania.

II.

On March 23, 1979, the Three Mile Island Unit 2 Nuclear Power Plant experienced the most severe accident in U. S. commercial nuclear power plant history. The Nuclear Regulatory Commission's Office of Inspection and Enforcement conducted an investigation of this accident, during the period March 28 - July 31, 1979. The objectives of this investigation were: 1) to gather facts concerning the accident, its cause, effect(s), and the licensee's response, and 2) to evaluate these facts as a basis for corrective or enforcement action, as appropriate. The investigation findings are stated in Investigation Report 50-320/79-10 [NUREG 0600]. As a result of this investigation, the Office of Inspection and Enforcement cited the licensee for specific items of noncompliance as described in a Notice of Violation which was served upon the licensee by letter dated October 25, 1979, in accordance with 10 CFR 2.201. A Notice of Proposed Imposition of Civil Penalties dated October 25, 1979, was served concurrently

8002070102

upon the licensee in accordance with Section 234 of the Atomic Energy Act of 1954, as amended, (42 U.S.C. 2282), and 10 CFR 2.205, incorporating by reference the Notice of Violation, which stated the nature of the items of noncompliance and the provisions of NRC regulations and the license conditions with which the licensee was in noncompliance. A letter dated December 5, 1979, with attachments, in response to the Notice of Violation and Notice of Proposed Imposition of Civil Penalties was received from the licensee.

III.

Upon consideration of Metropolitan Edison's response (December 5, 1979) and the statements of fact, explanation and argument in denial or mitigation contained therein, the Director of the Office of Inspection and Enforcement has determined that the penalties proposed for the items of noncompliance designated in the Notice of Violation should be imposed except for Items 4.D, 4.E, and 11. Items 4.D and 11 are withdrawn. Item 4.E is mitigated from \$4,000.00 to \$2,000.00. See Appendix A to the letter transmitting this Order.

IV.

In view of the foregoing and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, (42 U.S.C. 2282), and 10 CFR 2.205, IT IS HEREBY ORDERED THAT:

The licensee pay civil penalties in the total amount of One Hundred and Fifty-Five Thousand Dollars (\$155,000.00) within twenty (20) days of the date of receipt of this Order, by check, draft, or money order payable to the Treasurer of the United States and mailed to the Director of the Office of Inspection and Enforcement.

V.

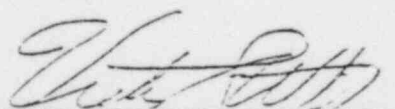
The licensee may within twenty (20) days of the receipt of this Order request a hearing. If a hearing is requested, the Commission will issue an Order designating the time and place of hearing. Upon failure of the licensee to request a hearing within twenty (20) days of the date of receipt of this Order, the provisions of this Order shall be effective without further proceedings and, if payment has not been made by that time, the matter may be referred to the Attorney General for collection.

VI.

In the event the licensee requests a hearing as provided above, the issues to be considered at such a hearing shall be:

- (a) whether the licensee was in noncompliance with the Commission's regulations and the conditions of the license in the respects set forth in the Notice of Violation referenced in Section II above, and
- (b) whether on the basis of such items of noncompliance the Order should be sustained.

FOR THE NUCLEAR REGULATORY COMMISSION

  
\_\_\_\_\_  
Victor Stello, Jr.  
Director  
Office of Inspection  
and Enforcement

Dated at Bethesda, Maryland  
this 23 day of January, 1980