

March 8, 1994
EN 94-019

DCS

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Northeast Nuclear Energy Company (EA 93-237)
(Millstone Unit 3)
Docket No. 50-423

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 March 11, 1994 to the Northeast Nuclear Energy Company. This action is based on the discovery by the licensee of design deficiencies in the auxiliary building filter system (ABFS) that would have compromised the plant capability to establish a negative pressure inside the secondary containment following an accident. Under certain circumstances, the design deficiency caused the ABFS to be inoperable and resulted in a violation of the technical specification requirements for the ABFS and the supplementary leak collection and release system. Inadequate testing had prevented previous identification of this deficiency. The resulting violations have been categorized as a Severity Level III problem. A civil penalty equal to the base civil penalty of \$50,000 has been proposed after offsetting 100 percent escalation for licensee poor prior performance and 50 percent mitigation each for licensee identification and corrective action.

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	March 11, 1994
Telephone Notification of Licensee	March 11, 1994

The State of Connecticut 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.

Contact: J. Beall, OE, 504-3281 J. Lieberman, OE, 504-2741

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

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