



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA ST., N.W., SUITE 3100
ATLANTA, GEORGIA 30303

Vorse

JAN 11 1982

Tennessee Valley Authority
ATTN: Mr. H. G. Parris
Manager of Power
500A Chestnut Street Tower II
Chattanooga, TN 37401

Gentlemen:

Subject: IE Report Nos. 50-438/81-26 and 50-439/81-26

This refers to the investigation conducted by Mr. J. Y. Vorse of this office on August 31 - October 1, 1981, of activities authorized by NRC Construction Permit Nos. CPPR-122 and CPPR-123 for the Bellefonte facility. Our preliminary findings were discussed with Mr. W. R. Dahnke at the conclusion of the investigation.

Areas examined during the investigation and our findings are discussed in the enclosed investigation report. Within these areas, the investigation consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the investigator.

During the investigation, it was found that certain activities under your licence appear to violate NRC requirements. These items and references to pertinent requirements are listed in the Notice of Violation enclosed herewith as Appendix A. Elements to be included in your response are delineated in Appendix A.

The violation of the employee protection provisions of the Energy Reorganization Act identified in the Appendix has been categorized as a Severity Level III violation. While the Interim Enforcement Policy (45 FR 66754) does not address this type of violation, it does state that violations not specifically identified by a severity level will be placed at the level best suited to the significance of the particular matter. While escalated enforcement actions regarding this violation were considered by this office, we have concluded that such actions are not appropriate at this time. However, we want to ensure that you fully appreciate the significance the NRC attaches to this violation. Such actions cannot be condoned by the NRC. We will utilize further escalated enforcement options available to us if additional violations of this type occur.

In accordance with the provisions of 10 CFR 2.790(a), a copy of this letter and the enclosures will be placed in the NRC Public Document Room unless you notify this office, by telephone, within ten days of the date of this letter and submit written application to withhold information contained therein within thirty days of the date of this letter. Such application must be consistent with the requirements of 2.790(b)(1).

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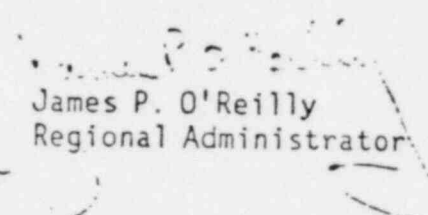
Tennessee Valley Authority

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The responses directed by the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this letter, we will be glad to discuss them with you.

Sincerely,


James P. O'Reilly
Regional Administrator

Enclosures:

1. Appendix A, Notice of Violation
 2. Investigation Report
Nos. 50-438/81-26 and
50-439/81-26
- cc: H. J. Green, Director of Nuclear Power
A. M. Qualls, Plant Superintendent
W. R. Dahnke, Project Manager
D. L. Terrill, Project Engineer
J. F. Cox, Supervisor, Nuclear Licensing Section
H. N. Culver, Chief, Nuclear Safety Review Staff