



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

FEB 24 1992

Docket Nos. 50-494 and 50-499
License Nos. NPF-76 and NPF-80
EA 91-055

Houston Lighting & Power Company
ATTN: Donald P. Hall
Group Vice President, Nuclear
Post Office Box 1700
Houston, Texas 77251

Gentlemen:

SUBJECT: HL&P REQUEST FOR RECONSIDERATION OF \$50,000 CIVIL PENALTY

This is in reply to HL&P's January 7, 1992 letter regarding NRC's December 12, 1991 proposed imposition of \$50,000 civil penalty (EA 91-055). NRC's proposed penalty was based on two examples of safety-related maintenance records at the South Texas Project Electric Generating Station (STP) having been falsified.

HL&P indicated in its letter that it agreed that the violations had occurred and stated that it would submit payment of the civil penalty under separate cover. Payment of the penalty was subsequently received on January 10, 1992. However, HL&P also requested that NRC reconsider the penalty in light of the violations having been identified by HL&P and promptly reported to the NRC, strong corrective actions having been taken, and past performance having been good at STP in the area of personnel integrity.

Although one could argue whether HL&P would have discovered these violations had not an aggrieved contract employee brought one of these incidents to the attention of HL&P personnel in January 1990, NRC does not disagree with the points that HL&P makes in requesting reconsideration. NRC does not agree, however, that these points warrant any mitigation of NRC's proposed penalty.

The assessment of a penalty in this case does not imply that HL&P's thorough and appropriate actions in response to these issues were not recognized by NRC. NRC was aware of these factors and credit was given to HL&P for its identification of these matters and its corrective actions. These considerations, however, were balanced against the fact that there were two examples, each of which was significant. As noted in our December 12th letter, the second example gave indication of an attitude that may have been becoming ingrained in a portion of your contractor's organization. Therefore, the base penalty was assessed.

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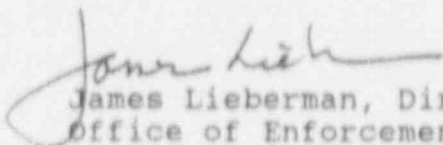
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With regard to past performance, NRC does not consider the lack of past integrity issues a basis for mitigation since integrity in the conduct of NRC-licensed activities is always expected. As NRC's Enforcement Policy states, civil penalties will normally be assessed for any willful violation of requirements, regardless of the severity level.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", a copy of this letter will be placed in the NRC's Public Document Room.

Sincerely,


James Lieberman, Director
Office of Enforcement

cc:

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