



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

July 9, 1996

DCS
PDR

EA 96-095

The Detroit Edison Company
ATTN: Mr. D. R. Gipson
Senior Vice President
Nuclear Generation
6400 North Dixie Highway
Newport, Michigan 48166

Gentlemen:

This will acknowledge receipt of your letter dated June 20, 1996 and your check for \$50,000 in payment for the civil penalty proposed by NRC in a letter dated May 21, 1996.

In the second paragraph of page No. 2 of your June 20, 1996 letter, you note that the NRC cited a violation of the requirements of 10 CFR Part 50, Appendix B, Criterion XVI (Criterion XVI), when the issue associated with that violation was originally identified in Inspection Report 50-341/96002; 50-016/96002, dated April 4, 1996, as an apparent violation of the requirements of 10 CFR Part 50, Appendix A, Criterion 2. Your letter states that Detroit Edison would have welcomed the opportunity to provide additional information relative to an apparent violation of Criterion XVI.

Your letter correctly points out that the Enforcement Policy provides for the NRC to recharacterize violations after collecting and considering additional information. Further, the cover letter to Inspection Report 50-341/96002; 50-016/96002, informed you that the number and characterization of apparent violations described in the report may change as a result of further NRC review. In this case, following the completion of the pre-decisional enforcement conference and additional NRC review, it was determined that a violation of the requirements of Criterion XVI had occurred and warranted being cited at Severity Level III. Further information was not considered necessary in order for this enforcement decision to be made, as a significant portion of the pre-decisional enforcement conference was spent discussing the failure of Detroit Edison to take prompt corrective action to correct a significant condition adverse to quality. Therefore, since NRC possessed sufficient information to reach an enforcement decision, Detroit Edison was not contacted to provide any additional details.

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The Detroit Edison Company

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You need not respond to this letter. Your corrective actions will be examined during future inspections.

Sincerely,

James Lieberman, Director
Office of Enforcement

cc: H. Miller, RIII

Distribution
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cc: H. Miller, RIII

*mail for Hub Miller
via phone w/
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NO	NO	07/3/96	07/3/96	07/3/96	07/8/96

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