

June 6, 1997
EN 97-046

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Northeast Nuclear Energy company (EA 97-104)
Millstone - Units 1,2,3
Docket Nos. 50-245, -336, -423

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$55,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$55,000 will be issued on or about June 11, 1997, to Northeast Nuclear Energy Company, for violations related to implementation of the licensee's physical security plan for the Millstone facility. The action is based on a Severity Level III problem consisting of: (1) multiple examples of failure to control Safeguards Information (SGI) at the facility; and (2) multiple examples of failure to control vehicles in the protected area in that keys were left in the ignition.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$55,000 is considered for a Severity Level III problem. Because this was not the first escalated enforcement action within 2 years, the staff considered whether credit was warranted for Identification and Corrective Action. Credit was warranted for the factor of Identification because the failure to control SGI and licensee vehicles were both identified in the licensee's internal reporting system. Credit was not warranted for Corrective Action because the violations involving the control of SGI and licensee vehicles were multiple and occurred over a substantial period of time, thus indicating that corrective actions for the earlier identified actions were not effective in precluding recurrence. This assessment resulted in a base penalty being proposed. In addition to the Severity Level III problem, a violation cited at Severity Level IV is being proposed for the failure to perform a hand search after an individual caused an alarm while being checked with a hand held metal detector.

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	June 11, 1997
Telephone Notification of Licensee	June 11, 1997

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.

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

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PDR I&E
EN-97-046 PDR

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