

September 19, 1988
EN 88-79

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Consumers Power Company (EA 87-80)
(Big Rock Point)
Docket No. 50-155

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$187,500

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of One Hundred Eighty Seven Thousand Five Hundred Dollars (\$187,500) will be issued on or about September 22, 1988 to Consumers Power Company. This action is based on a violation of the equipment qualification requirements of 10 CFR 50.49. In accordance with the "Modified Enforcement Policy Relating to 10 CFR 50.49" contained in Generic Letter 88-07, the violation has been categorized as a Category B violation. The escalation and mitigation factors of the modified enforcement policy were considered and 25% escalation of the \$150,000 base civil penalty was deemed appropriate after weighing the licensee's poor corrective actions against the licensee's generally good efforts to be in compliance within the EQ deadline.

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 | September 22, 1988 |
| Telephone Notification of Licensee | September 22, 1988 |

The State of Michigan 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. Luehman, OE, 23280 J. Lieberman, OE, 20741

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