

June 13, 1988
EN 88-52

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Detroit Edison Company (EA 88-104)
(Fermi Unit 2)
Docket No. 50-341

Subject: PROPOSED IMPOSITION OF CIVIL PENALTIES - \$200,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalties in the amount of Two Hundred Thousand Dollars (\$200,000) will be issued on or about June 16, 1988 to Detroit Edison Company. This action is based on two problems, for each of which a \$100,000 civil penalty is proposed. First, it was discovered that the licensee's containment isolation provisions for the primary containment radiation monitoring system was not consistent with the requirements of 10 CFR Part 50, Appendix A, General Design Criterion 56. Second, the licensee operated the Noninterruptable Air System in a degraded mode which led to the violation of two Technical Specifications. The escalation and mitigation factors of the Enforcement Policy were considered and in each case the civil penalty was escalated 100 percent. For the first problem the civil penalty was escalated 50 percent for poor corrective actions and 50 percent for poor prior performance in the area of engineering and technical support. For the second problem the full amount of escalation was applied for poor prior performance in (1) the handling of out of service equipment required by Technical Specifications and (2) engineering and technical support.

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 16, 1988
Telephone Notification of Licensee June 16, 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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