

January 27, 1999  
EN 99-005

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Entergy Operations, Inc. (EA 98-478)  
River Bend Station  
Docket No. 50-458

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 February 1, 1999 to Entergy Operations, Inc. This action is based on two Severity Level III violations involving a design deficiency that caused uncertainty as to the ability of the Division I and II Emergency Diesel Generators (EDGs) to perform their intended safety function under design basis accident conditions and rendered the EDGs incapable of complying with the technical specification definition of operability since original installation. Because this was not the first escalated enforcement action within 2 years, the staff considered whether credit was warranted for identification and corrective action. The first Severity Level III violation involved the licensee's failure to ensure design control measures adequately verified that the EDGs would have remained operable during certain periods of operations. Credit was warranted for identification because the licensee identified the violation, and credit was warranted for corrective actions based on the licensee's immediate and comprehensive corrective actions. The second Severity Level III violation involved the licensee's failure to promptly identify and correct the significant condition adverse to quality that related to the operability of the EDGs. The NRC considered that credit for identification was not warranted for this violation. The licensee's staff had information at hand since 1990 that should have reasonably led them to recognize the design vulnerability, but its staff failed to recognize the significance of that information until June 1998 after the NRC had raised general questions relative to the integrity of the particular EDG subsystem involved. However, credit for corrective actions was warranted for the prompt and comprehensive corrective actions taken. As a result, a base civil penalty is being proposed for this second Severity Level III violation.

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	February 1, 1999
Telephone Notification of Licensee	February 1, 1999

The State of Louisiana 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.

Contacts: T. Reis, OE, 415-3281 J. Lieberman, OE, 415-2741

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PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL

9902100027 VERIFICATION THAT LICENSEE HAS RECEIVED ACTION  
PDR I&E 990127  
EN-99-005 PDR

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