

Dcs

April 17, 1989
EN 89-43

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Arkansas Power & Light Company (EA 88-192)
(Arkansas Nuclear One Units 1 and 2)
Docket Nos. 50-313 and 50-368

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$75,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Seventy-Five Thousand Dollars (\$75,000) will be issued on or about April 24, 1989 to Arkansas Power & Light 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 mitigation and escalation factors of the modified enforcement policy were considered. The civil penalty warranted mitigation of 75% based on the licensee's identification of most of the problems and the company's best efforts to comply with 10 CFR 50.49 by the November 30, 1985 deadline. Escalation of 25% was warranted based on the licensee's corrective actions. Therefore, on balance, the base civil penalty of \$150,000 was mitigated 50% in this case.

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	April 24, 1989
Telephone Notification of Licensee	April 24, 1989

The State of Arkansas 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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