



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
612 EAST LAMAR BLVD, SUITE 400  
ARLINGTON, TEXAS 76011-4125

August 12, 2009

IA-09-031

Mr. Kurt I. Tetzlaff  
[HOME ADDRESS DELETED  
UNDER 10 CFR 2.390(a)]

SUBJECT: NOTICE OF VIOLATION (NRC INVESTIGATION REPORT NO. 4-2009-009)

Dear Mr. Tetzlaff:

This letter refers to the investigation completed on March 31, 2009, regarding your activities at Southern California Edison Company's San Onofre Nuclear Generating Station. The purpose of the investigation was to determine if you willfully failed to adhere to conditions on your senior operator license.

In our June 4, 2009, letter transmitting the factual summary of the Office of Investigations' investigation report, we indicated that we had concluded that your actions were not willful but that an apparent violation of your license had, nonetheless, occurred. In that letter, we provided you the opportunity to address the apparent violation identified in the letter by either attending a predecisional enforcement conference or by providing a written response before we made our final enforcement decision. In a letter dated July 1, 2009, you provided a response to the apparent violation.

Based on the information developed during the investigation and the information that you provided in your response dated July 1, 2009, the NRC has determined that a violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice). The violation involves your failure to adhere to a condition on your senior operator license (SOP-44238). Specifically, on three occasions between January 27 and February 11, 2008, you performed the function of a senior operator as defined in 10 CFR Part 55 while not complying with a condition imposed on your license. The specific license condition you violated and the details of the violation were identified to you in our June 4, 2009, letter which, for personal privacy reasons, is not publicly available. Although there were no actual consequences resulting from your failure to comply with the restriction on your license, your actions placed you in violation of 10 CFR 55.53(l) and your license. Given the significance of your actions, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III. The NRC Enforcement Policy may be found on the NRC's web site at [www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html](http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html).

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The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in your letter dated July 1, 2009. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter (without its enclosure) will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at [www.nrc.gov/reading-rm/pdr.html](http://www.nrc.gov/reading-rm/pdr.html) [www.nrc.gov/reading-rm/adams.html](http://www.nrc.gov/reading-rm/adams.html). The NRC also includes significant enforcement actions on its Web site at [www.nrc.gov/reading-rm/doc-collections/enforcement/actions/](http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/).

Because it contains personal privacy information, the enclosure to this letter will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at [www.nrc.gov/reading-rm/pdr.html](http://www.nrc.gov/reading-rm/pdr.html). However, you should be aware that all final NRC documents, including the final OI investigation report, are official agency records and may be made available to the public under the Freedom of Information Act (FOIA), subject to redaction of certain information in accordance with the FOIA.

In addition, this letter and its enclosure will be maintained by the Office of Enforcement in an NRC Privacy Act system of records, NRC-3, "Enforcement Actions Against Individuals." The NRC-3 system notice provides information on individuals that have been considered for or have been issued an enforcement action. Information about this system of records can be accessed from our Web site at [www.nrc.gov/reading-rm/foia/privacy-systems.html](http://www.nrc.gov/reading-rm/foia/privacy-systems.html), then select [Republication of Systems of Records Notices, January 6, 2009 \(74FR574\)](#).

Please feel free to contact Mr. Mark Haire of my staff at 817-860-8121 if you have any questions.

Sincerely,

/RA/

Elmo E. Collins  
Regional Administrator

Docket No. 55-50708  
License No. SOP-44238

Enclosure: Notice of Violation

Mr. Kurt I. Tetzlaff  
IA-09-031

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cc without enclosure:  
Mr. Ross T. Ridenoure, Senior Vice President  
San Onofre Nuclear Generating Station  
Southern California Edison Company  
P. O. Box 128  
San Clemente, CA 92674-0128