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FOR IMMEDIATE RELEASE

**NRC PROPOSES \$110,000 CIVIL PENALTY AGAINST CONSOLIDATED EDISON  
FOR TESTING, REPAIR VIOLATIONS AT INDIAN POINT 2 NUCLEAR PLANT**

The Nuclear Regulatory Commission has proposed a \$110,000 fine against the operator of the Indian Point 2 nuclear power plant for three violations of agency requirements concerning the accuracy of equipment testing records and ineffective repairs to safety-related circuit breakers. Consolidated Edison Company of New York operates the pressurized-water reactor, which is located north of New York City in Buchanan, N.Y.

Identified during inspections conducted at the facility between October 27, 1997, and March 23, 1998, the violations were discussed by agency staff and utility representatives during a predecisional enforcement conference on May 6 at the NRC Region I office in King of Prussia, Pa.

Two of the violations stem from the testing of equipment. Investigations by both ConEd and the NRC's Office of Investigations (OI) concluded that a plant technician failed to perform certain testing activities and then filled out documents to indicate they had been carried out.

Specifically, plant records from August 8, 1997, showed that the technician had inspected 33 emergency battery lights in the primary auxiliary building, as well as a verification of two steps in a test of one of the facility's emergency diesel generators. Both tests are required under the plant license or technical specifications issued by the NRC.

The investigations, however, revealed the battery lights could not have been tested properly because the technician -- along with another technician assigned to assist with the task -- was not in the building for a sufficient period of time. Further, several of the lights' battery cells were found to have low water levels 10 days after the tests were documented as having been completed. That problem would have been addressed had the lights been properly tested.

Likewise, investigators determined that the emergency

diesel generator verification could not have been performed because the technician did not enter the building where the generators are housed on the day in question.

In a letter to ConEd detailing the enforcement action, NRC Region I Administrator Hubert J. Miller wrote that while the agency was concerned with the technician's actions, "of even greater concern is the consideration that the emergency battery light tests may not have been performed in accordance with the procedure on multiple occasions in the last several years."

"The OI investigation determined that it was not uncommon for (technicians) to sign records for completion of actions that they had not personally performed," Mr. Miller continued. "It also indicated that the (technicians) did not have a clear understanding of their responsibility for adhering to procedures. It appears that there was an informal attitude toward procedural adherence among the (technicians)."

The third violation pertains to a failure to determine the cause of and take adequate steps to halt repetitive problems involving safety-related circuit breakers. The breakers would be needed to start safety systems during an accident. Between August 1993 and May 1997, there were multiple instances in which the Westinghouse 480-volt breakers did not close on demand.

In May 1997, ConEd assembled a team to address the problem, but those efforts did not successfully identify the root cause. Consequently, additional failures occurred in August and October of 1997.

Stated Mr. Miller: "The potential safety consequences of the (DB-50) breaker failures are significant because approximately 60 (DB-50) breakers are installed at Indian Point 2 and are used to provide power to safety-related loads, including the containment spray pumps, auxiliary boiler feedwater pumps, residual heat removal pumps and safety injection pumps. In many cases, these breakers are relied upon to close automatically, such as in response to a safety injection signal or upon the occurrence of a loss of offsite power. Failure of the breakers to close on demand would require operator action to reset and manually reclose the breaker to restore the equipment to service."

The three violations were determined by the NRC to be Severity Level III. (The NRC issues four levels of violations, ranging from Level I, which is the most significant, to Level IV, the least significant.)

In addition to those infractions, the NRC is issuing ConEd Notices of Violation, but no fines, for one other Level III violation and three Level IV violations.

The Level III violation relates to a failure to establish a testing program that would ensure required systems and components would perform satisfactorily. Four examples of deficient testing were identified.

As for the Level IV violations, they involve failure to take prompt corrective actions for identified deficiencies and a procedural flaw affecting post-accident safety-related systems in the containment building, the large concrete structure surrounding the reactor.

ConEd has 30 days to pay the fine or request in writing that all or part of the penalty be withdrawn.

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