



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
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February 4, 2000

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EA 2000-010

Mr. Oliver D. Kingsley
President, Nuclear Generation Group
Commonwealth Edison Company
ATTN: Regulatory Services
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-1999-021

Dear Mr. Kingsley:

This letter refers to information provided by the Commonwealth Edison Company (ComEd) to the U.S. Nuclear Regulatory Commission (NRC) that a radiation protection technician, employed by Numanco, at ComEd's Braidwood Nuclear Station, left the station on April 28, 1999, with contamination on his clothing. The NRC Office of Investigations (OI) conducted an investigation into this matter. The Office of Investigations determined that before leaving the station, the technician processed through the portal radiation monitors at the gatehouse 14 times, alarming a monitor each time, and he did not contact the radiation protection department as required by a radiation protection procedure before leaving the station. A summary of the OI report is enclosed.

As a result of the OI investigation, an apparent deliberate violation of NRC requirements was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. The NRC recognizes that ComEd identified the violation and notified the NRC. However, the NRC must still assess the extent of the corrective actions in this matter. Therefore, ComEd is requested to confirm on the license docket the corrective actions that have been or are being taken in this manner. Upon receiving written notice of the corrective actions taken by ComEd, the NRC will determine the appropriate course of action. Potential courses of actions could include scheduling a predecisional enforcement conference or initiating escalated enforcement action without civil penalty in accordance with Section VII.B.2 of the Enforcement Policy, if sufficient corrective actions have been or are being taken. Notwithstanding the request for the description of the corrective actions, ComEd may request a conference. Please contact Mr. Steven K. Orth, at telephone number (630) 829-9827, should ComEd choose to request a conference. If a conference is held, it will be transcribed and closed to public observation because the actions of an individual will be discussed.

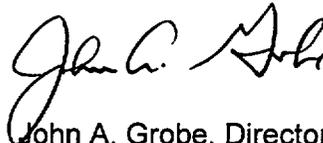
Your response, if you choose to respond, should be clearly marked as a "Response to EA 2000-010." Also helpful to our decision making process would be an explanation of the reason(s) for the apparent violation, or, if contested, the basis for disputing the apparent

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violation and the date when full compliance will be achieved. Your response should be submitted under oath or affirmation and may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. The response should be addressed to the NRC Document Control Desk, Washington, D.C. 20555, with copies to the Director, Office of Enforcement, Washington, D.C. 20555, the Region III Regional Administrator and the Region III Enforcement Officer, U.S. Nuclear Regulatory Commission, 801 Warrenville Road, Lisle, Illinois 60532-4351.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter with Enclosure 1 and your response (if you choose to provide one) will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,



John A. Grobe, Director
Division of Reactor Safety

Docket Nos. 50-456; 50-457
License Nos. NPF-72; NPF-77

Enclosure: OI Report Summary

cc w/enclosure: D. Helwig, Senior Vice President, Nuclear Services
C. Crane, Senior Vice President, Nuclear Operations
H. Stanley, Vice President, Nuclear Operations
R. Krich, Vice President, Regulatory Services
T. Tulon, Site Vice President
K. Schwartz, Station Manager
T. Simpkin, Regulatory Assurance Supervisor

cc w/o enclosure: M. Aguilar, Assistant Attorney General
State Liaison Officer
Chairman, Illinois Commerce Commission

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