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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 31, 1987

Docket Nos. 50-277
50-278
License Nos. DPR-44
DPR-56
EA 87-46

Philadelphia Electric Company
ATTN: Mr. J. C. Everett, III
Chairman of the Board and
Chief Executive Officer
2301 Market Street
Philadelphia, PA 19101

Dear Mr. Everett:

SUBJECT: ORDER SUSPENDING POWER OPERATION AND ORDER TO SHOW CAUSE (EFFECTIVE IMMEDIATELY) - PEACH BOTTOM

Enclosed is an Order Suspending Power Operation and Order to Show Cause (Effective Immediately) that has been issued with respect to your Peach Bottom facility. A copy of this Order was hand delivered today by the Regional Administrator, NRC Region I, to Philadelphia Electric.

As set forth in the Order, an ongoing NRC special safety investigation of licensed activities at the Peach Bottom Atomic Power Stations has established that Peach Bottom control room licensed personnel have at times over at least the past five months been sleeping in the control room or otherwise inattentive to licensed duties, that various levels of plant management either knew or should have known of these facts, and either took no action or inadequate action to correct this situation. Prior NRC inspections have identified other instances of inattention to duty or failure to adhere to procedures on the part of licensed operators in the control room at Peach Bottom.

As recently as last June, I emphasized to you my personal concerns about recent indications of poor performance at Peach Bottom, and met with you and senior NRC managers to discuss those concerns. You assured me that you were instituting programs to respond to the concerns expressed.

It is now evident that these previously identified problems continue to exist at Peach Bottom, and that whatever actions management has taken to correct them has been inadequate and ineffective. Accordingly, the enclosed order was issued.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter will be placed in the NRC Public Document Room.

Sincerely,

Original signed by
Victor Stello

Victor Stello, Jr.
Executive Director for Operations

Enclosure: As stated

bcc: H. Denton, NRR
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T. Murley, RI
J. Fouchard, PA
J. Bradburne, OCA
RI Docket Room (with concurrences)
A. Beach, IE
D. Holody, RI
J. Lieberman, OGC
J. Zerbe, DEDROGR
J. Sniezek, NRR
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OFC	AGCE	EDO				
NAME	JLieberman/tk	VStello				
DATE	3/31/87	3/ 3/ /87				

cc w/encl:
R. S. Fleischmann, Manager, Peach Bottom Atomic Power Station
John S. Kemper, Vice President, Engineering and Research
Troy B. Conner, Jr., Esquire
W. H. Hirst, Director, Joint Generation Projects Department, Atlantic Electric
G. Leitch, Superintendent Nuclear Generation Division
Eugene J. Bradley, Esquire, Assistant General Counsel
Raymond L. Hovis, Esquire
Thomas Magette, Power Plant Siting, Nuclear Evaluations
W. M. Alden, Engineer in Charge, Licensing Section
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
NRC Resident Inspector
Commonwealth of Pennsylvania

UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	Docket Nos. 50-277;50-278
	)	License Nos. DPR-44; DPR-56
PHILADELPHIA ELECTRIC COMPANY	)	EA 87-46
Peach Bottom Atomic Power Station,	)	
Units 2 and 3	)	

ORDER SUSPENDING POWER OPERATION AND
ORDER TO SHOW CAUSE (EFFECTIVE IMMEDIATELY)

I

Philadelphia Electric Company (Licensee) is the holder of Facility Operating License Nos. DPR-44 and DPR-56, authorizing the Licensee to operate the Peach Bottom Atomic Power Station, Units 2 and 3 (facility), in Delta, Pennsylvania. The licenses were issued by the Nuclear Regulatory Commission (NRC or Commission) on October 25, 1973 and July 2, 1974, respectively.

II

On March 24, 1987, the NRC, Region I, received information that control room operators at Peach Bottom had been observed sleeping while on duty in the control room and were otherwise inattentive to their license obligations. The information also indicated that this conduct on the part of operators was pervasive and has been occurring for some time, and that shift supervision had knowledge of this situation. On March 24, 1987, in response to this information NRC initiated: (1) 24 hour inspection coverage of the Peach Bottom control room and (2) a special safety investigation of licensed

activities. The NRC investigation, which is still ongoing, to date has established:

1. At times during various shifts, in particular the 11:00 p.m. to 7:00 a.m. shift, one or more of the Peach Bottom operations control room staff (including licensed operators, senior licensed operators and shift supervision) have for at least the past five months periodically slept or have been otherwise inattentive to licensed duties.

2. Management at the Shift Supervisor and Shift Superintendent level have either known and condoned the facts set forth in Paragraph one, or should have known of these facts.

3. Plant management above the shift superintendent position either knew or should have known the facts set forth in Paragraph one and either took no action or inadequate action to correct this situation.

III

Prior NRC inspections have identified other instances of inattention to duty or failure to adhere to procedures on the part of licensed operators in the control room at Peach Bottom.

On June 10, 1985, during the 11:00 p.m. to 7:00 a.m. shift, an NRC inspector was present in the Unit 3 control room and observed an on-duty Unit 3 reactor

operator sitting in a chair at the Unit 3 reactor control panel with his eyes closed and his head tilted back, apparently asleep or otherwise inattentive to his duties. In response to this charge the licensed operator denied being asleep and indicated he was enticing the NRC inspector to believe he was asleep, demonstrating poor judgment and a negative attitude toward safety. An enforcement conference was held with the licensee concerning this matter on June 21, 1985.

On June 6, 1986, the NRC issued its Systematic Assessment of Licensee Performance (SALP) report for the period April 1, 1985 through January 31, 1986. This report concluded that management involvement and effectiveness toward improving operating activities was not evident. Indications of the lack of adequate management involvement included: poor dissemination of management goals and policies; poor communications between different departments and divisions; and a focus on compliance rather than acknowledgement and correction of the root causes of problems. Further, the report concluded there was a complacent attitude toward procedural compliance in plant operations.

On June 9, 1986, the NRC issued a Notice of Violation and Proposed $200,000 Civil Penalty for several violations that resulted from numerous personnel errors by several licensed operators, including the Shift Supervisor and Shift Superintendent, both of whom are licensed senior reactor operators, and two licensed reactor operators. These personnel errors by four licensed individuals and associated violations indicated a pattern of inattention to detail, failure to adhere to procedural requirements, and a generally complacent attitude by the operations staff toward performance of their duties

at Peach Bottom. This NRC assessment was emphasized to the licensee in a June 12, 1986, letter from Victor Stello, Jr., Executive Director for Operations, to J. C. Everett, III, PECo Chairman of the Board and Chief Executive Officer.

In addition, three previous civil penalties were issued for violations of technical specifications involving violations that resulted from personnel errors. March 29, 1983 (EA 83-7); June 13, 1983 (EA 83-46); June 18, 1984 (EA 84-39). In general, the enforcement history at Peach Bottom regarding adherence to procedures and attention to duty has been poor.

IV

The NRC expects licensees to maintain high standards of control room professionalism. NRC licensed operators in the control rooms at nuclear power plants are responsible for assuring that the facility is operated safely and within the requirements of the facility's license, technical specifications, regulations and orders of the NRC. To be able to carry out these highly important responsibilities, reactor operators must give their full attention to the condition of the plant at all times. Operators must be alert to ensure that the plant is operating safely and must be capable of taking timely action in response to plant conditions. All control room business must be conducted in such a way that neither control room operator attentiveness nor the professional atmosphere will be compromised. Sleeping while on duty in the control room demonstrates a total disregard for performing licensed duties and a lack of appreciation for what those duties entail.

10 C.F.R. 50.54(k) and Peach Bottom Technical Specification 6.2.2 prohibit sleeping or otherwise inattentive operators in the control room. Under 10 C.F.R Part 50, App. B, the licensee must have and implement procedures to ensure that activities affecting quality, including operations of the facility, are satisfactorily accomplished. The Peach Bottom quality assurance program has failed to identify this condition adverse to safety. These conditions constitute a hazard to the safe operation of the facility.

In light of the above, it is apparent that the licensee, through its enforcement history and from what has been developed by the ongoing investigation, knew or should have known of the unwillingness or inability of its operations staff to comply with Commission requirements, and has been unable to implement effective corrective action. Consequently, the NRC lacks reasonable assurance that the facility will be operated in a manner to assure that the health and safety of the public will be protected. Pending the development of other relevant information, I am unable to determine that there is reasonable assurance that the facility will be operated in a manner to assure that the health and safety of the public will be protected. Accordingly, I have determined that continued operations of the facility is an immediate threat to the public health and safety. Therefore, I have determined that the public health, safety and interest requires that the Licensee should proceed to place or maintain its units in a cold condition.

I have further determined for the reasons set forth above, that pursuant to 10 C.F.R. 2.201(c), no prior notice is required and, pursuant to 10 C.F.R.

2.202(f), the actions required by Section V of this Order are immediately effective pending further Order.

V

Accordingly, pursuant to Sections 103, 161(i) and (o), 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 C.F.R. 2.202, and 10 C.F.R. Part 50, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY THAT:

A. The licensee shall within 36 hours from receipt of this Order, shutdown Unit 3 and place the unit in the cold condition (reactor coolant temperature equal to or less than 212°F) and maintain both units in the cold condition with the reactor mode switch in either the refueling or shutdown mode pending further Order.

B. The licensee shall provide to the Administrator of Region I within seven days of this Order a description of the actions the licensee plans to take to provide assurance that the facility will comply with all requirements including station procedures while in a cold condition.

C. Before the licensee proposes to operate either Unit 2 or Unit 3 above a cold condition the licensee shall provide to the Administrator of Region I, for his approval, a detailed and comprehensive plan and the

schedule to accomplish the plan to assure that the facility will safely operate and comply with all requirements including station procedures;

D. Licensee may show cause, in the manner hereinafter provided, why this order should not have been issued; and

E. The Regional Administrator, Region I, may relax any of the above provisions, in writing, upon demonstration of good cause by the licensee.

VI

The licensee may show cause, within 20 days after issuance of this Order by filing a written answer under oath or affirmation setting forth the matters of fact and law on which the licensee relies. The licensee may answer as provided in 10 C.F.R. 2.202(d) by consenting to the entry of an Order in substantially the form proposed in this Order.

VII

The licensee or any other person adversely affected by this Order may request a hearing within 20 days after issuance of this Order. Any answer to this Order or any request for hearing shall be submitted to the Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. Copies shall also be sent to the Assistant General Counsel for Enforcement,

Office of the General Counsel, at the same address and to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region I, 631 Park Avenue, King of Prussia, Pennsylvania 19406. If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which the petitioner's interest is adversely affected by this Order and should address the criteria set forth in 10 C.F.R. 2.714(d). Upon the failure of the licensee to answer or request a hearing within the specified time, this Order shall be final without further proceedings. An answer to this Order or a request for hearing shall not stay the immediate effectiveness of Section V of this Order.

If a hearing is requested by the licensee or other person adversely affected by this Order, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

FOR THE NUCLEAR REGULATORY COMMISSION

Victor Stello, Jr.
Executive Director for Operations

Dated at Bethesda Maryland
this 31 day of March, 1987