

DOD/DCB
(RIDS)

January 31, 1990

Docket Nos. 50-295; 50-304
License Nos. DPR-39; DPR-48
EA No. 89-218

Commonwealth Edison Company
ATTN: Mr. Cordell Reed
Senior Vice President
Post Office Box 767
Chicago, Illinois 60690

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
(\$100,000)

This refers to the routine safety inspection conducted October 18 through November 6, 1989 at the Zion Nuclear Generating Station Units 1 and 2. The inspection included a review of the ventilation systems for the emergency diesel generator rooms and resulted in the identification of several potential violations of NRC requirements. A copy of the inspection report was sent to you on November 9, 1989. An enforcement conference was subsequently held on November 17, 1989, at which time the violations, their causes, and your corrective actions were discussed.

Violation I in the enclosed Notice concerns your failure to perform a safety evaluation required by 10 CFR 50.59 prior to operating the facility with the automatic start function of the diesel generator room ventilation systems inoperable for an extended period of time. The fan control switches were placed in the pull-to-lock position to prevent the interlocked air crash dampers from automatically opening if the fans were to start, as the dampers were not able to meet the technical specification closure time. This action resulted in a condition whereby an automatic engineered safety function described in Updated Final Safety Analysis Report (UFSAR) Section 9.10.6.2.2 would not occur during a loss of offsite power without operator action. Further, the probability of timely operator response to high EDG room temperatures during a loss of offsite power was reduced because the room high temperature alarm was rendered inoperable by closure of the crash dampers. Though not directly referenced in the Technical Specifications, the UFSAR requires this ventilation system to limit EDG room temperatures to less than or equal to 115°F. The defeat of the automatic start function existed for various times at both units, and was present simultaneously for all EDGs from June 7 through July 7, 1989.

Violation II involves an inadequate safety evaluation, performed for a proposed modification to the EDG ventilation system inlet dampers on October 11, 1988. The evaluation was narrow in scope in that it considered the fire protection aspect of the dampers and not the room cooling engineered safeguard feature required by the UFSAR.

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These violations are the result of a lack of understanding of the importance of support systems. This is a significant concern because in this instance your staff focused narrowly on the technical specification content while failing to consider other engineered support functions provided in the FSAR. Past enforcement action (EA 89-109) was taken for a similar problem involving the removal of a safety component from service without performing an adequate evaluation.

To emphasize the need to consider the role of support system functions during plant operations when these functions are not directly addressed by a specific technical specification, but reference in the FSAR design bases, I have been authorized, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Nuclear Materials Safety, Safeguards and Operations Support to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$100,000 for the violation described in the enclosed Notice. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1989) (Enforcement Policy), Violation I has been categorized as a Severity Level III violation.

The base value of a civil penalty for a Severity Level III violation is \$50,000. The escalation and mitigation factors in the Enforcement Policy were considered. The civil penalty was escalated by 50 percent since the NRC identified the problem in the safety evaluation process. The base civil penalty was also increased an additional 100 percent due to prior notice of similar events and poor past performance. Escalated enforcement action (EA 89-109) had been previously considered for a similar problem where the containment spray function during the recirculation phase was rendered inoperable. Though not directly referenced in the Zion Technical Specifications, plant personnel failed to recognize that the FSAR took credit for this function. Several other examples of not properly considering the effect of the loss of FSAR support functions on making operability determinations for safety systems were also addressed in NRC Inspection Report 89-17(DRP).

A 50% mitigation of the base civil penalty was determined to be warranted for the proposed corrective action, especially the proposal of developing a support system matrix which will describe the relationship between technical specification system operability and support system functions. This appears to be an extensive undertaking that should be of benefit to the Zion Station. The remaining factors were deemed not applicable to this case.

Violation II has been separately categorized at a Severity Level IV because the modification was not implemented. Nevertheless, this is another example of our concern that underlies this enforcement action.

Additionally, we are concerned that on several occasions opportunities have existed for Zion Station staff to recognize that the EDG room ventilation systems supported diesel generator operability, and were required to limit the maximum ambient temperature to 115°F. As you discussed during the

enforcement conference, a performance assessment conducted on August 24, 1988 recognized that documentation was not available to support an operability determination. However, a search for a test report that engineering believed had been conducted in 1980 demonstrating that the ventilation system was not needed to limit EDG room temperature failed to locate that document. Though a second performance assessment conducted on August 18, 1989 again identified this unresolved concern, it was not until the resident inspector became involved with the overall damper issue on October 19, 1989 that CECO began to satisfactorily resolve this issue. Consequently, in your response to the Notice of Violation, please discuss what actions you are taking or plan to take to assure that performance assessment concerns are properly prioritized, tracked, and resolved, consistent with your Quality Assurance Program.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to the Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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 and its enclosure will be placed in the NRC Public Document Room.

The response directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget, as required by the Paperwork Reduction Act of 1980, Public Law 96-511.

Sincerely,

Carl J. Paperiello for
 A. Bert Davis
 Regional Administrator

Enclosures:

1. Notice of Violation and Proposed Imposition of Civil Penalty
2. Inspection Report
 Nos. 50-295/89036;
 50-304/89032(DRP)

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