

NOTICE OF VIOLATION

Commonwealth Edison Company
Byron Station, Units 1 and 2

Docket Nos. 50-454; 50-455
License Nos. NPF-37; NPF-66

During an NRC inspection conducted from January 11 through February 28, 1994, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1993), the violations are listed below:

1. 10 CFR Part 55.21 states, in part, that "A licensee shall have a medical examination by a physician every two years."

10 CFR Part 55.33 states, in part, that "To certify the medical fitness of the applicant, an authorized representative of the facility licensee shall complete and sign Form NRC-396, 'Certification of Medical Examination by Facility Licensee.' Form NRC-396 must certify that a physician has conducted the medical examination of the applicant as required in Part 55.21."

10 CFR Part 50.54(i) states, in part, that "the licensee may not permit the manipulation of the controls on any facility by anyone who is not a licensed operator or senior operator as provided in part 55 of this chapter."

Contrary to the above:

- a. During the period from March 27, 1989 to December 11, 1991, one of your operators, licensed pursuant to 10 CFR Part 55, did not receive the required two year interval medical examination.
- b. During the period from July 18, 1991 to December 16, 1993, six of your operators, licensed pursuant to 10 CFR Part 55, did not receive the required two year interval medical examinations.
- c. Subsequently, five operators, under license numbers OP-30755, OP-30756, SOP-31000, SOP-31001, and SOP-31002, performed licensed duties requiring the manipulation of controls at the Byron Nuclear Generating Station, more than two years after their most recent medical examination.

This is a Severity Level IV Violation (Supplement I)

2. Byron Technical Specification 6.8.1 states, in part, that "written procedures shall be established, implemented, and maintained covering the activities associated with Fire Protection Program implementation."

Byron Administrative Procedure, BAP 1100-9, "Control, Use, and Storage of Flammable and Combustible Liquids and Aerosols", states, in part, that "all flammable and combustible liquid containers transported into plant areas which will be left unattended shall have prior authorization by the Station Fire Marshal and have a completed Transient Fire Load Permit."

Contrary to the above, approximately 30 gallons (in uncovered 5 gallon containers) of used oil, for which no transient combustible authorization had been obtained, was left unattended in the auxiliary building on February 16, 1994.

This is a Severity Level IV violation (Supplement I)

Pursuant to the provisions of 10 CFR 2.201, Commonwealth Edison is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington D.C. 20555, with a copy to the Regional Administrator, Region III, 801 Warrenville Road, Lisle, Illinois, 60532, and a copy to the NRC Senior Resident Inspector at the Byron Station within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a demand for information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at Lisle, Illinois
this 10th day of March 1994