

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Commonwealth Edison Company
LaSalle County Station
Units 1 and 2

Docket Nos. 50-373 and 50-374
License Nos. NPF-11 and NPF-18
EA 93-300

During three NRC inspections conducted on November 1, 1993, through January 5, 1994, 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, the Nuclear Regulatory Commission proposes to impose a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The particular violations and associated civil penalty are set forth below:

I. Violations Assessed & Civil Penalty

10 CFR Part 50, Appendix B, Criterion XVI, "Corrective Action," requires, in part, that measures be established to assure that conditions adverse to quality are promptly identified and corrected. In the case of significant conditions adverse to quality, the measures shall assure that the cause of the condition is determined and corrective action taken to preclude repetition. The identification of the significant condition adverse to quality, the cause of the condition, and the corrective action taken shall be documented and reported to the appropriate levels of management.

- A. Contrary to the above, the licensee failed to promptly correct a significant condition adverse to quality, namely, the degradation of safety-related electrical breakers. Specifically:
1. The licensee received a letter from Asea Brown Boveri (ABB) dated March 20, 1989, with enclosures, which identified that periodic re-lubrication of Series HK breakers was required, at least when parts were replaced. The letter also identified that depending on cleanliness of the environment, periodic checks for contamination should be performed, and if lubricant is found to be contaminated and dry, removal of the lubricant and re-lubrication is recommended.
 2. A letter from Sargent & Lundy Engineers to LaSalle County Station dated June 13, 1989, recommended that the licensee have ABB's service organization inspect a sample of HK breakers during the next refueling outage to determine if a lubrication problem exists and if periodic reinspection is

required. The letter also recommended that Inspection Procedure LES-GM-103 be revised to include ABB's current requirements to re-lubricate at least when parts are replaced. Determination of the requirement for periodic inspection for contamination would be determined as a result of the recommended sample inspection.

3. A LaSalle Electrical Maintenance Department Interoffice memorandum dated May 10, 1990, stated that LES-GM-103 falls short of providing real corrective maintenance for deterioration of lubrication.
4. On October 2, 1992, the Unit 1 reactor recirculation pump breaker 3B, a safety-related HK breaker, failed to open during surveillance testing. The root cause was determined to be hardened Nebula lubricant (only Anderol 757 lubricant is recommended for use in the breakers).

The licensee failed to establish and implement measures to identify and correct lubrication problems with respect to safety-related electrical breakers. As of November 22, 1993, the licensee had not thoroughly inspected a representative sample of HK breakers to determine if a lubrication problem existed, and Inspection Procedure LES-GM-103 was inadequate in that it only required visual inspection of HK breakers which was insufficient to verify the vendor's lubrication recommendations. (01013)

- B. Contrary to the above, as of January 3, 1994, the licensee had failed to identify the root cause(s) and promptly correct repetitive failures of the reactor building ventilation system secondary containment isolation dampers, a significant condition adverse to quality. Since the beginning of 1989 there have been numerous damper failures as documented in surveillances, Work Requests, Problem Identification Forms, Deviation Reports, Licensee Event Reports, and Operator logs. For example:

1. A Notice of Violation issued to the licensee on June 20, 1989, stated that contrary to 10 CFR 50, Appendix B, Criterion XVI, on April 5, 1989, and again on April 19, 1989, the licensee failed to promptly identify the cause of the failure, and take corrective action to prevent recurrence, of the 1VR05YA reactor building ventilation isolation damper. Corrective action to prevent recurrence

was not taken until April 24, 1989. In addition, the failure mechanism of the solenoid valves has been known since at least February 1985 but the licensee has not implemented corrective actions to prevent recurrence as of the date of the end of this inspection.

2. A Techno Corporation (vendor) letter to the licensee dated September 29, 1989, stated that the blades were rubbing on the bottom inside surface of the body as they approached the closed position and recommended the addition of hangers to restore the original clearance at the blade bottom, and the addition of quick exhaust valves. The licensee did not fully evaluate or implement the vendor's recommendations. Supports were not added until November 1992, and then only on a trial basis. Quick exhaust valves were never added.
3. A Techno Corporation letter to the licensee dated March 17, 1992, recommended that the damper actuators be replaced with ones that provide more than twice the return force as is currently available. The licensee is still reviewing this proposal.
4. On September 18, 1992, a letter was issued from the LaSalle Mechanical and Structural Design Group to the Engineering Supervisor documenting a proposed upgrade of the secondary containment isolation dampers. Previous problems were categorized in four areas including solenoid valve problems, damper actuator problems, blade sagging and speed regulator clogging. The report notes that dampers have failed to close 11 times in the last 5 years, and recommended adding a closing air supply system to the existing dampers. As of December 21, 1993, no action had been initiated to address the recommendation.
5. On October 27, 1993, secondary containment isolation damper 1VR05YB failed to cycle (close) properly apparently due to friction within the damper actuator. The friction was caused by a hardened and dry grease-like substance.
6. On November 29, 1993, and again on January 3, 1994, secondary containment isolation damper 1VR04YA did not fully close as expected. (01023)

This is a Severity Level III problem (Supplement I).
Civil Penalty - \$75,000.

II. Violations Not Assessed a Civil Penalty

- A. 10 CFR 50, Appendix B, Criterion XI, "Test Control," requires a test program be established to assure that all testing required to demonstrate that structures, systems, and components will perform satisfactorily in service is identified and performed in accordance with written test procedures which incorporate the requirements and acceptance limits contained in applicable design documents.

Contrary to the above, on June 3, 1986, the licensee completed Work Request No. L54217 which increased the Unit 1 reactor protection system electrical power monitoring assembly overvoltage, undervoltage, and underfrequency relay settings to a 3 second time delay and did not test the change. (02014)

This is a Severity Level IV violation (Supplement I).

- B. 10 CFR 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawing," requires that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, or drawings. Instructions, procedures, or drawings shall include appropriate quantitative or qualitative acceptance criteria for determining that important activities have been satisfactorily accomplished.
1. Contrary to the above, as of November 29, 1993, Procedures LES-GM-300, Revision 1, dated February 8, 1993, and LES-GM-400, Revision 1, dated February 8, 1993, "Reactor Protection System Electric Power Monitoring (EPM) Assembly Calibration by O.A.D," for Units 1 and 2 respectively, were inadequate in that they did not require the recording of the as found and as left time delay settings for the EPM assemblies. (03014)

This is a Severity Level IV violation (Supplement I).

2. Contrary to the above, as of November 29, 1993, Operating Procedures LOP-RR-04, "Preparation and Startup of Reactor Recirculation Pumps in Slow

Speed," Revision 23, dated June 10, 1993; LOP-RR-05, "Changing Reactor Recirc Pump Speed from Slow to Fast Speed," Revision 21, dated May 28, 1993; and LOP-RR-06, "Restart of Tripped Reactor Recirc Pump," Revision 20, dated March 4, 1992, were inadequate in that they failed to have a warning to the operators that whenever the reactor protection system (RPS) bus is fed from its alternate power supply and a reactor recirculation pump is started, the RPS bus would trip on undervoltage and result in a half scram. (04014)

This is a Severity Level IV violation (Supplement I).

3. Procedure LAP-220-5, "Equipment Operability Determination," Revision 2, dated July 8, 1993, Step F.8, requires, if a previous evaluation for a specific component does not exist, Shift Supervision is to determine whether or not the component and its related system are operable based on the evaluation and document on Attachment A.

Contrary to the above, on November 29, 1993, following the failure of secondary containment isolation damper 1VR04YA to fully close, Shift Supervision did not determine whether or not the damper and its related system were operable based on an evaluation and did not document the evaluation on Attachment A. A previous evaluation for this damper condition did not exist. (05014)

This is a Severity Level IV violation (Supplement I).

4. Contrary to the above, as of November 29, 1993, Procedure LAP-220-4, "Degraded Equipment Log," Revision 5, dated May 11, 1993, was inadequate as follows:
 - a. The definition of "Degraded" equipment in Paragraph E.5.b lacks specificity. Degraded equipment is defined in the procedure as Operable equipment containing a deficient condition for which a log entry is desirable.
 - b. The requirements of E.7 are overly subjective. Specifically, the procedure states, "The Degraded Equipment Log (DEL) is meant to be a shift notebook...All entries in the DEL are made at the discretion of the shift operating personnel. It is not the

intent of this procedure to provide an all inclusive listing of degraded and INOPERABLE equipment...Equipment which is degraded or INOPERABLE for a short time period may not require a DEL entry..." (06014)

This is a Severity Level IV violation (Supplement I).

5. Contrary to the above, as of November 29, 1993, the instructions provided by corporate engineering in the Relay Setting Orders used by the Operational Analysis Department to set the reactor protection system electric power monitoring overvoltage, undervoltage, and underfrequency time delay trip settings were inadequate in that they specified 3.0 seconds with no tolerance. (07014)

This is a Severity Level IV violation (Supplement I).

- C. 10 CFR 50, Appendix B, Criterion XII, "Control of Measuring and Test Equipment," requires that measures shall be established to assure that tools, gages, instruments, and other measuring and testing devices used in activities affecting quality are properly controlled, calibrated, and adjusted at the specified periods to maintain accuracy within necessary limits.

Contrary to the above, as of November 29, 1993, the Operational Analysis Department engineer used a wristwatch which was not properly controlled, calibrated, and adjusted to measure and calibrate the reactor protection system electric power monitoring overvoltage, undervoltage, and underfrequency time delay trip settings. (08014)

This is a Severity Level IV violation (Supplement I).

- D. Technical Specification 4.0.5 requires, in part, that inservice testing of ASME Code Class 1, 2, 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Code.

Subsection IWV-3511 of the ASME Code requires that valves shall be tested at the end of each time period as defined in Table IWV-3510-1. Note (1) of Table IWV-3510-1 states that at each refueling all valves which have not been tested during the preceding 5 year period shall be tested.

Technical Specification 3.4.2 requires, in part, that the safety valve function of 17 of 18 reactor coolant

system safety/relief valves shall be Operable in Operational Conditions 1, 2, and 3. Technical Specification 4.0.3 states that failure to perform a Surveillance Requirement within the specified time interval shall constitute a failure to meet the Operability requirements for a Limiting Condition for Operation.

Contrary to the above, the licensee completed the fifth refueling outage for Unit 1 on January 30, 1993, and proceeded to Operational Condition 1 with two inoperable safety/relief valves (SRVs). Specifically, SRVs 1B21-F013B and 1B21-F013J had not been tested since the first refuel outage which ended in October 1986, a period greater than five years. (09014)

This is a Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Commonwealth Edison Company (Licensee) is hereby required to submit a written statement of explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice of Violation and Proposed Imposition of Civil Penalty (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each alleged violation: (1) admission or denial of the alleged violation, (2) the reasons for the violation if admitted, and if denied, the reasons why, (3) the corrective steps that have been taken and the results achieved, (4) the corrective steps that will be taken to avoid further violations, and (5) 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 actions as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required under 10 CFR 2.201, the Licensee may pay the civil penalty by letter addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, money order, or electronic transfer payable to the Treasurer of the United States in the amount of the civil penalty proposed above, or may protest imposition of the civil penalty in whole or in part, by a written answer addressed to the Director, Office of Enforcement, U. S. Nuclear Regulatory Commission. Should the Licensee fail to answer within the time specified, an order imposing the civil penalty will be issued. Should the Licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil

penalty, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation" and may: (1) deny the violations listed in this Notice in whole or in part, (2) demonstrate extenuating circumstances, (3) show error in this Notice, or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the factors addressed in Section V.B of 10 CFR Part 2, Appendix C, should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the Licensee is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing a civil penalty.

Upon failure to pay any civil penalty due which subsequently has been determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282c.

The responses noted above (Reply to Notice of Violation, letter with payment of civil penalty, and Answer to a Notice of Violation) should be addressed to: James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, Illinois 60532-4351, and a copy to the NRC Resident Inspector at the LaSalle County Station.

Dated at Lisle, Illinois
this 4th day of April 1994