

NOTICE OF VIOLATION

AND

PROPOSED IMPOSITION OF CIVIL PENALTIES

Commonwealth Edison Company
Zion Nuclear Power Station
Unit 1

Docket No. 50-295
License No. DPR-39
EA 82-78

As a result of an inspection conducted March 30-31 and April 7-8, and 29, 1982 at the Zion Nuclear Power Station, Unit 1, in Zion, Illinois, it appears that significant problems in the implementation of the licensee's health physics program resulted in an overexposure incident. The licensee failed to make adequate evaluations of radiation hazards before entries into an area beneath the Unit 1 reactor vessel, a high radiation area, and failed to ensure that an individual would not be exposed to a radiation dose in excess of regulatory limits.

In accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C) 47 FR 9987 (March 9, 1982), and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended ("Act"), 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205, the particular violations and the associated civil penalties are set forth below:

- A. 10 CFR 20.201(b) requires that each licensee make or cause to be made such evaluations of radiation hazards as (1) may be necessary for the licensee to comply with the regulations in 10 CFR Part 20, and (2) are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present.

Contrary to the above, the licensee failed to make such radiation evaluations as were necessary and reasonable under the circumstances to ensure compliance with 10 CFR 20.101 for entries of individuals into an area beneath the Unit 1 reactor vessel on March 24 and 25, 1982.

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

(Civil Penalty - \$70,000).

- B. 10 CFR 20.101(a) limits the whole body radiation dose of any individual in a restricted area to one and one quarter rems per calendar quarter, except as provided by 10 CFR 20.101(b). Paragraph (b) permits a whole body dose of three rems per calendar quarter provided certain specified conditions are met.

Contrary to the above, during the first calendar quarter of 1982, an individual received a whole body dose of approximately five rems. Most of this dose was received while making an entry into the area beneath the Unit 1 reactor vessel on March 25, 1982.

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

(Civil Penalty - \$30,000).

Pursuant to the provisions of 10 CFR 2.201, Commonwealth Edison Company is hereby required to submit to the Director, Office of Inspection and Enforcement, USNRC, Washington, DC 20555, and a copy to the Regional Administrator, USNRC Region III, within 30 days of the date of this Notice a written statement or explanation, including for each alleged violation: (1) admission or denial of the alleged violation; (2) the reasons for the violation if admitted; (3) the corrective steps which have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. 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 above under 10 CFR 2.201, Commonwealth Edison Company may pay the civil penalties in the cumulative amount of One Hundred Thousand Dollars or may protest imposition of the civil penalties in whole or in part by a written answer. Should Commonwealth Edison Company fail to answer within the time specified, the Director, Office of Inspection and Enforcement will issue an order imposing the civil penalties in the amount proposed above. Should Commonwealth Edison Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties, such answer 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 penalties should not be imposed.

In addition to protesting the civil penalties in whole or in part, such answer may request remission or mitigation of the penalties. In requesting mitigation of the proposed penalties, the five factors contained in Section IV (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 by specific reference (e.g., citing page and paragraph numbers) to

avoid repetition. Commonwealth Edison Company's attention 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 penalties due, which have been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalties, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION

James G. Keppler
Regional Administrator

Dated at Glen Ellyn, Illinois
this 9 day of July 1982