

SEP 29 1982

Docket No. 50-317
50-318

Baltimore Gas and Electric Company
ATTN: Mr. A. E. Lundvall, Jr.
Vice President, Supply
P. O. Box 1475
Baltimore, Maryland 21203

Gentlemen:

Reference: (1) NRC Region I Combined Inspection Report No. 50-317/82-07
and 50-318/82-07
(2) BG&E letter to Mr. R. W. Starostecki, dated August 4, 1982

Our letter of May 24, 1982, which transmitted the referenced inspection report (Reference 1), stated that we were concerned about two apparent violations of Unit 1 Technical Specifications Limiting Conditions of Operation (LCO) which were identified during the inspection period.

Our concerns related to your valve lineup verification program and to the quality and adequacy of technical reviews conducted by your Plant Operations and Safety Review Committee (POSRC). These were discussed with you and members of your staff during an enforcement conference held in the Region I office on July 7, 1982. At that conference, you committed to provide in writing, within 30 days, your planned preventive and corrective measures to preclude recurrence of similar events. We have received and reviewed the letter (Reference 2) in which you delineated those measures and find them to be responsive to our immediate concerns. Implementation of those measures will be examined during subsequent inspections of your licensed activities.

Violation A, in the enclosed Notice, is a Technical Specification violation involving continued operation of Unit 1 with both hydrogen analyzers inoperable due to closed valves inside containment. We have classified this violation at Severity Level IV, taking into consideration the fact that the emergency procedure for placing the hydrogen recombiner in service does not rely on a prior determination of containment hydrogen concentration.

With regard to the second apparent violation of NRC requirements discussed in our inspection report and during the enforcement conference, we now understand that, while an apparent violation of the Unit 1 Technical Specifications LCO did exist at the time, the measured leakage rate (which established the apparent violation) was erroneous (high) by a factor of 2, and that the actual leakage rate was within the LCO. Although an LCO violation did not actually occur, the omission of appropriate quantitative acceptance criteria, as required by 10 CFR

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50,, Appendix J, in your local leak rate testing procedure, and the inadequate review and approval of this procedure by the POSRC is a violation and is set forth as Violation B in the enclosed Notice. With regard to this violation, we are concerned that POSRC, the committee of on-site supervisors charged with the responsibility for reviewing and approving procedures and procedure changes affecting nuclear safety, reviewed and approved the revision to the local leak rate testing procedure even though the revision contained an incorrect (high) limit, and that limit was a specific change from the previous issue of the procedure. Additionally, the committee approved the testing results without recognizing the limit was incorrect.

Although 10 CFR 20.201 requires a written response to each violation described in the enclosed Notice of Violation, you need not respond to Violation A since your letter of April 4, 1982 set forth preventive and corrective measures to prevent recurrence of the violation. However, with regard to Violation B, the NRC expects the POSRC review process to be technically complete and thorough, not only for procedures and procedure changes, but also for all those nuclear safety responsibilities of POSRC as delineated in Section 6.5.1.6 of your facility Technical Specifications. Therefore, in addition to your response to Violation B, you should describe the method to be used for periodically determining that all POSRC responsibilities are being carried out in a technically complete and competent manner.

Although the Violations are cited at Severity Level IV, we direct your attention to Section IV.B of the NRC Enforcement Policy, 10 CFR 2 Appendix C (47 FR 9987, March 9, 1982) which provides for imposition of civil penalties for Severity Level IV Violations that are similar to violations previously discussed in an enforcement conference. Therefore, violations in the future may result in civil penalties.

In accordance with 10 CFR 2.790, a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

The response requested in this letter is exempt from the clearance procedures of the Office of Management and Budget under the Paperwork Reduction Act of 1980, PL 96-511.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:

Richard W. Starostecki, Director
Division of Project and Resident
Programs

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Enclosure:

- 1. Appendix A, Notice of Violation

cc w/encl:

- R. M. Douglass, Manager, Quality Assurance
- L. B. Russell, Plant Superintendent
- T. Sydnor, General Supervisor, Operations QA
- R. C. L. Olson, Principal Engineer
- J. A. Tiernan, Manager, Nuclear Power
- R. E. Denton, General Supervisor, Training and Technical Services
- Public Document Room (PDR)
- Local Public Document Room (LPDR)
- Nuclear Safety Information Center (NSIC)
- NRC Resident Inspector
- State of Maryland (2)

bcc w/encl:

- J. Axelrad, Acting Director, Enforcement, IE
- D. J. Holody, Enforcement Coordinator, RI

JES
 for
 RI:DPRP
 McCabe:as
 9/23/82

JES
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*enclosure received
 from D&E on
 9/21/82*
 RI:E&I
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