

NOTICE OF VIOLATION  
AND  
PROPOSED IMPOSITION OF CIVIL PENALTY

Commonwealth Edison Company  
Quad Cities Nuclear Power Station, Unit 2

Docket No. 50-265  
License No. DPR-30  
EA 90-203

During an NRC inspection conducted from October 30, 1990, through November 9, 1990, 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 (1990), 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. 2202, and 10 CFR 2.205. The particular violations and associated civil penalty are set forth below:

Quad Cities Nuclear Station Technical Specification Section 6.2.A.1 requires in part, that detailed written procedures covering start-up, operation, and shutdown of the reactor, and other systems and components involving nuclear safety of the facility shall be prepared and adhered to.

1. Temporary Procedure (TP) 6303, "Shutdown from Power Operations to a Standby Hot Pressurized Condition," stipulated the procedures for taking the unit from a power generation mode to a hot standby condition following a turbine torsional test.

Contrary to the above, on October 27, 1990, following an attempted turbine torsional test the Nuclear Station Operator (NSO) failed to utilize the procedures specified in TP 6303 for taking the unit from a power generation mode to a hot standby condition.

2. Quad Cities Station Administrative Procedure (QAP), "Conduct of Shift Operations," QAP 300-2, Section C.13.j, requires that briefings be conducted by cognizant personnel for individuals involved in an evolution that is to be performed and Section C.28.c of procedure QAP 300-2 requires the Shift Control Room Engineer (SCRE) to be responsible for control room activities to assure safe plant operation.

Contrary to the above, on October 27, 1990, an inadequate shift briefing was conducted by the test director and shift engineer for the third shift activities in that shift personnel were not briefed on the status of TP 6303 and the SCRE failed to supervise control room activities by maintaining cognizant of the status of Unit 2 reactor operation in that he was unaware that the Nuclear Station Operator (NSO) had made the reactor subcritical in the source range by control rod insertion.

3. QAP 300-1, "Operations Department Organization," Section C.10.q.5, requires in part that the NSO initiate "holds" during plant evolutions to ensure that an evolution does not threaten the stability of the unit. QAP 300-1, Section C.10.p also requires the NSO be alert and capable of performing his assigned duties in a professional manner at all times.

Contrary to the above, on October 27, 1990, the NSO failed to initiate a hold required to ensure unit stability associated with the Electro Hydraulic Control system restoration when reactor power was subcritical in the source range (100 cps). A hold was required to facilitate a controlled approach to criticality. Additionally, the NSO failed to remain alert to control panel indications by failing to adequately monitor nuclear instrumentation during control rod withdrawal which resulted in rapidly increasing power and a subsequent reactor scram.

4. Quad Cities Operations Procedure (QOP) 700-1, "Source Range Monitor Operation," Section F.2.a, requires that the source range monitor (SRM) detectors be inserted as "range 4" is approached on the Intermediate Range Monitors (IRM).

Contrary to the above, on October 27, 1990, the NSO failed to insert the SRMs as "range 4" was approached on the IRMs but waited until "range 1" of the IRMs was reached.

5. QOP 700-2, "Intermediate Range Monitor Operation," Section F.3.g, requires the NSO to decrease the IRM ranges as necessary to maintain between 20/125 and 50/125 of full scale.

Contrary to the above, on October 27, 1990, the NSO failed to decrease the IRM ranges as necessary to maintain 20/125 and 50/125 of full scale.

This is a Severity Level III problem (Supplement I).  
Cumulative Civil Penalty - \$50,000 (assessed equally among the five violations).

Pursuant to the provisions of 10 CFR 2.201, the 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 is achieved. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause 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 - be submitted under oath or affirmation.

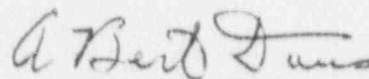
Within the same time as provided for the response required under 10 CFR 2.201, the Licensee may pay the civil penalty by letter addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, money order, or electronic transfer payable to the Treasurer of the 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 (1990), 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 response noted above (Reply to Notice of Violation, letter with payment of civil penalty, and Answer to a Notice of Violation) should be addressed to: 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, 799 Roosevelt Road, Glen Ellyn, Illinois 60137, and a copy to the NRC Resident Inspector at the Quad Cities Nuclear Station.

FOR THE NUCLEAR REGULATORY COMMISSION



A. Bert Davis  
Regional Administrator

Dated at Glen Ellyn, Illinois  
this 30th day of January 1991