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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
801 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4351

May 19, 1994

Docket Nos. 50-373 and 50-374  
License Nos. NPF-11 and NPF-18  
EA 94-053

Commonwealth Edison Company  
ATTN: Mr. Michael J. Wallace  
Vice President,  
Chief Nuclear Officer  
Executive Towers West III  
1400 Opus Place, Suite 900  
Downers Grove, Illinois 60515

Dear Mr. Wallace:

SUBJECT: LASALLE COUNTY STATION - UNITS 1 AND 2  
NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY -  
\$225,000  
(NRC Inspection Report Nos. 50-373/94004; 50-374/94004)

This refers to the routine safety inspection of the Radiation Protection Program conducted on February 14 through March 4, 1994, at LaSalle County Station, Units 1 and 2. The report documenting this inspection was sent to the LaSalle County Station by letter dated March 21, 1994. During the inspection, apparent violations of NRC requirements were identified. An enforcement conference was held on April 5, 1994, to discuss the apparent violations, their causes and the corrective actions.

Three violations were identified and are fully described in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice). The first violation, which occurred on November 13, 1993, concerned the apparent deliberate contamination of the inside of a fuel handler's pants with radioactive materials, which spread to the individual's undergarments. The second violation, which occurred on November 18, 1993, also concerned the apparent deliberate contamination of the inside of a radiation protection worker's pants with radioactive materials, which spread to the individual's skin. These violations occurred when these individuals left their personal clothing in changing rooms, accessible to persons who could gain access to either of the Unit Reactor Buildings, while performing their duties.

The third violation concerned a radioactive waste supervisor and operator collecting a highly radioactive liquid sample from a chemical waste tank on February 22, 1994, without performing a survey to evaluate the extent of radiation levels and the potential radiological hazards that could be present. The supervisor was not specifically qualified on that sample procedure, did not exercise prudent safety practices, and did not make an effort to know the radiological contents of the tank prior to sampling. This resulted in uncontrolled external radiation exposures to the supervisor and one subordinate.

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May 19, 1994

These violations are of concern because they demonstrate continued poor performance in the Radiation Protection Program at LaSalle County Station. These violations are further evidence of a significant breakdown in the LaSalle County Station Radiation Protection Program and the failure of LaSalle Station management to establish and maintain a high level of respect for sound radiological safety practices and procedures at the facility. On November 17, 1993, escalated enforcement action (EA 93-235) was taken with a civil penalty in the amount of \$112,500 for a Severity Level III problem that involved poor radiological work planning and practices in September 1993. That problem resulted in the contamination of 22 workers, 17 of whom received measurable uptakes of radioactive materials. Subsequent to that incident, in October 1993, a worker entered an area with radiation levels above the digital radiation exposure device alarm setpoint and did not heed the alarm. In late 1993, there were multiple examples of workers failing to follow radiological protection procedures during the LaSalle Unit 2 outage. In early 1994, a worker cut a lock that secured an area that was restricted due to the radiological hazards in the area. Additionally, in early 1994, a worker entered a high radiation area without verifying that his personal radiation exposure device was in the proper mode to measure dose.

The enclosed violations involved apparent deliberate actions on the part of worker(s), and poor training, communications and work practices that resulted in a significant source of external radiation exposure. It is evident that there has been a significant breakdown in the LaSalle County Station Radiation Protection Program involving a number of violations that collectively represent a potentially significant lack of attention or carelessness toward licensed responsibilities. Therefore, in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C, the violations are classified in the aggregate as a Severity Level III problem.

You have not been effective in establishing appropriate regard for radiological safety and requiring strict compliance with good radiation safety practices and procedures at LaSalle. We acknowledge that you took some corrective actions in response to the apparent intentional contamination incidents. This included your station management communicating expectations regarding events that appear to involve willful contamination, and re-emphasizing the importance of taking aggressive actions when apparent intentional acts are involved. However, it is unfortunate that the LaSalle inquiry regarding the first apparent deliberate contamination event was limited and not initially documented, and it was only after learning of the second event that you expanded the review and conducted a formal investigation. We also recognize that your station management held a meeting with personnel to discuss expectations following the violation concerning the radioactive waste supervisor collecting the sample from a chemical waste tank. However, at the enforcement conference, your staff was not prepared to address corrective actions for an inadequate shift turnover by radwaste supervisors that contributed significantly to this event. There had been an evolution earlier in the day on February 22 which led to higher than normal dose rates in the chemical waste tank, but this information was not communicated to the afternoon radioactive waste supervisor when he came on shift. Overall, your

management did not appear to have a good understanding of the root causes of these problems at the conference. This is fundamental to developing corrective actions. Clearly, more action is needed than communicating management expectations.

To emphasize the importance of establishing appropriate radiological safety values and culture at the LaSalle County Station, to foster worker respect for radiological hazards and conditions, and considering that the LaSalle County Station has had a poor history of radiological work practices, which has resulted in unnecessary exposure to its workers, I have been authorized, after consultation with the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research and the Director, Office of Enforcement, to issue the enclosed Notice in the amount of \$225,000 for the Severity Level III problem. The base value of a civil penalty for a Severity Level III problem is \$50,000. The civil penalty adjustment factors were considered.

Although the enclosed violations were identified as a result of self-disclosing events, no mitigation of the base civil penalty was warranted for this factor because your staff had not demonstrated sufficient initiative in identifying the root cause of the radiation safety program deficiencies as discussed above. The base civil penalty for the enclosed violations was escalated 50 percent for poor corrective actions, since you have not initiated substantial and comprehensive efforts to implement and maintain sound radiation protection practices and procedures at all levels of your facility organization to date.

In addition, the base civil penalty was escalated 100 percent for poor past performance. As discussed above, a number of problems have been identified in the last two years that demonstrate continued poor performance in the Radiation Protection Program at LaSalle County Station. In addition, the most recent SALP report indicates that the overall performance at LaSalle Station has declined. The decline in performance was attributed to a general lack of management aggressiveness in identifying and resolving problems.

The other adjustment factors in the Policy were considered, and no further adjustment to the base civil penalty based on an application of the adjustment factors is considered appropriate. Therefore, the base civil penalty for the Severity Level III problem has been increased by 150 percent, which would result in a civil penalty of \$125,000. However, to further emphasize the concern that the NRC has for the poor Radiation Protection Program, for the apparent lack of regard for good radiation protection practices that your employees continue to exhibit, and for your continuing failure to successfully implement effective actions to address these problems, the NRC proposes to exercise discretion to further escalate the amount of the adjusted civil penalty by \$100,000, in accordance with Section VII.A(1) of the Enforcement Policy. This results in a total civil penalty of \$225,000.

You are required to respond to this letter, and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional

actions you plan to prevent recurrence. Specifically, you should describe any actions you plan to take to emphasize and enforce the need for strict adherence to good radiation protection practices and procedures. We plan on meeting with you to review your response and assure that your actions are sufficiently comprehensive to address the problems in this area. After reviewing your response to this Notice, and meeting with you regarding your corrective actions, we will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your responses will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Public Law No. 96-511.

Sincerely,

Original signed by  
H. J. Miller for

John B. Martin  
Regional Administrator

Enclosure:  
Notice of Violation and Proposed  
Imposition of Civil Penalty

cc w/enclosure:  
L. O. DeGeorge, Vice President,  
Nuclear Oversight and Regulatory Services  
W. Murphy, Site Vice President  
D. J. Ray, Station Manager  
J. Lockwood, Regulatory Assurance  
Supervisor  
D. Farrar, Nuclear Regulatory  
Services Manager  
OC/LFDCB

cc w/enclosure: See Next Page

*yes*  
RIII  
*RWD*  
DeFayette

5/17/94

*yes*  
RIII  
*WMA*  
Axelson

5/18/94

RIII  
*see previous*  
Miller  
*concurrence*  
5/19/94

RIII  
Martin  
*JBM*  
5/19/94

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John B. Martin  
Regional Administrator

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cc w/enclosure: See Next Page

RIII  
DeFayette  
5/ /94

RIII  
Miller  
5/17/94

RIII  
Martin  
5/ /94

cc w/enclosure: (Con't)  
Resident Inspectors, LaSalle,  
Dresden, Quad Cities  
Richard Hubbard  
Nathan Schloss, Economist, Public  
Utilities Division  
Licensing Project Manager, NRR  
State Liaison Officer  
Chairman, Illinois Commerce  
Commission  
W. L. Axelson, RIII

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EA File (2)

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State of Illinois

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