

October 23, 1995

EA 95-197
Mr. K. Graesser
Site Vice President
Byron Station
Commonwealth Edison Company
4450 N. German Church Road
Byron, IL 61010

SUBJECT: NRC INTEGRATED INSPECTION REPORT NOS. 50-454/95008(DRP);
50- 15008(DRP)

Dear Mr. Graesser:

This refers to the inspection conducted by Messrs. H. Peterson, C. H. Brown, and N. D. Hilton of this office, and C. Thompson of the Illinois Department of Nuclear Safety on August 4, 1995, to September 18, 1995, at the Byron facility. The purpose of the inspection was to determine whether activities authorized by the license were conducted safely and in accordance with NRC requirements. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Based on the results of this inspection, four apparent violations were identified and are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600 (60 FR 34381; June 30, 1995). The apparent violations pertain to the licensee's discovery that the 1B hydrogen monitor had been inoperable for a significant period of time, most likely since construction. The violations involve (1) failure to complete the required actions of Technical Specification 3/4.6.4.1, both part a. and three examples of part b., (2) the failure to take proper action and report the Hydrogen Monitor Trouble light during shiftly surveillance, (3) the failure to follow a procedure, specifically not operating the 1B hydrogen monitor for the period of time required for the shiftly surveillance, and (4) failure to test the water purge cycle of the hydrogen monitors. See Section 3.1 of the enclosed inspection report for additional details. The circumstances surrounding these apparent violations, the significance of the issues, and the need for lasting and effective corrective action were discussed with members of your staff at the inspection exit meeting on September 18, 1995. As a result, it may not be necessary to conduct a predecisional enforcement conference in order to enable the NRC to make an enforcement decision. However, a Notice of Violation is not presently being issued for these inspection findings. Before the NRC makes its enforcement decision, we are

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providing you an opportunity to either (1) respond to the apparent violations addressed in this inspection report within 30 days of the date of this letter, or (2) request a predecisional enforcement conference.

Your response should be clearly marked as a "Response to Apparent Violations in Inspection Report Nos. 50-454/95008(DRP); 50-455/95008(DRP)" and should include for each apparent violation: (1) the reason for the apparent violation, or, if contested, the basis for disputing the apparent violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response should be submitted under oath or affirmation and may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a predecisional enforcement conference.

If you choose not to provide a response and would prefer participating in a predecisional enforcement conference, please contact Mr. Martin J. Farber at (708) 829-9605 as soon as possible.

In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response (if you choose to provide one) will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without reduction.

The responses to the apparent violations described in the enclosed inspection report 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,

W. L. Axelson, Director,
Division of Reactor Projects

Docket No. 50-454; 50-455
License Nos. NPF-37; NPF-66

Enclosure: Inspection Report Nos.
50-454/95008(DRP)
50-455/95008(DRP)

See Attached Distribution

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 FROM J. GRAY
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