

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Commonwealth Edison Company
Braidwood Station, Units 1 and 2

Docket Nos. 50-456; 50-457
License Nos. NPF-72; NPF-77
EA Nos. 96-070; 96-102

During an NRC inspection conducted on January 23 through March 21, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, 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. 2282, and 10 CFR 2.205. The particular violations and associated civil penalty are set forth below:

- I. 10 CFR 50, Appendix B, Criterion V, "Instructions, Procedures, and Drawings," requires that activities affecting quality shall be prescribed by documented instructions, procedures, or drawings, of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, or drawings.
 - A. Braidwood Administrative Procedure, BwAP 330-1, Revision 17E1, Step c.2.a, requires if points of isolation required are different from a standard (normal) isolation, marked-up prints or a separate list shall be submitted showing the required isolation points. If the out of service is done on the computer, the prints/list will be sent to the SE office or out of service planning office, with adequate information identifying the associated out of service.

Contrary to the above, as of March 1, 1996, the cognizant work planner did not submit marked-up prints or a separate list to the SE office or out of service planning office showing required isolation points for out of service #960001992 for the 2B safety injection pump. The out of service was performed on computer and the required isolation points were different from a standard isolation. (01013)
 - B. Braidwood Administrative Procedure, BwAP 330-1, Revision 17E1, Step c.2 requires, in part, that the designated Nuclear Station Operator (NSO) reviews the out of service for completion and information and determines the isolation points as necessary to meet the method of isolation requested by the requestor. For out of services requiring independent verification, the out of service isolation points, sequencing, and positions are reviewed by a second qualified individual. The Unit Supervisor (designee) reviews the out of service, and independently verifies isolation points to assure opposite train operability.

Contrary to the above:

1. On February 23, 1996, the on shift NSO who prepared out of service #960001992, and a second NSO who performed an independent verification, did not adequately determine the

isolation points as necessary to meet the method of isolation requested by the requester.

2. On March 1, 1996, the on shift Senior Reactor Operator did not independently verify all isolation points to assure opposite train operability for out of service #960001992, an out of service requiring independent verification. (01023)
 - C. Contrary to the above, on January 23 and 24, 1996, operators manipulated valves V-4 and V-5 on the 2A and 2B hydrogen monitors, without using instructions or procedures, an activity affecting quality. (01033)
- II. 10 CFR Part 50, Appendix B, Criterion XVI, "Corrective Action," requires, in part, that measures be established to assure that conditions adverse to quality are promptly identified and corrected. In the case of significant conditions adverse to quality, the measures shall assure that the cause of the condition is determined and corrective action taken to preclude repetition. The identification of the significant condition adverse to quality, the cause of the condition, and the corrective action taken shall be documented and reported to the appropriate levels of management.
- A. Contrary to the above, as of January 24, 1996, the licensee failed to promptly correct a condition adverse to quality. Specifically, on December 3, 1994, an event occurred where throttle valve V-5 was inadvertently closed on a hydrogen monitor during a surveillance. On February 16, 1995, Engineering Request ER9500287 was initiated to replace the V-5 throttle valve on each of the four hydrogen monitors with a valve having a finer throttling control because it was barely cracked open and any bumping of the valve would cause a flow problem. However, as of January 23, 1996, the licensee had not replaced throttle valve V-5 on each of the four hydrogen monitors nor implemented administrative controls to prevent two similar events from occurring on January 23 and 24, 1996. (01043)
 - B. Contrary to the above, as of March 21, 1996, the licensee failed to promptly identify and correct recurrent problems in the area of plant configuration control and out of services, a significant condition adverse to quality. Specifically:
 1. Site Quality Verification Reports QVL 20-95-106, QVL 20-95-110, and QVL 20-96-004, for the months of October, November, and December 1995, respectively, identified problems in the areas of plant configuration control and out of services.
 2. On November 20, 1995, the licensee documented a potential adverse trend in the area of plant configuration control (Trend 95-018).

3. Subsequent trend investigations identified there had been numerous plant configuration control and out of service problems throughout 1995.

However, as a result of these problems not being promptly identified and corrected, a number of subsequent events occurred including uncontrolled valve manipulations which rendered both trains of the Unit 2 hydrogen monitoring system inoperable on January 24, 1996; an inappropriate out of service rendering both trains of Unit 2 safety injection inoperable on March 4, 1996; an auxiliary building ventilation supply fan was approved for operation on March 12, 1996, following maintenance even though it was still disassembled; uncoupling a Unit 1 containment chilled water pump without proper authorization on March 13, 1996; and inadvertently generating a low pressurizer level signal while de-energizing two panels to hang out of service cards on March 18, 1996. (01053)

This is a Severity Level III problem (Supplement I).
Civil Penalty - \$100,000.

Pursuant to the provisions of 10 CFR 2.201, Commonwealth Edison Company (Licensee) is hereby required to submit a written statement or 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 will be achieved.

If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as why the license should not be modified, suspended, or revoked or why such other action 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 shall be submitted under oath or affirmation.

Within the same time as provided for the response required above 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 violation 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 VI.B.2 of the Enforcement Policy 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: James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at Lisle, Illinois
this 16th day of May 1996