

DMB
IE14

October 2, 1985

Docket No. 50-454
License No. NPF-37
EA 85-99

Commonwealth Edison Company
ATTN: Mr. James J. O'Connor
President
Post Office Box 767
Chicago, IL 60690

Gentlemen:

Subject: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
(NRC INSPECTION REPORTS NO. 50-454/85022(DRSS) AND 50-455/85020(DRSS))

This refers to the inspection conducted during the period May 6 through July 22, 1985 at the Byron Nuclear Station. The inspection disclosed numerous examples of failures to follow radiation protection procedures, failures of management to adequately evaluate radiological conditions, and lack of adequate procedures. The results of this inspection were discussed on June 27 and July 22, 1985 during Enforcement Conferences held in the Region III office between Mr. C. Reed and others of your staff and myself and others of the NRC staff.

The violations in the Notice principally involve three separate events. During the first event, on April 17, 1985, continual Radiation/Chemistry Technician (RCT) attendance was not maintained as required by the Radiation Work Permit for a shift foreman and an equipment attendant entering containment. As a result, radiation doses for these two individuals and the RCT who initially entered containment exceeded Station limits.

During the second event, on May 1, 1985, two electrical maintenance workers entered the incore motor drive area, a high radiation area, without being accompanied by an RCT, as required by Station procedures. Although the workers were provided with dosimetry devices, they were not adequately instructed in the use of these devices nor were they informed of the radiation levels in the work area or that continuous attendance in the area by an RCT was required. As a result, both individuals received radiation doses that exceeded Station administrative limits.

During the third event, on July 1, 1985, a maintenance crew removed contaminated insulation from a leaking valve without using protective clothing and without prior contact with the Radiation/Chemistry Department. As a result, an individual's hands and clothing were contaminated.

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We are concerned that in all three events, procedures were not followed and plant personnel were directed to work in areas where there were significant radiological hazards without adequate supervision or training.

To emphasize the importance of ensuring that supervisory and other personnel know and follow established radiological safety procedures, personnel are adequately trained, and that personnel make effective use of the Radiation/Chemistry Department staff, I have been authorized, after consultation with the Director, Office of Inspection and Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Fifty Thousand Dollars (\$50,000) for the violations described in the enclosed Notice. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985) (Enforcement Policy), the violations described in the enclosed Notice have been categorized as a Severity Level III problem. Mitigation of the proposed civil penalty was considered because of your prior good enforcement history; however, since this plant has only recently received an operating license and has already experienced three radiological events that indicate a lack of management attention, no mitigation of the penalty was deemed warranted.

I am enclosing for your information a copy of IE Information Notice No. 84-19 which describes two events involving entry into high radiation areas caused by inadequate understanding of the radiological hazards present and inadequate access controls. I am providing this to further emphasize the significance NRC places on radiological controls and the consequence of inadequate management attention in this area.

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. After reviewing your response to this Notice, including your proposed corrective actions, the NRC will determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosure will be placed in the NRC's Public Document Room.

October 2, 1985

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, PL 96-511.

Sincerely,

Original signed by
James G. Keppler

James G. Keppler
Regional Administrator

Enclosures:

- 1. Notice of Violation and Proposed Imposition of Civil Penalty
- 2. IE Information Notice No. 84-19
- 3. Inspection Reports
 - No. 50-454/85022(DRSS)
 - No. 50-455/85020(DRSS)

cc w/enclosures:

- D. L. Farrar, Director of Nuclear Licensing
- R. E. Querio, Plant Manager

See Attached List For Distribution

yes (serpens)
RIII
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RIII
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RIII
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