

NOTICE OF VIOLATION

Commonwealth Edison Company
Byron Station, Units 1 and 2

Docket Nos. 50-454; 50-455
License Nos. NPF-37; NPF-66

During an NRC inspection conducted from May 2 through June 12, 1997, three violations of NRC requirements were identified. In accordance with NUREG-1600, "General Statement of Policy and Procedure for NRC Enforcement Actions," the violations are listed below:

1. 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.

LER 50-454/94014 "Diesel Generator (DG) inoperability in Mode 5 due to misinterpretation of TS requirements," committed to a corrective action of developing a technical specification interpretation (TSI) to clarify the requirements of DG inoperability when its supporting equipment was inoperable.

Contrary to the above, the inspectors identified that from October 17, 1994, until April 29, 1997, the corrective actions to conditions adverse to quality that were identified in LER 454/94-014 were not performed. Specifically the TSI had not been developed (50-454;455/97008-01(DRP)).

This is a Severity Level IV violation (Supplement I).

2. 10 CFR Part 50, Appendix B, Criterion II, "Quality Assurance Program," requires, in part, that activities affecting quality shall be accomplished under suitably controlled conditions.

Contrary to the above, the inspectors identified that on May 13, 1997, the 2B diesel driven auxiliary feedwater pump was not tested under suitably controlled conditions. Specifically, a manual start of the diesel engine was performed (preconditioning) immediately prior to an engineered safeguard feature start (50-454/455-97008-02(DRP)).

This is a Severity Level IV violation (Supplement I).

3. 10 CFR Part 50, Appendix B, Criterion III, "Design Control," requires, in part, that measures be established to assure that applicable regulatory requirements and the design basis are correctly translated into specifications, drawings, procedures, and instructions. Design changes, including field changes, shall be subject to design control measures commensurate with those applied to the original design.

Contrary to the above, the inspectors identified that from April 13, 1997, until April 29, 1997, the temporary alteration program was not adequate to ensure design control measures commensurate with those applied to the original design were implemented prior to connecting a strip chart recorder, a temporary system alteration, on the bus 211 battery charger for troubleshooting (50-454/455-97008-03(DRP)).

This is a Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Commonwealth Edison is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting the Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the 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. If an adequate reply is not received within the time specified in the Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

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 23rd day of July 1997