

Enclosure 1

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Baltimore Gas and Electric Company
Calvert Cliffs, Units 1 and 2

Docket Nos. 50-317; 50-318
License Nos. DPR-53; DPR-69
EA 87-77

During an NRC inspection conducted on March 23-27, 1987 of the licensee's program for environmental qualification (EQ) of equipment, violations of NRC requirements were identified. In accordance with the "Modified Enforcement Policy Relating to 10 CFR 50.49, Environmental Qualification of Electrical Equipment Important to Safety of Nuclear Power Plants," contained in Generic Letter 88-07, 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:

10 CFR 50.49(d), (f), and (j), respectively, require, that (1) a list of electric equipment important to safety be prepared, and information concerning performance specifications, electrical characteristics and postulated environmental conditions for this equipment be maintained in a qualification file; (2) each item of electric equipment important to safety shall be qualified by testing and/or analysis of identical or similar equipment, and the qualification based on similarity shall include a supporting analysis to show that the equipment to be qualified is acceptable; and (3) a record of the qualification shall be maintained in an auditable form to permit verification that each item of electrical equipment important to safety is qualified and that the equipment meets the specified performance requirements under postulated environmental conditions.

Contrary to the above, as of March 27, 1987, certain environmental qualification files did not include the required documentation to demonstrate environmental qualification, or the listing of electrical equipment important to safety was found not to be complete. Examples of each violation include:

1. Tape splices, an item of electric equipment important to safety, were installed on Unit 1 and 2 components in various safety systems, including solenoid blocking valves, 4 KV motor terminations, 480 V motor splices, and 120 V control and instrument splices. These tape splices were made using standard electrical tape and neither test data nor analysis existed in a qualification file to demonstrate qualification of these splices. This condition existed since at least November 30, 1985.

2. Numerous other items of electric equipment important to safety were installed at both units but were not included on the list of electric equipment important to safety, and did not have a record file to demonstrate qualification. This condition existed since at least November 30, 1985 and the items included: (1) unqualified heat shrink assemblies (Raychem and Ideal); (2) unqualified terminal blocks (Buchanan 100, GE CR151, and unidentified phenolic-type); (3) unqualified relays (Square D, Struthers Dunn, and Telemecanique); (4) weepholes in electrical junction boxes absent or not in the proper orientation; (5) T-drains in motor operated valves not installed; (6) an unqualified coil; and (7) unqualified handswitches.

These violations constitute an EQ category A problem.

Civil Penalty - \$300,000 (These EQ violations existed in excess of 100 days of plant operation).

Pursuant to the provisions of 10 CFR 2.201, Baltimore Gas and Electric Company (Licensee) is hereby required to submit a written statement of explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this 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, (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 was or will be achieved. If an adequate reply is not received within the time specified in this 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. 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 to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, or money order payable to the Treasurer of the United States in the amount of the civil penalty proposed above, or the cumulative amount of the civil penalties if more than one civil penalty is proposed, 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 violations 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, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the mitigation factors in the "Modified Enforcement Policy Relating to 10 CFR 50.49, Environmental Qualification of Electrical Equipment Important to Safety for Nuclear Power Plants," contained in Generic Letter 88-07, 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 responses to the Director, Office of Enforcement, noted above (Reply to a Notice of Violation, letter with payment of civil penalty, and answer to a Notice of Violation) should be addressed to: Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, a copy to the Regional Administrator, U. S. Nuclear Regulatory Commission, 475 Allendale Road, King of Prussia, PA, 19406 and a copy to the NRC Resident Inspector, Calvert Cliffs.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By
WILLIAM T. RUSSELL
William T. Russell
Regional Administrator

Dated at King of Prussia, Pennsylvania
this 28th day of April 1988.