

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Baltimore Gas and Electric Company EA 98-280  
Calvert Cliffs  
Docket Nos. 50-317 and 50-318

SUBJECT: PROPOSED IMPOSITION OF CIVIL PENALTY - \$55,000  
(NRC Inspection Report Nos. 50-317,318,/98-

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$55,000 will be issued on or about July 30, 1998 to Baltimore Gas and Electric (BGE) for a Severity Level III problem involving multiple failures to properly implement radiological control procedures during two entries into the reactor annulus on April 9, 1998. These failures represent a significant lack of attention towards radiation protection.

Although the failures resulted in only one worker receiving an exposure in excess of BGE's administrative limits, the staff is particularly concerned that these failures involve recurrence of fundamental problems in BGE's radiological protection program that caused a serious event in April 1997, in which BGE failed to implement appropriate radiological controls during diving operations in the Unit 2 spent fuel pool. A \$176,000 civil penalty was issued for that incident based on a Severity Level II problem. Also, a Severity Level III NOV without a civil penalty was also issued for BGE's failure to establish adequate controls for airborne radioactivity for work in the reactor cavity in May 1997. A civil penalty was not issued because the violations related to the cavity event occurred approximately one month after the diver event and appeared to be the result of the same fundamental performance deficiencies. The more recent failures in April 1998, should have been precluded if corrective actions from the 1997 incidents were effectively implemented.

Consideration was given to BGE's efforts to identify the violations once it was recognized that three dose rate meters were alarming after the second entry was made, as well as, the apparently comprehensive corrective actions that are now being taken. Notwithstanding those actions, in the light of the past poor performance and ineffectiveness in implementing past corrective actions, the staff intends to exercise discretion pursuant to Section VIII.A.1.(c) and (d) and issue a proposed civil penalty to emphasize the importance of implementing effective and lasting corrective actions in the radiation protection area.

It should be noted that the licensee has not been specifically informed of the enforcement decision.

Mailing of the Notice of Violation July 30, 1998  
Telephone Notification of Licensee July 30, 1998

The State of Maryland will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: J. Lieberman, OE, 415-2741

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July 27, 1998  
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**PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION**