

ENCLOSURE 1

NOTICE OF VIOLATION

PECO Energy Company
Peach Bottom Atomic Power Station Units 2 and 3
Delta, PA

Docket Nos. 50-277, 278
License Nos. DPR-44, DPR-56

During an NRC inspection conducted from August 11, 1998 through September 21, 1998, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, these violations are listed below:

- A. Peach Bottom Unit 3 Technical Specification 5.4.1 requires, in part, that written procedures be established, implemented, and maintained covering the applicable procedures recommended in Regulatory Guide 1.33, Appendix A, November 1972. The procedures listed in Regulatory Guide 1.33, Appendix A, include reactor water cleanup system startup.

Contrary to the above, prior to September 12, 1998, PECO failed to properly maintain system operation procedure (SO) 12.1.A-3, Revision 19, "Reactor Water Cleanup (RWCU) System Startup for Normal Operations or Reactor Vessel Level Control," resulting in two RWCU system events in August 1998. In the first instance, inadequate instructions for verifying the position of the 'B' non-regenerative heat exchanger vent valves led to a steam leak and unplanned entry into emergency operating procedures. In the second instance, inadequate instructions for verifying the 'B' demineralizer inlet valve position resulted in an engineered safety feature actuation (i.e., automatic system isolation) while placing the demineralizer in service.

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

- B. Units 2 and 3 Technical Specification 5.4.1 requires, in part, that written procedures be established, implemented, and maintained covering the applicable procedures recommended in Regulatory Guide 1.33, Appendix A, November 1972. Appendix A, of the regulatory guide recommends, in part, in Section H.1., that procedures of a type appropriate to the circumstances be provided to assure that instruments are properly controlled, calibrated, and adjusted to maintain accuracy. Examples of such equipment to be calibrated and tested include laboratory instruments.

Radiation Protection Procedure HP-C-403, "Instrument Quality Checks," Revision 0, requires in Section 7.4.2, that if 3 or more consecutive instrument source check values, are in the warning band of the Control Chart, notify the Instrument Physicist who will evaluate the Control Chart and determine the instrument's physical condition and determine whether to place the instrument out of service or continue use. If continued use is permitted, the Instrument Physicist is to denote same on the Control Chart and initial and date the entry. The warning level is defined in the

procedure as the range on the control chart between + 2 sigma and + 3 sigma and between -2 sigma and - 3 sigma values.

Contrary to the above, the third consecutive source check for an alpha smear counting instrument (SAC-4 No. 805) fell outside of -2 sigma (i.e, was in the warning band of the Control Chart) on August 17, 1998, and 1) the Instrument Physicist was not contacted to determine the instruments physical condition and determine whether to place the instrument out of service or continue use and 2) the Control Chart was not initialed by an Instrument Physicist to permit continued use of the instrument. The instrument was subsequently used to count alpha smears of incoming shipments of radioactive material.

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

Pursuant to the provisions of 10 CFR 2.201, PECO Energy Company is hereby required to submit a written statement or explanation for violation A to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector at the facility that is subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. 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 to 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.

The NRC has concluded that the information regarding the reason for violation B, the actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed in this inspection report. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you chose to respond, include the written statement or explanation with your response to violation A.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at King of Prussia, Pennsylvania
this 28th day of October, 1998