



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

October 27, 1998

EA 98-379

Mr. Oliver D. Kingsley
President, Nuclear Generation Group
Commonwealth Edison Company
ATTN: Regulatory Services
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT 3-98-014;
INSPECTION REPORTS 50-454/98018(DRS); 50-455/98018(DRS)

Dear Mr. Kingsley:

As a result of your Byron staff informing us of an inattentive worker identified in a radiologically posted area, the Nuclear Regulatory Commission (NRC) Office of Investigations (OI) conducted an investigation regarding this matter. A copy of the OI report synopsis is enclosed. On December 19, 1997, Byron Station personnel observed a senior contract radiation protection technician loitering on the 426 foot elevation in the Unit 1 containment, a radiologically posted area. Loitering in a radiation field was contrary to your procedure number BRP 5000-7, "Unescorted Access to and Conduct in Radiologically Posted Areas." An inspection report number was assigned only for NRC tracking purposes, an inspection report is not enclosed.

The OI investigation determined that this event involved a deliberate violation of station radiation protection procedures. Based on the individual's training relative to these activities in the radiation protection area, the individual's successful completion of nuclear general employee training, and interviews with the individual and licensee personnel, the NRC determined that the individual was aware of the procedural requirements which prohibited loitering in a radiation field. Radiation Protection Procedure BRP 5000-7, Revision 7, dated June 28, 1996, "Unescorted Access To And Conduct In Radiologically Posted Areas," implements the requirements of Technical Specification 6.8.1 and requires in Section F.3.k that workers not loiter in radiation fields or airborne radioactivity areas.

The NRC recognized that this event was identified by Byron Station personnel. However, the individual's deliberate violation of procedures caused Commonwealth Edison Company to be in violation of NRC requirements.

Although this violation is deliberate, it was brought to the NRC's attention by the licensee, it involved isolated acts of a low-level individual, and it was addressed by appropriate remedial action. Therefore, this non-repetitive, licensee-identified and corrected violation is being treated as a Non-Cited Violation, consistent with Section VII.B.1 of the NRC Enforcement Policy.

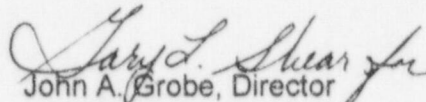
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It is imperative that the NRC be able to rely on its licensees, including their employees, to comply with NRC requirements. Although this incident appeared to be isolated, the employees of a licensee and its contractors must be cognizant that willful noncompliance cannot be tolerated.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

We will gladly discuss any questions you have concerning this matter.

Sincerely,


John A. Grobe, Director
Division of Reactor Safety

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

Enclosure: OI Report Synopsis

cc w/encl: D. Helwig, Senior Vice President
H. Stanley, PWR Vice President
C. Crane, BWR Vice President
R. Krich, Regulatory Services Manager
D. Greene, Licensing Director
DCD - Licensing
K. Graesser, Site Vice President
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IEDo

Docket File w/encl

GREENS

R. Paul, OI:RIII

OAC:RIII

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SYNOPSIS

This investigation was initiated on March 30, 1998, by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, to determine if a NUMANCO Senior Health Physics Technician (HPT) had deliberately violated any required procedures.

Based on the evidence developed during this investigation, it is concluded that the NUMANCO Senior HPT, deliberately violated a Byron Nuclear Station radiation protection procedure and/or NUMANCO procedure, in that, he was observed by three individuals to be inattentive-to-duty (loitering/sleeping) in the Unit 1 Containment (radiologically posted area) on December 19, 1997.