



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
801 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4351

September 29, 1997

EA 96-392, and 97-021

Mr. W. T. Subalusky, Jr.  
Site Vice President  
LaSalle County Station  
Commonwealth Edison Company  
2601 North 21st Road  
Marseilles, Illinois 61341

SUBJECT: EXERCISE OF ENFORCEMENT DISCRETION  
(NRC Inspection Reports: 50-373/374/96011, 50-373/374/96013,  
50-373/374/96018, and 50-373/374/97003)

Dear Mr. Subalusky:

This refers to four inspections conducted from September 1996 to March 1997 at the LaSalle facility. The inspections included a review of the repair activities associated with the replacement of the Unit 2 "A" residual heat removal service water (RHRSW) pump impeller, review of several problems that indicate weaknesses in your corrective action system, and control room habitability problems. We discussed the significance of the issues and the need for lasting and effective corrective action with members of your staff at the inspection exit meetings conducted on September 24, 1996, December 13, 1996, February 13, 1997, and March 21, 1997. Since you were still developing and implementing corrective actions for a prior enforcement action (EA 96-325)<sup>1</sup> that encompassed the apparent violations, our inspection reports dated November 15, 1996, January 29, 1997, February 13, 1997, and May 20, 1997, offered you the option to request a predecisional enforcement conference or respond to the apparent violations. You elected to respond to the apparent violations and did not request a predecisional enforcement conference.

Based on the information identified during the inspections and the information provided in your responses, the NRC has concluded that violations of NRC requirements did occur. The violations have been grouped into three areas. The first grouping pertained to repair activities associated with replacement of the Unit 2 "A" RHRSW pump impeller. The second grouping pertained to inadequate corrective actions to resolve precursors that led to a rupture disk failure for the reactor core isolation cooling system, suppression pool foreign material problems, breaker alignment problems, and control switches that prematurely degraded. The third grouping pertained to control room and auxiliary electric equipment room habitability problems. The grouping of issues was based on the information developed during the inspections and your January 10, 1997, and March 14, 1997, responses to the apparent violations discussed in the inspection reports; the information that you provided during the exit meetings; and your

1/0  
Teol

<sup>1</sup> EA 96-325 issued a \$650,000 civil penalty on January 24, 1997, for issues identified during inspections conducted from July through August 1996. The issues were failure to understand the design functions and performance characteristics of safety-related structures, inadequate planning and control over safety-related maintenance, non-conservative operability evaluations, and the failure to identify and correct significant conditions adverse to quality.

9710060180 970929  
PDR ADDCK 05000373 PDR  
G

60001



NRC FILE CENTER COPY

Licensee Event Reports 374/97009, 373/96012, 373/96012-01, 373/96014, 373/96017, 373/96017-01, 373/96021, 373/96021-01.

The first grouping of violations pertained to the failure to control and manage the Unit 2 "A" RHRSW pump impeller replacement. The inadequate control of this safety-related maintenance activity resulted in the installation of a different size impeller because maintenance personnel failed to machine the impellers to the size specified on the work request plan. This resulted in altering the hydraulic characteristics of the system and constituted an unauthorized system modification. In addition, post maintenance testing failed to determine if the altered system hydraulic characteristics affected system design performance. A properly implemented and evaluated post maintenance test would have identified the installation error. Lastly, there was a lack of engineering rigor and questioning attitude when your staff failed to question, evaluate, and resolve system performance problems that were the direct result of the increased system flow because of the new impeller. The problems included the failure of a discharge isolation valve and the off scale reading (pegged high) of a flow meter installed in the pump's discharge flow path.

The second grouping of violations pertained to the inability of the licensee's corrective action program to implement timely and effective corrective actions to prevent several 1996 events that were either known industry problems or had previously occurred at the plant. The ineffective corrective actions resulted in the following deficiencies: (1) failure of a rupture disk for the reactor core isolation cooling system, (2) misaligned 480-volt breakers that could have caused the loss of the normal and emergency power supply for the control room and emergency diesel generator room ventilation systems during a seismic event, (3) suppression pool foreign material control problems that could have resulted in inadequate net positive suction head to the emergency core cooling system pumps, and (4) control switch degradation problems due to exposure to hydrocarbons during the manufacturing process and/or the use of cleaning agents containing hydrocarbons.

The third grouping of violations pertained to your staff's identification that the surveillance testing program and design change program were inadequate to demonstrate and maintain post accident operability of the control room (CR) and auxiliary electric equipment room (AEER) ventilation systems. The AEER and CR ventilation systems had not been verified operable since initial plant operation in that your program failed to verify routinely that the systems had the capability to maintain a positive pressure of 1/8 inch water column and similarly, preoperational and post modification testing failed to verify this design parameter. Positive pressure ensures that dose rates to operators are within the federal limits during a design basis accident. In addition, an inadequate safety evaluation for a 1993 modification, which changed the initiation logic for the CR and AEER radiation monitoring system, introduced a single failure vulnerability and resulted in an unreviewed safety question.

The corrective actions for the violations mainly stemmed from EA 96-325 and consisted of establishing a new site management team, a special inspection team, an independent self assessment team, and a corrective action plan. The corrective action plan was divided into four phases. These included definition of the physical plant work and other activities to be

completed before unit restart, work completion, restart and readiness evaluations, and unit restart and power ascension. The corrective action strategy focused on safe plant operation, improved plant material condition, effective outage management, effective work control, improved human performance, effective engineering support, and improved corrective action programs.

Individually, these groups of violations would be designated as Severity Level III problems in accordance with the NRC's NUREG 1600, "General statement of Policy and Procedures for NRC Enforcement Actions," (Enforcement Policy). These problems are of significant regulatory concern because they demonstrated that Commonwealth Edison Company did not manage the modification or corrective maintenance processes; that post maintenance testing did not always confirm component operability; that inservice tests did not always verify continued operability of tested equipment; and that the management control systems, barriers, and processes in place at the time of the inspection were not always effective in ensuring the early detection and timely resolution of conditions adverse to safe plant operation. Normally, such problems would be subject to civil penalties.

However, I have been authorized after consultation with the Director, Office of Enforcement to exercise enforcement discretion in accordance with Section VII.B.6, "Violations Involving Special Circumstances," of the Enforcement Policy and not issue Notices of Violation or propose civil penalties in this case. The decision to apply enforcement discretion was based on consideration of the following: (1) significant NRC enforcement action (EA 96-325) was imposed against the LaSalle County Station for a service water sealant intrusion event for which the licensee's corrective actions encompass the root causes for these apparent violations, (2) the licensee voluntarily shut down both units to address wide ranging performance problems that encompass the causes for the apparent violations, (3) the apparent violations were not willful, (4) the apparent violations were related to activities before the shutdown, (5) the apparent violations would not be classified at a severity level higher than Severity Level II, (6) actions specified in Confirmatory Action Letter (CAL) RIII-96-008B effectively prevent your staff from starting LaSalle County Station without NRC approval, and (7) although the NRC identified a number of these issues because of its inspections, the NRC has determined, based on continuing NRC inspection effort, that Commonwealth Edison Company has dedicated significant resources to address the performance issues and improve LaSalle County Station conduct of operations. Nonetheless, the NRC must emphasize that failure to achieve effective performance improvement could lead to more significant regulatory sanctions.

As stated above, the NRC has concluded that information regarding the reasons for the apparent violations, the corrective actions taken, the corrective actions planned to prevent recurrence, and the date when full compliance will be achieved is already adequately addressed on the docket. 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 choose to respond, clearly mark your response as a "Reply to Exercise of Enforcement Discretion; NRC Inspection Reports 50-373/374/96011; 50-373/374/96013; 50-373/374/96018; and 50-373/374/97003" and send it

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, within 30 days of the date of the letter transmitting this Notice. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation. Because the 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 would 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 safeguard's information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

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

Sincerely,



A. Bill Beach  
Regional Administrator

Docket Nos. 50-373, 50-374  
License Nos. NPF-11, NPF-18

cc: R. J. Manning, Executive  
Vice President, Generation  
M. Wallace, Senior Vice  
President, Corporate Services  
E. Kraft, Vice President  
BWR Operations  
Liaison Officer, NOC-BOD  
D. A. Sager, Vice President,  
Generation Support  
D. Farrar, Nuclear Regulatory  
Services Manager  
I. Johnson, Licensing  
Operations Manager  
Document Control Desk-Licensing  
F. Dacimo, Plant General Manager  
P. Barnes, Regulatory Assurance  
Supervisor  
Richard Hubbard  
Nathan Schloss, Economist  
Office of the Attorney General  
State Liaison Officer  
Chairman, Illinois Commerce  
Commission

DISTRIBUTION:

PUBLIC IE-01

SECY

CA

LCallan, EDO

AThadani, DEDE

LChandler, OGC

JGoldberg, OGC

SCollins, NRR

RZimmerman, NRR

Enforcement Coordinators

RI, RII and RIV

Resident Inspector, LaSalle

RCapra, NRR

DSkay, NRR

JGilliland, OPA

HBell, OIG

GCaputo, OI

TMartin, AEOD

TReis, OE

JLieberman, OE

OE:EA (2) (also by E-Mail)

RAO:RIII

SLO:RIII

PAO:RIII

OC/LFDCB

DRP

Docket File