

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Commonwealth Edison (EA 97-249)
Zion Nuclear Station
Dockets No. 50-295; 50-304

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$110,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$110,000 will be issued on or about January 15, 1998, to Commonwealth Edison (ComEd). The action is based on a Severity Level III problem involving the implementation of the Fitness-for-Duty (FFD) program at the Zion Station. In particular, two supervisors noticed alcohol on the breath of employees and the supervisors failed to send the employees for FFD testing. Also, the FFD procedures for recalling employees to the station were not implemented on two occasions.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$55,000 is considered for a Severity Level III problem. Because an escalated enforcement action was issued to the Zion Station within the last two years, the NRC considered whether credit was warranted for *Identification* and *Corrective Action*. Credit for *Identification* was not warranted because the individual issues were identified through allegations and the NRC identified the programmatic problems with the FFD program. Credit for *Corrective Action* was not warranted because the licensee's corrective actions failed to address the programmatic aspects of the problem. This resulted in a civil penalty of \$110,000.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice	January 15, 1998
Telephone Notification of Licensee	January 15, 1998

The State of Illinois 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.

Contacts: John A. Grobe, Director, Region III Division of Reactor Projects, (630) 829-9700) Brent Clayton, Region III Enforcement Officer, (630) 810-4373

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PRELIMINARY INFORMATION -NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION



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