

PDR



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

August 1, 1997

EA 97-132

Mr. John G. Cook
Senior Vice President
Illinois Power Company
500 S. 27th Street
Decatur, IL 62525

'97 AUG 11 AIO:59

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTIES
- \$110,000 (NRC Engineering and Technical Support and Startup Readiness
Inspection Report 50-461/97003(DRS))

Dear Mr. Cook:

This refers to the inspection conducted from January 6, 1997, through March 7, 1997, at the Clinton Power Station (CPS). The inspection included aspects of engineering and technical support and selected startup readiness review action items. An exit for the inspection was conducted on March 7, 1997. A predecisional enforcement conference was conducted on May 15, 1997, to discuss issues related to safety-related electrical breaker maintenance.

Based on the information developed during the inspection and the information CPS provided during the predecisional enforcement conference, the NRC has determined that a significant violation of NRC requirements occurred. The enclosure contains a Notice of Violation and Proposed Imposition of Civil Penalties (Notice) that describe the violation. The circumstances surrounding the violation are described in detail in the subject inspection report.

The violation represents a significant program breakdown in that assurance was lost in that safety-related electrical breakers would function if required. Both industry information and a previous related violation should have triggered broad-scoped corrective actions to identify, correct, and prevent electrical breaker degradation. Failure to aggressively implement the requirements of 10 CFR 50, Appendix B, resulted in inadequate corrective action for a longstanding equipment problem and the serious degradation of safety-related electrical breakers.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$55,000 is considered for a Severity Level III violation. Because Clinton has been the subject of escalated enforcement actions within the last two years,¹ the NRC considered whether credit was warranted for *Identification* and *Corrective Action* in accordance with the civil penalty assessment process in Section VI.B.2 of the Enforcement Policy. The NRC determined that credit for

¹ Enforcement actions 96-412, 97-001 and 97-002 were issued June 9, 1997, for issues related to the September 1996 seal failure event, the Division III emergency diesel and feedwater isolation valves.

9708270131 970801
PDR ADOCK 05000461
Q PDR



1074

identification was not warranted because the issue was identified by the NRC during an inspection. Corrective actions described at the predecisional enforcement conference included establishment of a team to focus attention on breakers, a refurbishment plan for GE, Westinghouse, and ABB breakers, reviews of industry information, an improved review process for vendor information, a lowered threshold for condition reports, procedure improvements to specify lubricants, increased supervisory presence in the field, and training on procedure compliance. Your staff also discussed a maintenance review group responsible for tracking equipment failures and detailed system reviews to be performed over a five-year period. While these actions appeared adequate to restore the condition of the breakers, your staff did not address the broader problem of repetitive equipment failures. Specifically, CPS did not look at maintenance work requests or other equipment failure data to determine if there was a history of repetitive problems with other components. Therefore, credit for corrective action was not warranted.

I have been authorized, after consultation with the Director, Office of Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$110,000. The need for this action is to emphasize the importance of strong and broad scope corrective action when deficiencies are identified relative to safety-related equipment.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements. I further note that my staff continues to review activities at CPS, and further enforcement actions may be taken if additional violations are identified.

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

Sincerely,



A. Bill Beach
Regional Administrator

Docket No. 50-461
License No. NPF-62

Enclosure: Notice of Violation and
Proposed Imposition of Civil Penalties

cc w/encls: W. Romberg, Clinton Power Station
P. Yocum, Plant Manager
Clinton Power Station
R. Phares, Manager-Nuclear Assessment
J. Sipek, Director - Licensing
Nathan Schloss, Economist
Office of the Attorney General
G. Stramback, Regulatory Licensing
Services Project Manager
General Electric Company
Chairman, DeWitt County Board
State Liaison Officer
Chairman, Illinois Commerce Commission

J. Cook

-4-

DISTRIBUTION:

~~PUBLIC INFORMATION~~

SECY

CA

L. Callan, EDO

A. Thadani, DEDE

L. Chandler, OGC

J. Goldberg, OGC

S. Collins, NRR

R. Zimmerman, NRR

Enforcement Coordinators

RI, RII and RIV

SRI-Clinton, Dresden, LaSalle,

and Quad Cities

T. Pruett, RIV

G. Marcus, NRR

D. Pickett, NRR

J. Gilliland, OPA

H. Bell, OIG

G. Caputo, OI

L. Tremper, OC

D. Ross, AEOD

OE:ES

OE:EA (2)

G. Johnson, OC/DAF

RAO:RIII

SLO:RI/I

PAO:RIII

OC/LFDCB

DRP

Docket File