



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

MAY 03 1989

Docket Nos. 50-254 and 50-265
Licenses Nos. DPR-29 and DPR 30
EA 87-82

Commonwealth Edison Company
ATTN: Mr. James J. O'Connor
President
Post Office Box 767
Chicago, Illinois 60690-0767

Gentlemen:

SUBJECT: ORDER IMPOSING A CIVIL MONETARY PENALTY (QUAD CITIES)

This refers to your letters dated November 21, 1988 and December 19, 1988 in response to the Notice of Violation and Proposed Imposition of Civil Penalty (Notice) sent to you by our letter dated October 20, 1988. Our letter and Notice describe one violation identified by the NRC at the Quad Cities Nuclear Power Station.

To emphasize the importance of environmental qualification of electrical equipment important to safety, a civil penalty of One Hundred and Fifty Thousand Dollars (\$150,000) was proposed.

In your response, you made a qualified admission of a violation of 10 CFR 50.49 requirements but you contended that Commonwealth Edison Company (CECo) should not clearly have known of the violation. Additionally, you asserted that, should the NRC staff conclude that you clearly should have known of the violation, mitigation of the proposed civil penalty is appropriate. Finally, you claimed that the proposed penalty is inconsistent with the Modified Enforcement Policy because the NRC is penalizing CECo twice by issuing identical violations to Dresden and Quad Cities and the amount of the penalty is unfair because another licensee received a lower penalty for the same violation.

After consideration of your response, we have concluded, for the reasons given in the Appendix attached to the enclosed Order Imposing Civil Monetary Penalty, that you did not provide sufficient basis for withdrawal of the violation. However, after reconsidering the escalation and mitigation factors, the NRC has concluded that the escalation of the base civil penalty by 50% when considering the factor of identification and reporting, was inappropriate. Accordingly, we have concluded a 50% reduction of the proposed civil penalty to be appropriate and hereby serve the enclosed Order on Commonwealth Edison Company imposing a civil penalty in the amount of Seventy-Five Thousand Dollars (\$75,000). We will review the effectiveness of your corrective actions during a subsequent inspection.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

8905080141 890503
PDR ADOCK 05000254
Q PDC

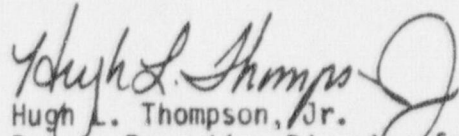
IF:14

Commonwealth Edison Company

- 2 -

In accordance with Section 2.790 of the NRC's "Rules for Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosures will be placed in the NRC's Public Document Room.

Sincerely,


Hugh L. Thompson, Jr.
Deputy Executive Director for
Nuclear Materials Safety, Safeguards
and Operations Support

Enclosure: Order Imposing Civil
Monetary Penalty with Appendix

cc w/enclosure:
Cordell Reed, Senior Vice President
H. Bliss, Nuclear Licensing Manager
R. L. Bax, Plant Manager
Resident Inspector, RIII
J. W. McCaffrey, Chief, Public
Utilities Division