

March 6, 1997

Mr. D. M. Smith, President
PECO Nuclear
Nuclear Group Headquarters
Correspondence Control Desk
P. O. Box 195
Wayne, PA 19087-0195

SUBJECT: NRC INTEGRATED INSPECTION REPORT 50-352/96-10, 50-353/96-10 AND
NOTICES OF VIOLATION

Dear Mr. Smith:

This refers to the inspection conducted on December 17, 1996 through February 3, 1997, at your Limerick 1 & 2 reactor facilities. The enclosed report presents the results of this inspection.

During the 7-week inspection period, your conduct of activities at the Limerick 1 & 2 facilities was generally characterized by safe and conservative operations. For instance, Unit 2 was shut down a day earlier than planned due to a slowly increasing trend in the drywell unidentified coolant leakage rate.

The security program was reviewed during this period. The inspection consisted of selective reviews of procedures and records, inspector observations, and interviews with security personnel. The inspector determined that you are implementing a security program that effectively protects public health and safety.

Based on the results of this inspection, the NRC has determined that violations of NRC requirements occurred. These violations are cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding them are described in detail in the subject inspection report. The first violation concerns an instance where a valve required to be closed and deenergized was closed, but left energized for approximately three days. The second violation involved an emergency diesel generator fuel oil storage tank level that was below the required level for approximately two months. The violations are of concern because both of the violations were due to personnel errors in the operations area. Additionally, both existed for a period of time during which other operators had opportunities to identify and correct these errors. Your continued focus in these areas is warranted.

The NRC has concluded that information regarding the reason for the violations, the corrective actions taken and planned to correct the violations and prevent recurrence is already adequately addressed on the docket in Inspection Report No. 50-352, 353/96-10 dated February 26, 1997. Therefore, you are not required to respond to this letter insofar as these violations are concerned unless the description herein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

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Additionally, an apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. This issue involved discrepancies in your methodology to reach and maintain the cold shutdown reactor condition following certain postulated fires that affect operations from the control room. The circumstances surrounding this apparent violation, the significance of the issues, and the need for lasting and effective corrective action were discussed with members of your staff at the inspection exit meeting on February 3, 1997, and later on February 5, 1997. As a result, it may not be necessary to conduct a predecisional enforcement conference in order to enable the NRC to make an enforcement decision. However, a Notice of Violation is not presently being issued for this inspection finding. Before the NRC makes its enforcement decision, we are providing you an opportunity to either (1) respond to the apparent violation addressed in this inspection report within 30 days of the date of this letter or (2) request a predecisional enforcement conference. Please contact Walter Pasciak at 610-337-5258 within 7 days of the date of this letter to notify the NRC of your intended response.

Your response should be clearly marked as a "Response to An Apparent Violation in Inspection Report Nos. 50-352, 353/96-10" and should include for each apparent violation: (1) the reason for the apparent violation, or, if contested, the basis for disputing the apparent violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response should be submitted under oath or affirmation and may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a predecisional enforcement conference.

In addition, this is an opportunity for you to point out any errors in our inspection report and for you to provide any information concerning your perspectives on 1) the severity of the violations, 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII.

Please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

Mr. D. M. Smith

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

Sincerely,

Original Signed By:

Charles W. Hehl, Director
Division of Reactor Projects

Docket Nos.: 50-352, 50-353

License Nos: NPF-39, NPF-85

Enclosures:

1. Notice of Violation
2. Inspection Report 50-352/96-10, 50-353/96-10

cc w/encs:

G. A. Hunger, Jr., Chairman, Nuclear Review Board and Director - Licensing
W. MacFarland, Vice President - Limerick Generating Station
J. L. Kantner, Regulatory Engineer - Limerick Generating Station
Secretary, Nuclear Committee of the Board
Nuclear Safety Information Center (NSIC)
Commonwealth of Pennsylvania

Mr. D. M. Smith

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D. Screnci, † AO
NRC Resident Inspector
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F. Rinaldi, NRR
J. Stolz, PDI-2, NRR
Inspection Program Branch, NRR (IPAS)
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D. Taylor, NRR

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Mr. D. M. Smith

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