

## NOTICE OF VIOLATION

Commonwealth Edison Company  
Byron Station, Units 1 and 2

Docket Nos.: 50-454; 50-455  
License Nos.: NPF-37; NPF-66

During an NRC inspection conducted on April 7 through May 30, 1998, five violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

1. Technical Specification 6.8.1.a states that written procedures shall be established, implemented and maintained for procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978.

Appendix A of Regulatory Guide 1.33, Revision 2, February 1978, Step 1.c, specifies equipment control (e.g., locking and tagging) as an example of an administrative procedure.

Byron Administrative Procedure 330-1, "Station Equipment Out-of-Service Procedure," Revision 28, was issued to control equipment for maintenance. Paragraph C.4.c.2, states, in part, that the out-of-service (OOS) must be sufficient to isolate the equipment being worked on.

Contrary to the above, on May 2, 1998, OOS 970012670 was not sufficient to isolate the equipment being worked on. Consequently, when a hole was drilled in the 2B chemical and volume control pump suction line, a safety-related component, to install a vent, contaminated water sprayed out of the suction line due to an inadequate OOS boundary.

This is a Severity Level IV violation (Supplement I). (50-455/98011-01(DRP))

2. 10 CFR Part 50, Appendix B, Criteria V, "Instructions, Procedures, and Drawings," requires that activities affecting quality be prescribed by documented instructions, procedures, or drawings of a type appropriate to the circumstances and be accomplished in accordance with these instructions, procedures, or drawings.

- a. Byron Operating Procedure RH-9, "Pump Down of the Refueling Cavity to the RWST [Refueling Water Storage Tank]," Revision 11, Paragraph C.12, specifies that the sluice gate between the spent fuel pool and the fuel transfer canal be closed prior to lowering water level.

Contrary to the above, on May 4, 1998, Byron Operating Procedure RH-9, Revision 11, Paragraph C.12, was not followed in lowering the water level in the Unit 2 refueling cavity in that the sluice gate was open. Consequently, approximately 8 inches of water level was inadvertently drained from the spent fuel pool.

This is a Severity Level IV violation (Supplement I). (50-455/98011-03(DRP))

- b. Byron Administrative Procedure (BAP) 1100-3, "Fire Protection Systems, Fire Rated Assemblies, Ventilation Seals, Flood Seals, and Water Tight Doors Impairments," Revision 11, Paragraph C.1, specifies, in part, that a Barrier/Fire Protection Systems Impairment Permit, BAP 1100-3T1, is required for all ventilation seals which are impaired.

Contrary to the above, activities affecting quality were not accomplished in accordance with applicable procedures or instructions in the following instances:

- (1) On April 7-11, 1998, a 4-inch penetration sleeve, a safety-related ventilation seal above Door 0DSD269 going into the Unit 1 Spray Additive Tank Room and Pipe Penetration Area, was impaired by power cables without a Barrier/Fire Protection Systems Impairment Permit, BAP 1100-3T1.
- (2) On April 7-11, 1998, a 4-inch penetration sleeve, a safety-related ventilation seal above Door 0DSD278 going into the Unit 2 Spray Additive Tank Room and Pipe Penetration Area, was impaired by power cables without a Barrier/Fire Protection Systems Impairment Permit, BAP 1100-3T1.
- (3) On April 10-11, 1998, the 2B safety injection pump room door safety-related ventilation seal was impaired by cables and hoses without a Barrier/Fire Protection Systems Impairment Permit, BAP 1100-3T1.
- (4) On April 11-13, 1998, the 2B chemical and volume control pump room door safety-related ventilation seal was impaired by cables without a Barrier/Fire Protection Systems Impairment Permit, BAP 1100-3T1.

This is a Severity Level IV violation (Supplement I). (50-455/98011-06(DRP))

- c. Byron Maintenance Procedure 3300-25, "Refueling Water Storage Tank (RWST) Pipe Tunnel Hatch Cover (BILCO)," Revision 0, Section F.4, specifies, in part, that only one penetration sleeve be open at a time to maintain the auxiliary building pressure negative.

Contrary to the above, on April 10-11, 1998, the RWST pipe tunnel hatch cover, which is a ventilation seal between the auxiliary building and the outside atmosphere, had two 6-inch and four 4-inch penetrations sleeves simultaneously open with cabling running through them.

This is a Severity Level IV violation (Supplement I). (50-455/98011-07(DRP))

3. 10 CFR 50.71(e) requires, in part, that the licensee shall update the Final Safety Analysis Report (FSAR) periodically, as provided in Paragraph (4) of the FSAR to assure that the information included in the FSAR contains the latest material developed. The FSAR shall be revised to include the effects of all safety evaluations performed by the licensee in support of conclusions that changes did not involve an unreviewed safety question.

10 CFR Part 50.71(e)(4) requires, in part, that revisions must be filed annually or 6 months after each refueling outage provided that the interval between successive updates does not exceed 24 months. The revisions must reflect changes up to a maximum of 6 months prior to the date of filing.

Contrary to the above, as of May 30, 1998, the licensee had not updated the FSAR to include the effects of safety evaluation, T1-93-0152, which was conducted in October 1993. Specifically, the safety evaluation concluded that a change to allow the use of the mini-purge system in lieu of the containment purge system did not involve an unreviewed safety question and the FSAR was not revised to reflect the change.

This is a Severity Level IV violation (Supplement I). (50-454/455-98011-11(DRP))

Pursuant to the provisions of 10 CFR 2.201, Commonwealth Edison is hereby required to submit a written statement or explanation 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 at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (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 may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in the Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your 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 will 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 safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Lisle, Illinois  
this 29th day of June 1998