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Byron Generating Station
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February 15, 1995

U.S. Nuclear Regulatory Commission
Washington, DC 20555

Attention: Document Control Desk

Subject: Byron Nuclear Power Station Units 1 and 2
Response to Notice of Violation
Inspection Report No. 50-454/94026; 50-455/94026
NRC Docket Numbers 50-454, 50-455

Reference: John B. Martin letter to Mr. Wallace dated
January 25, 1994, transmitting NRC Inspection
Report 50-454/94026; 50-455/94026

Enclosed is Commonwealth Edison Company's response to the Notice of Violation (NOV) which was transmitted with the referenced letter and Inspection Report. The NOV cited a Severity Level III and Severity Level IV violation requiring a written response. ComEd's response is provided in the attachment.

If your staff has any questions or comments concerning this letter, please refer them to Don Brindle, Regulatory Assurance Supervisor, at (815)234-5441 ext.2280.

Respectfully,

K. L. Graesser
Site Vice President
Byron Nuclear Power Station

Attachment(s)

cc: J. B. Martin, NRC Regional Administrator - RIII
G. F. Dick, Byron Project Manager - NRR
H. Peterson, Senior Resident Inspector, Byron
L. F. Miller Jr., Reactor Projects Chief - RIII
D. L. Farrar, Nuclear Regulatory Services Manager, Downers Grove
Safety Review Dept. c/o Document Control Desk, 3rd Floor, Downers Grove

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ATTACHMENT I

VIOLATION (454(455)/94026-01)

Technical Specification 6.2.b requires, in part, that while the unit is in Mode 1, at least one licensed Senior Operator shall be in the control room.

10 CFR 50.54(m)(2)(iii) requires that when a nuclear power unit is in an operational mode other than cold shutdown or refueling, as defined by the unit's technical specifications, each licensee shall have a person holding a senior operator license for the nuclear power unit in the control room at all times.

Contrary to the above, on October 14, 1994, while Unit 2 was in Mode 1 (a mode other than cold shutdown or refueling), a person holding a senior operator license was not in the common dual unit control room for a period of 22 minutes.

This is a Severity Level III violation (Supplement I).

REASON FOR THE VIOLATION

On first shift, during the early morning of October 14, 1994, the Unit 2 Turbine Building Equipment Attendant (EA) came to the Unit 2 SRO Shift Supervisor (SS) in the Shift Engineer (SE) Office requesting guidance for swapping the oil filter on the 2B Feedwater Pump. The SS needed to talk to the Unit 2 NSO on an unrelated topic, so he told the EA to go to the Unit 2 desk and that he, the SS, would join him in a moment. At about 0201 hrs, the SS entered the Control Room and joined the EA at the U2 Nuclear Station Operator (NSO) Desk intending to discuss the pending filter swap with the NSO and the EA.

The Station Control Room Engineer (SCRE) approached the U2 NSO Desk and asked the U2 SS to relieve him for a few minutes. The SS agreed and, after a turnover, the SS assumed the Command and Control duties of the Control Room Supervisor SRO.

This SS stated that he normally moves his security badge to a different location on his body when he is performing a relief for the SCRE, as an additional reminder of his Control Room Supervisor responsibilities. On this occasion, however, he forgot to move his badge. There is no policy or procedure that requires the Control Room Supervisor SRO to perform this action. The SCRE exited the Control Room at 0203 hrs leaving the SS in charge of the Control Room.

The SS then discussed the procedure for swapping the Feedwater Pump oil filter to the EA. When he had completed his explanation, the EA was still not comfortable with performing the filter swap alone. The SS was focusing on the EA's lack of confidence in performing the pending task and his role in helping the EA. During this conversation, the SS became so involved that he mentally reentered his normal role as an in-plant supervisor. The SS told the NSO that he would accompany the EA and help him with the task, a routine part of his normal first line supervisory duties. The NSO was not aware that the Shift Supervisor had taken the SRO duty for the Control Room, and therefore, he did not remind the SRO of his Control Room Duties.

The SS did not remember at that moment that he had the responsibility as the SRO in the Control Room. Unfortunately, his Shift Supervisor instincts came into effect. He exited the Control Room at 0210 hrs, and accompanied the EA to the 426' Turbine Building to help swap the oil filter on the running FW pump. In no way at all were the SS's actions malicious or intentional.

During a phone conversation at approximately 0230, the Unit 1 NSO was told that a Maintenance Foreman was going to be coming in to talk to the SCRE. The Unit 1 NSO commented to the other NSOs present that the SRO was not in sight. On infrequent occasions, the SRO is out of the line of sight of the unit panels for short periods of time, such as when checking the back panels, going to the copy machine, or to the printers. The NSOs had been involved with their duties, and were not immediately aware that there wasn't an SRO present in the Control Room. One of the extra NSOs performed a quick check behind the panels and determined that there was no SRO present in the Control Room. The Center Desk NSO immediately called the SE office. When no one answered, the NSO called on the radio for an SRO to come to the Control Room. Three messages were transmitted in a short time (within a minute).

During his absence from the Control Room, the SS had been assisting the EA in swapping the Feedwater Pump oil filter. They had finished the job, but the SS was still in the plant when the Center Desk NSO made his request over the radio. The SS realized what he had done, and immediately returned to the Control Room. The Shift Supervisor reentered the Control Room at 0232 hrs, after an absence of 22 minutes.

The other SRO Shift Supervisor (SS2) on duty that morning also heard the radio message, verified the message over the radio, and came to the Control Room, entering at 0234 hrs, just after the other SS's return. Moments later, at 0237 hrs, the SCRE also returned from his plant tour. He then assumed the responsibility of the Control Room Supervisor SRO.

At no time during this incident did a transient or accident occur. Unit 1 was in Mode 6 and Unit 2 was in Mode 1, steady state and stable throughout the period that the SRO was absent from the Control Room.

CORRECTIVE STEPS THAT HAVE BEEN TAKEN TO AVOID FURTHER VIOLATION

- Placed a physical barrier to prevent the duty SRO from leaving the Main Control Room. Developed a clasp to remind wearer of SRO responsibilities.
- Communicated the event and our expectations to all our operators in the form of daily orders.
- Revised Policies for the Operations Department Log entries and turnover items (BAP 350-1)
 - Control Room announcements on who is in charge after a turnover (BAP 335-1)
 - How to conduct a mid-shift turnover (BAP 300-1, 335-1)
 - Notifications to management (Operating Policy 400-16)
 - Morning phone message on plant operations (Operating Policy 600-1)
 - Notifications both inside and outside the company (Operating Policy 400-16)
 - Minimum manning requirements (BAP 320-1)

- Both the SE and the SS received counselling on 10/19/94 in addition to disciplinary action.
- Shift Engineers were assigned the task of re-focusing on their responsibilities and developed the Shift Engineer Mission Statement of responsibilities.
- In addition, not as a result of this event but accelerated because of it, we assigned the Operations Self Assessment Committee to look at all of the shift operations and have implemented the following recommendations:
 - Two SRO's assigned to the Control Room. SCRE will be single point of accountability. He will be relieved of Administrative duties and will maintain his overview function.
 - Rules of conduct for the SRO turnover in the Main Control Room.
 - Relieving the shift operators of some of their administrative burden to enhance focus on unit operations
 - Operating Management, who work outside of the MCR, directly reporting to the Shift Engineer will work out of the Shift Engineer's office.
 - Reinforce the "quiet time" for MCR Turnovers and enhance the Shift Briefing protocol.
- Reviewed the Training Lesson Plan regarding Tech Spec Section 6. Highlighted those Specs that were pertinent to Licensed Operators on shift. This training was completed during the first cycle of licensed operator training in 1995.

DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Full compliance was achieved when the SRO returned to the control room 10/14/94 at 0232 hrs.

ATTACHMENT II

VIOLATION (454(455)/94026-02)

Technical Specification 6.8.1 requires that written procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978, be established and implemented. Regulatory Guide 1.33 requires administrative procedures addressing log entries.

Byron Administrative Procedure (BAP) 300-1, Conduct of Operations, Revision 11, Section C.5.a, approved March 7, 1994, requires that shift records be kept in accordance with BAP 350-1.

BAP 350-1, Operating Logs and Records, Revision 6, Section C.2.f, approved March 7, 1994, requires that the Shift Engineer's Log should contain potential reportable occurrences.

Contrary to the above, on October 14, 1994, the Shift Engineer's Log did not contain an entry for not having a licensed senior operator in the control room for 22 minutes while Unit 2 was in Mode 1 which is reportable per 10 CFR 50.73(a)(2)(i)(B).

This is a Severity Level IV violation (Supplement I).

REASON FOR THE VIOLATION

The SE & SS knew of a requirement for an SRO in the Control Room and reviewed Tech Specs for applicability. Looking at Tech Spec Table 6.2-1, titled Minimum Shift Crew Composition, the SE and the SS decided that although there was some question whether or not minimum manning had been maintained (per paragraph 2 Table 6.2-1) the requirement was now satisfied and there was no sense of urgency to write a PIF.

Since it was now late in the shift the SE decided to continue his investigation the next day at 1800. The next evening further clarification was found in Tech Spec 6.2.2. Returning to work later that evening (Friday night for Saturday, October 15, first shift) were two of the NSO's from the previous night. After the 2300 shift briefing an SS informed the SE that the NSO's from the previous night were discussing the matter of the SRO leaving the MCR with the new NSO's. The SE went into the MCR on Unit 1 and questioned them about the matter asking who noticed that the SRO was gone, what prompted them to notice & why did it take so long to notice. Away from the main conversation an NSO asked the SE how high had this gone and the SE replied that so far he was the only one but that the Ops Manager would be informed later that night when he came in to support an outage appreciation event at 3 AM. The SE then called Security and requested door records for the MCR. After reviewing those records it was determined that the absence was 22 minutes and that there was no other SRO in the MCR at that time. The PIF was then written. Although the SE realized that a Tech Spec requirement had not been met he did not realize at the time that it was outside the bounds of the Tech Spec and therefore did not make any further notification or log it.

CORRECTIVE STEPS THAT HAVE BEEN TAKEN TO AVOID FURTHER VIOLATION

- Emphasized use of logs and turnovers as a communications tool and as a legal document concern.
- Emphasized writing PIFs on all identified problems with content consistent with management expectations.
- Emphasized the importance of concise communications within the Department.
- Counseled the SE and SS regarding their responsibilities.
- Reviewed the Training Lesson Plan regarding Tech Spec Section 6. Highlighted those Specs that were pertinent to Licensed Operators on shift. This training was completed during the first cycle of licensed operator training in 1995.
- Developed Computerized Turnovers to enhance documentation and upper management review of such.
- Revised Policies for the Operations Department Log entries and turnover items (BAP 350-1)
 - Control Room announcements on who is in charge after a turnover (BAP 335-1)
 - How to conduct a mid-shift turnover (BAP 300-1, 335-1)
 - Notifications to management (Operating Policy 400-16)
 - Morning phone message on plant operations (Operating Policy 600-1)
 - Notifications both inside and outside the company (Operating Policy 400-16)
 - Minimum manning requirements (BAP 320-1)

DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Full compliance has been achieved.