

APPENDIX A

NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTIES

Philadelphia Electric Company
Peach Bottom Atomic Power Station
Unit 2

Docket No. 50-277
License No. DPR-44
EA 85-42

On February 13-15, 1985, an NRC special safety inspection was conducted to review the circumstances associated with two incidents involving radioactive contamination of contractor employees performing work on weld joints inside a valve and associated piping in the drywell. Although the contamination levels and associated radiation exposures were not in excess of the regulatory limits, a substantial potential for such exposures did exist.

In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985) and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, ("Act"), 42 U.S.C. 2282, PL 96-295 and 10 CFR 2.205, the violations and the associated civil penalties are set forth below:

A. Technical Specification 6.11 requires adherence to radiation protection procedures for all operations involving personnel radiation exposure.

1. Radiation protection procedure HPO/CO-4, "Radiation Work Permits," requires, in part, a radiation work permit containing specific requirements for radiological exposure controls whenever work is performed in high radiation areas.

Contrary to the above, on February 10, 1985, work was performed on the interior of valve 81A in the Residual Heat Removal System, a high radiation area, and Radiation Work Permit No. 02-10-5008, "Fit and Weld RHR Pipe and Valves," did not provide specific requirements for radiological exposure control for work performed inside the valve.

2. ALARA Program Instruction 2, a radiation protection procedure, requires, in part, that radiological controls personnel ensure that workers are aware of the radiological status (radiation, contamination and airborne radioactivity levels) of the work area.

Contrary to the above, on February 3 and 10, 1985, at least 7 workers performed inspection, welding, grinding and other activities on weld joint 206 while inside valve 81A or adjacent piping, and radiological controls personnel did not ensure that these workers were aware of the radiological status of that area. This occurred because the radiological controls personnel were not aware of the radiological status within the valve or adjacent piping until after the completion of the work activities.

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3. Radiation protection procedure HPO/CO-100, "Health Physics Guide Used in the Control of Exposure to Radioactive Material," requires, in part, that individuals wear a filter respirator if removable contamination levels are greater than 15 mrad/hr per square foot.

Contrary to the above, on February 10, 1985, a worker inserted his head and torso into valve 81A where removable contamination levels up to 24,000 mrad/hr per square foot were present, and the worker was not wearing a filter respirator.

- B. Technical Specification 6.13 requires, in part, that personnel be made knowledgeable of predetermined dose rate levels if an audible-alarming dosimeter is used to provide primary radiological exposure control during entries into high radiation areas.

Contrary to the above, on February 3 and 10, 1985, audible alarming dosimeters were used to provide primary radiological exposure control during entries into valve 81A, a high radiation area. The dose rates were not established until the completion of the work activities and thus workers were not made knowledgeable of the dose rates prior to their work activities.

- C. 10 CFR 20.201(b) requires each licensee to make or cause to be made such surveys as (1) may be necessary for the licensee to comply with the regulations in 10 CFR Part 20, and (2) are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present. 10 CFR 20.201(a) defines a survey as an evaluation of the radiation hazards incident, among other things, to the presence of radioactive materials under a specific set of conditions.

Contrary to the above, on February 3 and 10, 1985, repeated entries were made by workers into valve 81A to complete work on weld joint 206 and, prior to the entries, an evaluation was not performed of the radiation hazards incident to the presence of radioactive material inside valve 81A.

- D. 10 CFR 20.103(a)(3) requires, in part, for purposes of determining compliance with that section that the licensee use suitable measurements of the concentrations of radioactive materials in air for detecting and evaluating airborne radioactivity in restricted areas.

Contrary to the above, suitable measurements of the concentrations of radioactive materials in air in the valve bonnet of valve 81A were not made during the entries by workers on February 10, 1985. Specifically, the air sample taken from 0810 to 1415 on February 10, 1985

- (1) was not representative of the breathing zones of workers; and
- (2) it averaged air concentrations during periods of inactivity as well as during grinding and welding operations and thus did not record peak concentrations potentially present during those operations.

- E. 10 CFR 20.202(a)(1) requires, in part, that the licensee supply appropriate personnel monitoring equipment to and require the use of the equipment by each individual who enters a restricted area under such circumstances that he receives, or is likely to receive a dose in any calendar quarter in excess of 25% of the applicable value specified in paragraph (a) of 10 CFR 20.101.

Contrary to the above, appropriate personnel monitoring equipment was not supplied and used during grinding and welding of weld joint 206 on February 10, 1985 and workers were likely to receive a dose in excess of 25% of the applicable value specified in paragraph (a) of 10 CFR 2.101, in the following instances:

- (1) Extremity monitoring equipment was not supplied to four workers grinding and welding the weld joint; and
- (2) Supplemental monitoring equipment was not supplied to monitor exposure to the lens of the eyes of those workers.

These violations have been categorized in the aggregate as a Severity Level III problem (Supplement IV).

(Cumulative Civil Penalties - \$25,000 - assessed equally among the violations)

Pursuant to the provisions of 10 CFR 2.201, Philadelphia Electric Company is hereby required to submit to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region I, 631 Park Avenue, King of Prussia, PA 19406, within 30 days of the date of this Notice, a written statement or explanation, including for each alleged violation: (1) admission or denial; (2) the reasons for the violation, if admitted; (3) the corrective steps which have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, the Director, Office of Inspection and Enforcement, may issue an Order to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

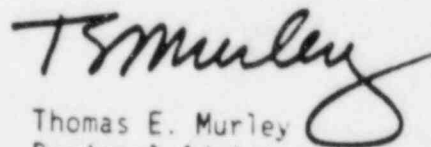
Within the same time as provided for the response required under 10 CFR 2.201, Philadelphia Electric Company may pay the civil penalties by letter addressed to the Director, Office of Inspection and Enforcement, with a check, draft, or money order payable to the Treasurer of the United States in the amount of \$25,000 or may protest imposition of the civil penalties, in whole or in part, by a written answer addressed to the Director, Office of Inspection and Enforcement. Should Philadelphia Electric Company fail to answer within the time specified, the Director, Office of Inspection and Enforcement, will issue an Order imposing the civil penalties proposed above. Should Philadelphia

Electric Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties, such answer may: (1) deny the violations listed in this Notice in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalties should not be imposed. In addition to protesting the civil penalties, in whole or in part, such answer may request mitigation of the proposed penalties.

In requesting mitigation of the proposed penalties, the five factors contained in Section V(B) of 10 CFR Part 2, Appendix C (1985) should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate statements or explanations by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. Philadelphia Electric Company's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedures for imposing a civil penalties.

Upon failure to pay any civil penalties due, which have been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalties unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION


Thomas E. Murley
Regional Administrator

Dated at King of Prussia, Pennsylvania
this 30th day of May 1985