

Appendix

NOTICE OF VIOLATION

Commonwealth Edison Company

Docket No. 50-454

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As a result of the inspection conducted on January 1 through April 12, 1985, and an enforcement conference conducted on April 29, 1985, and in accordance with the General Policy and Procedures for NRC Enforcement Actions (10 CFR Part 2, Appendix C), the following violations were identified:

1. 10 CFR 50 Appendix B, Criterion XI states, in part, "A test program shall be established to assure that all testing required to demonstrate that structures, systems, and components will perform satisfactorily in service is identified and performed... Test results shall be documented and evaluated to assure that test requirements have been satisfied."

The Byron FSAR, Chapter 14, Table 14.2-11, "Auxiliary Power System (Preoperational Test)," indicates that prior to fuel load electrical distribution system voltage readings will be taken and analyses conducted to verify voltage levels at the vital busses are acceptable for the expected full load and minimum load conditions throughout the anticipated range of voltage variations of the offsite power source.

Contrary to the above, prior to fuel load the licensee had not conducted analyses necessary to verify acceptable vital bus voltages for the expected full load and minimum load conditions at offsite power source voltages other than the near nominal values obtained from field measurements.

This is a Severity Level IV violation (Supplement II) (454/85002-01(DRP)).

2. 10 CFR 50 Appendix B, Criterion V, states, in part, that "Activities affecting quality shall be prescribed by documented instructions, procedures or drawings...and shall be accomplished in accordance with these instructions, procedures, or drawings."

Byron Operating Procedure (BOP) SI-9, "Raising Accumulator Level With SI Pumps at All RCS Pressures," provided for isolating one of the two safety injection pumps from the RCS cold leg injection header to provide a charging flow path to the SI accumulators.

Contrary to the above, on January 11, 1985, while in Mode 3 charging to the SI accumulators was not accomplished in accordance with BOP SI-9 in that the operator isolated both of the safety injection pumps from the RCS cold leg injection header. This occurrence was identified and corrected by the licensee within fifteen minutes following the operator error.

This is a Severity Level IV Violation (Supplement I) (454/85002-02(DRP)).

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3. 10 CFR 50.59 requires, in part, that written safety evaluations be completed for changes in the facility as described in the safety analysis report to determine if the changes involve unreviewed safety questions. 10 CFR 50.59(c)(2) requires changes that involve unreviewed safety questions be submitted to the NRC for approval as amendments to the operating license. 10 CFR 50.59(a)(2)(i) indicates that changes in the facility that increase the probability of malfunction of equipment important to safety previously evaluated in the safety analysis report are unreviewed safety questions.

General Design Criterion (GDC) 2 of 10 CFR 50 Appendix A requires that components important to safety be designed to withstand the effects of natural phenomena such as earthquakes. The NTC (temperature channel test) cards in the Overpower delta T and Overtemperature delta T reactor protection system channels are instruments in the solid-state protection system cabinets and are important to safety. FSAR Section 7.2.1.1.11 indicates that the seismic design information in Section 3.10.1.1 demonstrates conformance with GDC 2 and Section 3.10.1.1 indicates that instrumentation included in the solid-state protection system cabinets was seismically qualified. Additional seismic testing later revealed that the relays on the NTC cards may not be seismically qualified. Consequently, Paragraph D of Operating License NPF-23 provided a temporary exemption from GDC 2 for the NTC cards based on a licensee justification for interim operation which indicated that the relays on the NTC cards would be bypassed during normal operation.

Contrary to the above:

- a. A written safety evaluation was not completed for allowing NTC cards not having bypassed relays to remain installed during Mode 2 operations from the time of initial criticality on February 2, 1985, until the relays were replaced with cards having bypassed relays on February 5, 1985. (During this time period power level did not exceed 1%.)
- b. GDC 2 was not satisfied during the above described Mode 2 operations.
- c. An amendment to Operating License NPF-23 was not submitted to the NRC for approval for the use of NTC cards not having bypassed relays during Mode 2 operations. (NRC approval was required because an unreviewed safety question was involved since the probability of malfunction of equipment important to safety (i.e., reactor trip system instrumentation) previously evaluated in the safety analysis report was increased (i.e., during a transient with a seismic event, the Overpower delta T and Overtemperature delta T channels were less likely to trip, if required, due to NTC card relay contact bounce)).

This is a Severity Level IV violation (Supplement I) (454/85002-03(DRP)).

4. Technical Specification 3.3.1 requires, in part, that the Overtemperature delta T and Overpower delta T channels of the reactor trip system be operable in Mode 2. In order for the channels to be operable they must satisfy GDC 2 which demonstrates they are capable of performing their trip function during a seismic event.

Contrary to the above, the Overtemperature delta T and Overpower delta T channels were inoperable during Mode 2 operations between February 2 and 5, 1985, due to NTC cards being installed in the channels that did not satisfy GDC 2.

This is a Severity Level IV violation (Supplement I). (454/85002-04(DRP))

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty days of the date of this Notice a written statement or explanation in reply, including for each item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Consideration may be given to extending your response time for good cause shown.

June 3, 1985
Dated

James G. Keppler
James G. Keppler
Regional Administrator