

Edison's Response

The Notice of Violation categorizes this as a Severity Level III violation (Supplement I). Under the Enforcement Policy, such a violation either involves "A system designed to prevent or mitigate a serious safety event not being able to perform its intended function under certain conditions" or "serious dereliction of duty on the part of personnel involved in licensed activities."

As requested in the Notice of Violation, this response will include a denial of the alleged violation and a description of the steps which have been taken to assure continuing compliance.

Denial of Violation

At approximately 6:30 a.m. on October 25, 1984, the Quad Cities Unit 2 operator was experiencing difficulty controlling the reactor pressure of his unit. The Unit 1 operator went to the Unit 2 controls and discussed the procedure for bypassing the Rod Worth Minimizer with the Unit 2 operator. At approximately 6:40 a.m., the Unit 2 reactor pressure increased to about 1040 psig causing a reactor scram. The Unit 2 operator began verifying that his unit was shutting down. At that time, the Unit 1 operator manually initiated the Unit 2 High Pressure Coolant Injection System to control pressure. At approximately 6:45 a.m., the Unit 1 operator returned to his unit, was relieved by the day time operator and returned to Unit 2 to continue assisting the Unit 2 operator. Between 6:30 and 6:45, the Unit 1 operator responded to an annunciator on Unit 1, and on at least one other occasion interrupted his activities at the Unit 2 controls to monitor the Unit 1 controls.

The Quad Cities Unit 1 and Unit 2 control panels are located in one room. The entire length of the Quad Cities control room is approximately 56 feet. Due to the configuration of the control room, the Unit 1 operator was at all times within line of sight of the Unit 1 control panels. Since, as stated above, the Quad Cities control room is relatively small,*/ the Unit 1 operator was in a

*/ Indeed, contrasted to the design of more modern nuclear facility control rooms, the Quad Cities control room is anywhere from one third to one half smaller. Thus, for example, an operator standing at the center desk at Edison's LaSalle Plant may be just as distant from the controls of his unit as was the Quad Cities Unit 1 operator while working on the Unit 2 controls.

position to view the Unit 1 visual alarms even during the fifteen-minute period in question. In addition, the Unit 1 operator was always within audible range of the Unit 1 annunciators. Because the Unit 1 and 2 annunciators are situated in distinct locations at opposite ends of the control room, there was no possibility that, while assisting his colleague, the Unit 1 operator could have confused a Unit 2 annunciator with a Unit 1 annunciator. Moreover, the Unit 1 operator fully realized that the procedure he was performing at the Unit 2 controls would not interfere with his ability to return to the Unit 1 controls at any time. In other words, he had not committed himself to remain at the Unit 2 controls for a fixed or extended period of time once he undertook to assist the Unit 2 operator. As is explained below, these facts lead Edison to conclude that the operator's conduct was consistent with the letter and spirit of 10 CFR §50.54(k) and the Quad Cities procedures which implement this regulation. Thus, Edison feels compelled to contest the NRC's proposed enforcement action.

The "at-the-controls" language of 10 CFR 50.54(k) is somewhat vague and subject to differing interpretations. The NRC's Notice of Violation seems to support this conclusion given that it relies on the "clarifying" language of Quad Cities Station Procedure QAP-300-2, and not 10 CFR §50.54(k), in framing the alleged violation. The Notice of Violation quotes QAP-300-2 for the proposition that, to be considered at the controls, an operator must "be physically within the operating area in front of the unit panels."

The Notice of Violation, however, fails to quote the following sentence in the procedure explaining that "An operator is not at the controls when behind the panels or out of the control room." The Unit 1 operator was neither behind the panels nor out of the control room. Rather, he was in the control room, no more than approximately 50 feet from the Unit 1 control panels within sight and sound of the Unit 1 alarms. In deciding that he could render assistance at Unit 2, the Unit 1 operator considered all of the relevant language of QAP-300-2. Edison submits that the NRC's conclusion that this conduct was in violation of the Station Procedure is not warranted. The NRC has failed to consider the entire relevant portion of the procedure.

More importantly, the operator's conduct was wholly consistent with the intent of the NRC's regulations. Clearly, 10 CFR § 50.54(k) and QAP-300-2 are intended to assure that an operator be present at all times to respond to serious safety related reactor conditions. It is understood that any control panel indicators registering such conditions consist of both visual and audible signals. As

previously stated, the Unit 1 operator was at all times in a position to view the panels and hear the alarms. He was also in a position to respond to events at his unit, and he in fact did so. This conduct cannot reasonably be viewed as inconsistent with the intent of NRC regulations.

Even assuming, for argument's sake, that the station procedure is itself ambiguous and may not clearly have authorized the Unit 1 operator's actions, Edison submits that, under the circumstances, the NRC's conclusion that this conduct constitutes a violation is not appropriate. Procedures substantially similar to the procedure in question have been in effect since at least 1977 and have always been understood as not precluding the operator of a stable unit from assisting an operator experiencing difficulty at another unit, as long as his actions did not interfere with his ability to respond to potentially safety related events at his unit. Quad Cities operators have done so in the past and were never criticized by the NRC for such conduct. In Edison's view, the Notice of Violation constitutes an unannounced reversal of the NRC's position. And, while the NRC is clearly authorized to change its interpretation of its regulations, to do so in the context of a Notice of Violation which proposes to impose a substantial penalty is simply unfair.

Moreover, this case does not involve a situation where an operator simply wandered away from his unit irresponsibly. To the contrary, the operator's conduct reflects initiative and professionalism. He believed that he could assist his colleague and still carry out his responsibilities with regard to Unit 1, and that such conduct was within the regulations and Station procedures. In addition, not only did the operator return to his unit to respond to an annunciator, on at least one occasion during the 15-minute period he returned to Unit 1 to more closely monitor the controls. Further, following being relieved from his shift, he continued to assist the Unit 2 operator. The imposition of a penalty for such conduct may have the unfortunate effect of discouraging the taking of initiative, hampering teamwork in the control room and will almost certainly adversely affect employee morale.

Edison's Preventive Measures

As stated above, Edison believes that the NRC has not established that the evidence fairly supports a finding of violation. However, Edison views the NRC's action as announcing a significant change in its interpretation of 10 CFR § 50.54(k). In response to this announcement, Edison instituted certain immediate and long-term measures. These matters are discussed below.

Following Edison's investigation of the incident, Edison determined that the NRC's concern could most appropriately be addressed by amending its Conduct of Operations Directive and the Quad Cities Station Procedures to provide further guidance regarding when an operator of one unit could assist an operator at another unit. As an immediate step prior to finalizing these amendments, the Company's corporate office required that all operating personnel at Quad Cities be instructed not to leave the immediate area of the control room for which they were responsible pending further direction. This instruction was communicated on November 5, 1984. Quad Cities site management had itself initiated a similar directive by October 27, 1984.

By December 12, 1984, the Edison Nuclear Stations Division issued an interim revision to the Conduct of Operations Directive addressing the NRC's concerns. As a result a detailed review of these interim revisions final amendments to the Conduct of Operations Directive were prepared and were issued on February 14, 1985. The relevant portion of the amended Directive provides as follows:

A licensed operator or senior licensed operator shall be present "at-the-controls" at all times during the operation of the facility. "At-the-controls" means that the Unit Operator is in line of sight of the unit front panels, in order to be able to initiate prompt corrective action, when necessary, on receipt of an indication of a changing condition.

The enclosed Figures 1 through 5 designate an area for each station control room which is in close proximity to the main control boards for each unit.*/ The Unit Operator may leave the defined area for non-emergency reasons only after obtaining a qualified relief operator. This also applies when the Unit Operator is required to go behind the back panels.

It is recognized that emergency situations may arise which were not foreseen as occurring during plant operation. Plant events which were analyzed individually may, when taken together, produce results which were not expected. These emergency situations are defined as rare and serious circumstances which, if uncorrected,

*/ Figure 2 is a drawing of the Quad Cities control room which identifies the area which is in close proximity to the main control panels for the two Quad Cities units.

could result in (1) injury to the public or Company personnel, (2) releases off-site above technical specification limits, or (3) damage to equipment, if such damage is tied to a possible adverse effect on public health and safety. If such emergency situations should arise, prudence may require allowing a unit operator to leave the area in close proximity to the main control panels for his "stable and under control" reactor to help on the unit experiencing the problem. This shall be done only when necessary to solve an emergency situation, and only after careful consideration and approval by the Control Room Supervisor. The Unit Operator may not make a unilateral decision to leave that area. In addition, the Control Room Supervisor may authorize a Unit Operator to leave that area for his "stable and under control" reactor to help on the other unit only if (1) a licensed operator has specifically been assigned the responsibility of monitoring the controls of the unit and responding to all unit alarms, (2) this same licensed operator remains within line of sight of the unit's front panels, and (3) the licensed operator, on a periodic basis, (approximately 5 to 10 minutes) reviews the status of that unit from within the area designated as being in close proximity to the main control panels of the unit. Depending on the circumstances it may be appropriate to permit the same operator to help on one unit and, at the same time, monitor the "stable and under control" unit to which he is assigned. The Supervisor should consider the size and configuration of the control room and whether the nature of the help to be provided would interfere with an operator's ability to monitor and respond to alarms at his unit.

A Unit Operator may find it necessary to go to the center desk to converse with the Center Desk Operator about plant-related activities. During these times, the Unit Operator must be able to monitor his Unit. The center desk is not the assigned location for a Unit NSO, and therefore, trips to the center desk should be infrequent, and of reasonably short duration.

The language quoted above specifically provides that an operator normally remain in close proximity to his control panels. It also provides detailed guidance with regard to the circumstances which may require one operator to assist another and the procedures to be followed in rendering such assistance. As such, it removes the uncertainty which may have been present and clearly addresses

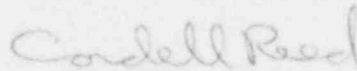
the sometimes conflicting goals of assuring continued close and undivided attention to the controls of a unit and responding to emergency situations in a control room.

As of February 28, 1985, the Company expects that the Quad Cities operating procedures will be amended to incorporate the guidance contained in the new Conduct of Operations Directive. Following the issuance of the new procedures, meetings will be held with the Quad Cities operating personnel to assure that the procedures are fully understood.

Edison's response to the NRC's concerns was timely and consistent with the situation. Edison's investigation of the incident was immediate; all involved were interviewed as soon as practicable. The Company took immediate effective short-term action and then issued comprehensive guidance covering the concerns which are the subject of this enforcement proceeding.

For all of these reasons, this Notice of Violation should be withdrawn. In the event it is not withdrawn, Edison also seeks by this letter and its letter pursuant to 10 CFR § 2.205, rescission or mitigation of the civil penalties proposed.

Very truly yours,



Cordell Reed
Vice President

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