

March 7, 1997  
EN 97-020

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Commonwealth Edison Company (EA 96-355)  
Zion Generating Station  
Docket Nos. 50-295; 50-304

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$100,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$100,000 will be issued on or about March 12, 1997, to the Commonwealth Edison Company. The action is based on multiple violations that involved failures to: 1) perform adequate 10 CFR 50.59 analyses for modifications on safety-related systems; 2) follow procedures in the areas of modifications, corrective actions, operations and maintenance; 3) conduct tests to demonstrate systems would perform satisfactorily following modification; and 4) take prompt corrective action for significant conditions adverse to quality involving repetitive out-of-tolerance settings for containment spray system sodium hydroxide spray additive tank level indication and repetitive failures of a 4KV breaker. These violations were aggregated to a Severity Level III problem.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$50,000 is considered for a Severity Level III problem. In this case, a \$50,000 civil penalty would normally be proposed because this was not the first escalated action within 2 years, the violation was identified by the NRC, and the licensee's corrective actions were considered prompt and comprehensive. However, in accordance with Section VII.A.1 of the Enforcement Policy, the staff exercised discretion and escalated the penalty because of: 1) the fact that the root causes of the problem existed for an extended duration, and 2) past ineffective corrective action including failures to effectively address several of these same root causes when they were identified by your own organization.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice	March 12, 1997
Telephone Notification of Licensee	March 12, 1997

The State of Illinois will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contacts: M. Satorious, OE, 415-2747 J. Lieberman, OE, 415-2741

Distribution

OWFN	OWFN	TWFN	Regional Offices	
Chairman Jackson	EDO	OC	RI	RIV
Comm. Rogers	DEDR	AEOD	RII	WCFO
Comm. Dicus	DEDO	OP CTR	RIII	
Comm. Diaz	OE	NMSS		
Comm. McGaffigan	JGC	IRM	MAIL	
SECY	NRR	OIG	NUDOCS	
OCA	OI	RES	PUBLIC	
PA	SP	ACRS		
IP				

PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION

110045

9704110120 970307  
PDR I&E  
EN-97-020