Mr. Thomas S. Cisco [HOME ADDRESS DELETED UNDER 10CFR2.790(a)]

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) REGARDING

OPERATOR LICENSE CONDITIONS (NOED-02-3-009)

Dear Mr. Cisco:

By letter dated July 8, 2002, Exelon Generation Company, LLC (Exelon) informed the NRC that certain conditions of your senior reactor operator license were not being met. Specifically, Title 10 of the *Code of Federal Regulations* (10 CFR), Part 55, Section 55.53(h), imposes a condition on your license which requires you to complete a requalification program as described by 10 CFR 55.59. Title 10 CFR 55.59(a)(1) and (a)(2) require you to successfully complete a requalification program not to exceed 24 months in duration, and to pass a comprehensive requalification written examination as part of that requalification program. The Exelon letter indicated that you had not completed a comprehensive requalification written examination since January/February 2000, and thus you had exceeded the required 24-month written examination periodicity.

The Exelon letter documented information previously discussed with the NRC in a telephone conference which occurred on July 3, 2002. At the time of the telephone conference, both Dresden units were operating in Mode 1.

Exelon, on your behalf, requested enforcement discretion to allow you to continue to operate the Dresden Nuclear Power Station because they believed you had not successfully taken and passed a comprehensive requalification written examination within the requalification training program period. Exelon indicated that a Dresden Training Department scheduling error resulted in the comprehensive written examination being scheduled at an interval greater than the required 24 months. Specifically, the Dresden Training Department previously administered a comprehensive written examination pursuant to 10 CFR 55.59 to you during the period of January through February 2000. The next written examination to meet the requirement of 10 CFR 55.59 should have occurred during January 2002. However, through a scheduling error, the examination was deferred until July 2002. Because of the rescheduling of the examination, the 24-month time limit was exceeded. Consequently, during the last 24-month training period, you did not complete a comprehensive written examination in accordance with the condition of your license imposed via 10 CFR 55.53(h).

T. Cisco -2-

personnel by August 2, 2002, before they are scheduled to resume licensed activities. The NRC Office of Nuclear Reactor Regulation (NRR) will respond to this request for an exemption from the requirements of 10 CFR 55.59 by separate correspondence.

Exelon requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to Section VII.C of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. Exelon, on your behalf, requested enforcement discretion for your failure to complete the comprehensive requalification written examination within the 24-month periodicity in accordance with 10 CFR 55.53(h) and 10 CFR 55.59(a)(1) and (a)(2). To accomplish this, Exelon requested that the NRC suspend the enforcement of the requirements of 10 CFR 55.53(h) until August 2, 2002, to allow sufficient time for you to complete the written examination requirement. Regional enforcement discretion was verbally granted at 6:20 p.m. on July 3, 2002 to suspend the enforcement of the requirements of 10 CFR 55.53(h) until August 2, 2002, in order to allow you sufficient time to complete the written examination requirement.

Subsequent to the July 8, 2002 letter from Exelon requesting enforcement discretion, Exelon provided information to the NRC staff that indicated you had successfully completed a comprehensive requalification written examination that met the requirements of your license condition prior to July 3, 2002. As such, you had returned to compliance with your license condition by successfully completing the examination. Therefore, we concluded that issuance of the requested NOED was not necessary. You should be aware that enforcement action may be taken for violations that occurred during the period of time between closure of the station's 24-month training program (January 2002) and your satisfactory completion of the comprehensive written examination administered by the Dresden Training Department in June 2002.

Sincerely,

/RA by Steven Reynolds Acting For/

Geoffrey E. Grant, Director Division of Reactor Projects

Docket No. [DELETED UNDER 10CFR2.790(a)] License No. [DELETED UNDER 10CFR2.790(a)]

cc: Site Vice President - Dresden Nuclear Power Station DOCUMENT NAME: C:\ORPCheckout\FileNET\ML021990177.wpd

OFFICE	RIII		RIII		NRR		RIII		RIII		
NAME	DMcNeil/s	sad	MRing		SBajwa		BClayton		RCaniano for JGrobe		
DATE	7/12/02		7/12/02	7/12/02		7/12/02per email 7/12/02		7/12/02		7/15/02	
OFFICE	RIII										
NAME	SReynold	le for									
IVAIVIL	GGrant	13 101									

T. Cisco -3-

ADAMS Distribution:

ADAMS (PARS) Public

W. Travers, EDO

W. Kane, DEDR

C. Paperiello, DEDMRS

F. Congel, OE

J. Luehman, OE

D. Dambly, OGC

J. Dixon-Herrity, OE

B. Boger, NRR

S. Collins, NRR

T. Quay, NRR

D. Trimble, NRR

L. Dudes, NRR

J. Dyer, RIII

R. Lickus, RIII

D. Holody, RI

C. Evans, RII

Mr. Daniel G. Daly [HOME ADDRESS DELETED UNDER 10CFR2.790(a)]

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) REGARDING

OPERATOR LICENSE CONDITIONS (NOED-02-3-012)

Dear Mr. Daly:

By letter dated July 8, 2002, Exelon Generation Company, LLC (Exelon) informed the NRC that certain conditions of your senior reactor operator license were not being met. Specifically, Title 10 of the *Code of Federal Regulations* (10 CFR), Part 55, Section 55.53(h), imposes a condition on your license which requires you to complete a requalification program as described by 10 CFR 55.59. Title 10 CFR 55.59(a)(1) and (a)(2) require you to successfully complete a requalification program not to exceed 24 months in duration, and to pass a comprehensive requalification written examination as part of that requalification program. The Exelon letter indicated that you had not completed a comprehensive requalification written examination since January/February 2000, and thus you had exceeded the required 24-month written examination periodicity.

The Exelon letter documented information previously discussed with the NRC in a telephone conference which occurred on July 3, 2002. At the time of the telephone conference, both Dresden units were operating in Mode 1.

Exelon, on your behalf, requested enforcement discretion to allow you to continue to operate the Dresden Nuclear Power Station because they believed you had not successfully taken and passed a comprehensive requalification written examination within the requalification training program period. Exelon indicated that a Dresden Training Department scheduling error resulted in the comprehensive written examination being scheduled at an interval greater than the required 24 months. Specifically, the Dresden Training Department previously administered a comprehensive written examination pursuant to 10 CFR 55.59 to you during the period of January through February 2000. The next written examination to meet the requirement of 10 CFR 55.59 should have occurred during January 2002. However, through a scheduling error, the examination was deferred until July 2002. Because of the rescheduling of the examination, the 24-month time limit was exceeded. Consequently, during the last 24-month training period, you did not complete a comprehensive written examination in accordance with the condition of your license imposed via 10 CFR 55.53(h).

D. Daly -2-

personnel by August 2, 2002, before they are scheduled to resume licensed activities. The NRC Office of Nuclear Reactor Regulation (NRR) will respond to this request for an exemption from the requirements of 10 CFR 55.59 by separate correspondence.

Exelon requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to Section VII.C of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. Exelon, on your behalf, requested enforcement discretion for your failure to complete the comprehensive requalification written examination within the 24-month periodicity in accordance with 10 CFR 55.53(h) and 10 CFR 55.59(a)(1) and (a)(2). To accomplish this, Exelon requested that the NRC suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, to allow sufficient time for you to complete the written examination requirement. Regional enforcement discretion was verbally granted at 6:20 p.m. on July 3, 2002 to suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, in order to allow you sufficient time to complete the written examination requirement.

Subsequent to the July 8, 2002 letter from Exelon requesting enforcement discretion, Exelon provided information to the NRC staff that indicated you had successfully completed a comprehensive requalification written examination that met the requirements of your license condition prior to July 3, 2002. As such, you had returned to compliance with your license condition by successfully completing the examination. Therefore, we concluded that issuance of the requested NOED was not necessary. You should be aware that enforcement action may be taken for violations that occurred during the period of time between closure of the station's 24-month training program (January 2002) and your satisfactory completion of the comprehensive written examination administered by the Dresden Training Department in June 2002.

Sincerely,

/RA by Steven Reynolds Acting For/

Geoffrey E. Grant, Director Division of Reactor Projects

Docket No. [DELETED UNDER 10CFR2.790(a)] License No. [DELETED UNDER 10CFR2.790(a)]

cc: Site Vice President - Dresden Nuclear Power Station DOCUMENT NAME: C:\ORPCheckout\FileNET\ML021990177.wpd

OFFICE	RIII		RIII				RIII		RIII	
NAME	DMcNeil/s	sad	MRing		SBajwa		BClayton		RCaniano for JGrobe	
DATE	7/12/02		7/12/02		7/12/02 7/12/02	ail	7/12/02		7/15/02	
OFFICE	RIII									
11	KIII									
NAME	SReynold GGrant	ls for								

D. Daly -3-

ADAMS Distribution:

ADAMS (PARS) Public

W. Travers, EDO

W. Kane, DEDR

C. Paperiello, DEDMRS

F. Congel, OE

J. Luehman, OE

D. Dambly, OGC

J. Dixon-Herrity, OE

B. Boger, NRR

S. Collins, NRR

T. Quay, NRR

D. Trimble, NRR

L. Dudes, NRR

J. Dyer, RIII

R. Lickus, RIII

D. Holody, RI

C. Evans, RII

Mr. Gerard A. Gates [HOME ADDRESS DELETED UNDER 10CFR2.790(a)]

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) REGARDING

OPERATOR LICENSE CONDITIONS (NOED-02-3-018)

Dear Mr. Gates:

By letter dated July 8, 2002, Exelon Generation Company, LLC (Exelon) informed the NRC that certain conditions of your senior reactor operator license were not being met. Specifically, Title 10 of the *Code of Federal Regulations* (10 CFR), Part 55, Section 55.53(h), imposes a condition on your license which requires you to complete a requalification program as described by 10 CFR 55.59. Title 10 CFR 55.59(a)(1) and (a)(2) require you to successfully complete a requalification program not to exceed 24 months in duration, and to pass a comprehensive requalification written examination as part of that requalification program. The Exelon letter indicated that you had not completed a comprehensive requalification written examination since January/February 2000, and thus you had exceeded the required 24-month written examination periodicity.

The Exelon letter documented information previously discussed with the NRC in a telephone conference which occurred on July 3, 2002. At the time of the telephone conference, both Dresden units were operating in Mode 1.

Exelon, on your behalf, requested enforcement discretion to allow you to continue to operate the Dresden Nuclear Power Station because they believed you had not successfully taken and passed a comprehensive requalification written examination within the requalification training program period. Exelon indicated that a Dresden Training Department scheduling error resulted in the comprehensive written examination being scheduled at an interval greater than the required 24 months. Specifically, the Dresden Training Department previously administered a comprehensive written examination pursuant to 10 CFR 55.59 to you during the period of January through February 2000. The next written examination to meet the requirement of 10 CFR 55.59 should have occurred during January 2002. However, through a scheduling error, the examination was deferred until July 2002. Because of the rescheduling of the examination, the 24-month time limit was exceeded. Consequently, during the last 24-month training period, you did not complete a comprehensive written examination in accordance with the condition of your license imposed via 10 CFR 55.53(h).

G. Gates -2-

personnel by August 2, 2002, before they are scheduled to resume licensed activities. The NRC Office of Nuclear Reactor Regulation (NRR) will respond to this request for an exemption from the requirements of 10 CFR 55.59 by separate correspondence.

Exelon requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to Section VII.C of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. Exelon, on your behalf, requested enforcement discretion for your failure to complete the comprehensive requalification written examination within the 24-month periodicity in accordance with 10 CFR 55.53(h) and 10 CFR 55.59(a)(1) and (a)(2). To accomplish this, Exelon requested that the NRC suspend the enforcement of the requirements of 10 CFR 55.53(h) until August 2, 2002, to allow sufficient time for you to complete the written examination requirement. Regional enforcement discretion was verbally granted at 6:20 p.m. on July 3, 2002 to suspend the enforcement of the requirements of 10 CFR 55.53(h) until August 2, 2002, in order to allow you sufficient time to complete the written examination requirement.

Subsequent to the July 8, 2002 letter from Exelon requesting enforcement discretion, Exelon provided information to the NRC staff that indicated you had successfully completed a comprehensive requalification written examination that met the requirements of your license condition prior to July 3, 2002. As such, you had returned to compliance with your license condition by successfully completing the examination. Therefore, we concluded that issuance of the requested NOED was not necessary. You should be aware that enforcement action may be taken for violations that occurred during the period of time between closure of the station's 24-month training program (January 2002) and your satisfactory completion of the comprehensive written examination administered by the Dresden Training Department in June 2002.

Sincerely,

/RA by Steven Reynolds Acting For/

Geoffrey E. Grant, Director Division of Reactor Projects

Docket No. [DELETED UNDER 10CFR2.790(a)] License No. [DELETED UNDER 10CFR2.790(a)]

cc: Site Vice President - Dresden Nuclear Power Station DOCUMENT NAME: C:\ORPCheckout\FileNET\ML021990177.wpd

OFFICE	RIII		RIII		NRR		RIII		RIII	
NAME	DMcNeil/s	sad	MRing		SBajwa		BClayton		RCaniano for JGrobe	
DATE	7/12/02		7/12/02		7/12/02per em	ail	7/12/02		7/15/02	
OFFICE	RIII									
NAME	SReynold GGrant	ls for								
DATE	7/17/02									

G. Gates -3-

ADAMS Distribution:

ADAMS (PARS) Public

W. Travers, EDO

W. Kane, DEDR

C. Paperiello, DEDMRS

F. Congel, OE

J. Luehman, OE

D. Dambly, OGC

J. Dixon-Herrity, OE

B. Boger, NRR

S. Collins, NRR

T. Quay, NRR

D. Trimble, NRR

L. Dudes, NRR

J. Dyer, RIII

R. Lickus, RIII

D. Holody, RI

C. Evans, RII

Mr. Christopher A. Keebaugh [HOME ADDRESS DELETED UNDER 10CFR2.790(a)]

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) REGARDING

OPERATOR LICENSE CONDITIONS (NOED-02-3-029)

Dear Mr. Keebaugh:

By letter dated July 8, 2002, Exelon Generation Company, LLC (Exelon) informed the NRC that certain conditions of your reactor operator license were not being met. Specifically, Title 10 of the *Code of Federal Regulations* (10 CFR), Part 55, Section 55.53(h), imposes a condition on your license which requires you to complete a requalification program as described by 10 CFR 55.59. Title 10 CFR 55.59(a)(1) and (a)(2) require you to successfully complete a requalification program not to exceed 24 months in duration, and to pass a comprehensive requalification written examination as part of that requalification program. The Exelon letter indicated that you had not completed a comprehensive requalification written examination since January/February 2000, and thus you had exceeded the required 24-month written examination periodicity.

The Exelon letter documented information previously discussed with the NRC in a telephone conference which occurred on July 3, 2002. At the time of the telephone conference, both Dresden units were operating in Mode 1.

Exelon, on your behalf, requested enforcement discretion to allow you to continue to operate the Dresden Nuclear Power Station because they believed you had not successfully taken and passed a comprehensive requalification written examination within the requalification training program period. Exelon indicated that a Dresden Training Department scheduling error resulted in the comprehensive written examination being scheduled at an interval greater than the required 24 months. Specifically, the Dresden Training Department previously administered a comprehensive written examination pursuant to 10 CFR 55.59 to you during the period of January through February 2000. The next written examination to meet the requirement of 10 CFR 55.59 should have occurred during January 2002. However, through a scheduling error, the examination was deferred until July 2002. Because of the rescheduling of the examination, the 24-month time limit was exceeded. Consequently, during the last 24-month training period, you did not complete a comprehensive written examination in accordance with the condition of your license imposed via 10 CFR 55.53(h).

personnel by August 2, 2002, before they are scheduled to resume licensed activities. The NRC Office of Nuclear Reactor Regulation (NRR) will respond to this request for an exemption from the requirements of 10 CFR 55.59 by separate correspondence.

Exelon requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to Section VII.C of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. Exelon, on your behalf, requested enforcement discretion for your failure to complete the comprehensive requalification written examination within the 24-month periodicity in accordance with 10 CFR 55.53(h) and 10 CFR 55.59(a)(1) and (a)(2). To accomplish this, Exelon requested that the NRC suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, to allow sufficient time for you to complete the written examination requirement. Regional enforcement discretion was verbally granted at 6:20 p.m. on July 3, 2002 to suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, in order to allow you sufficient time to complete the written examination requirement.

Subsequent to the July 8, 2002 letter from Exelon requesting enforcement discretion, Exelon provided information to the NRC staff that indicated you had successfully completed a comprehensive requalification written examination that met the requirements of your license condition prior to July 3, 2002. As such, you had returned to compliance with your license condition by successfully completing the examination. Therefore, we concluded that issuance of the requested NOED was not necessary. You should be aware that enforcement action may be taken for violations that occurred during the period of time between closure of the station's 24-month training program (January 2002) and your satisfactory completion of the comprehensive written examination administered by the Dresden Training Department in June 2002.

Sincerely,

/RA by Steven Reynolds Acting For/

Geoffrey E. Grant, Director Division of Reactor Projects

Docket No. [DELETED UNDER 10CFR2.790(a)] License No. [DELETED UNDER 10CFR2.790(a)]

cc: Site Vice President - Dresden Nuclear Power Station DOCUMENT NAME: C:\ORPCheckout\FileNET\ML021990177.wpd

OFFICE	RIII		RIII				RIII		RIII	
NAME	DMcNeil/s	sad	MRing		SBajwa		BClayton		RCaniano for JGrobe	
DATE	7/12/02		7/12/02		7/12/02 7/12/02	ail	7/12/02		7/15/02	
OFFICE	RIII									
11	KIII									
NAME	SReynold GGrant	ls for								

ADAMS Distribution:

ADAMS (PARS) Public

W. Travers, EDO

W. Kane, DEDR

C. Paperiello, DEDMRS

F. Congel, OE

J. Luehman, OE

D. Dambly, OGC

J. Dixon-Herrity, OE

B. Boger, NRR

S. Collins, NRR

T. Quay, NRR

D. Trimble, NRR

L. Dudes, NRR

J. Dyer, RIII

R. Lickus, RIII

D. Holody, RI

C. Evans, RII

Mr. Raymond D. Laboda [HOME ADDRESS DELETED UNDER 10CFR2.790(a)]

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) REGARDING

OPERATOR LICENSE CONDITIONS (NOED-02-3-033)

Dear Mr. Laboda:

By letter dated July 8, 2002, Exelon Generation Company, LLC (Exelon) informed the NRC that certain conditions of your reactor operator license were not being met. Specifically, Title 10 of the *Code of Federal Regulations* (10 CFR), Part 55, Section 55.53(h), imposes a condition on your license which requires you to complete a requalification program as described by 10 CFR 55.59. Title 10 CFR 55.59(a)(1) and (a)(2) require you to successfully complete a requalification program not to exceed 24 months in duration, and to pass a comprehensive requalification written examination as part of that requalification program. The Exelon letter indicated that you had not completed a comprehensive requalification written examination since January/February 2000, and thus you had exceeded the required 24-month written examination periodicity.

The Exelon letter documented information previously discussed with the NRC in a telephone conference which occurred on July 3, 2002. At the time of the telephone conference, both Dresden units were operating in Mode 1.

Exelon, on your behalf, requested enforcement discretion to allow you to continue to operate the Dresden Nuclear Power Station because they believed you had not successfully taken and passed a comprehensive requalification written examination within the requalification training program period. Exelon indicated that a Dresden Training Department scheduling error resulted in the comprehensive written examination being scheduled at an interval greater than the required 24 months. Specifically, the Dresden Training Department previously administered a comprehensive written examination pursuant to 10 CFR 55.59 to you during the period of January through February 2000. The next written examination to meet the requirement of 10 CFR 55.59 should have occurred during January 2002. However, through a scheduling error, the examination was deferred until July 2002. Because of the rescheduling of the examination, the 24-month time limit was exceeded. Consequently, during the last 24-month training period, you did not complete a comprehensive written examination in accordance with the condition of your license imposed via 10 CFR 55.53(h).

R. Laboda -2-

personnel by August 2, 2002, before they are scheduled to resume licensed activities. The NRC Office of Nuclear Reactor Regulation (NRR) will respond to this request for an exemption from the requirements of 10 CFR 55.59 by separate correspondence.

Exelon requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to Section VII.C of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. Exelon, on your behalf, requested enforcement discretion for your failure to complete the comprehensive requalification written examination within the 24-month periodicity in accordance with 10 CFR 55.53(h) and 10 CFR 55.59(a)(1) and (a)(2). To accomplish this, Exelon requested that the NRC suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, to allow sufficient time for you to complete the written examination requirement. Regional enforcement discretion was verbally granted at 6:20 p.m. on July 3, 2002 to suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, in order to allow you sufficient time to complete the written examination requirement.

Subsequent to the July 8, 2002 letter from Exelon requesting enforcement discretion, Exelon provided information to the NRC staff that indicated you had successfully completed a comprehensive requalification written examination that met the requirements of your license condition prior to July 3, 2002. As such, you had returned to compliance with your license condition by successfully completing the examination. Therefore, we concluded that issuance of the requested NOED was not necessary. You should be aware that enforcement action may be taken for violations that occurred during the period of time between closure of the station's 24-month training program (January 2002) and your satisfactory completion of the comprehensive written examination administered by the Dresden Training Department in June 2002.

Sincerely,

/RA by Steven Reynolds Acting For/

Geoffrey E. Grant, Director Division of Reactor Projects

Docket No. [DELETED UNDER 10CFR2.790(a)] License No. [DELETED UNDER 10CFR2.790(a)]

cc: Site Vice President - Dresden Nuclear Power Station DOCUMENT NAME: C:\ORPCheckout\FileNET\ML021990177.wpd

OFFICE	RIII		RIII		NRR		RIII		RIII	
NAME	DMcNeil/s	sad	MRing		SBajwa		BClayton		RCaniano for JGrobe	
DATE	7/12/02		7/12/02		7/12/02per em	ail	7/12/02		7/15/02	
OFFICE	RIII									
NAME	SReynold GGrant	ls for								
DATE	7/17/02									

R. Laboda -3-

ADAMS Distribution:

ADAMS (PARS) Public

W. Travers, EDO

W. Kane, DEDR

C. Paperiello, DEDMRS

F. Congel, OE

J. Luehman, OE

D. Dambly, OGC

J. Dixon-Herrity, OE

B. Boger, NRR

S. Collins, NRR

T. Quay, NRR

D. Trimble, NRR

L. Dudes, NRR

J. Dyer, RIII

R. Lickus, RIII

D. Holody, RI

C. Evans, RII

Mr. Steven E. Mattson [HOME ADDRESS DELETED UNDER 10CFR2.790(a)]

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) REGARDING

OPERATOR LICENSE CONDITIONS (NOED-02-3-035)

Dear Mr. Mattson:

By letter dated July 8, 2002, Exelon Generation Company, LLC (Exelon) informed the NRC that certain conditions of your senior reactor operator license were not being met. Specifically, Title 10 of the *Code of Federal Regulations* (10 CFR), Part 55, Section 55.53(h), imposes a condition on your license which requires you to complete a requalification program as described by 10 CFR 55.59. Title 10 CFR 55.59(a)(1) and (a)(2) require you to successfully complete a requalification program not to exceed 24 months in duration, and to pass a comprehensive requalification written examination as part of that requalification program. The Exelon letter indicated that you had not completed a comprehensive requalification written examination since January/February 2000, and thus you had exceeded the required 24-month written examination periodicity.

The Exelon letter documented information previously discussed with the NRC in a telephone conference which occurred on July 3, 2002. At the time of the telephone conference, both Dresden units were operating in Mode 1.

Exelon, on your behalf, requested enforcement discretion to allow you to continue to operate the Dresden Nuclear Power Station because they believed you had not successfully taken and passed a comprehensive requalification written examination within the requalification training program period. Exelon indicated that a Dresden Training Department scheduling error resulted in the comprehensive written examination being scheduled at an interval greater than the required 24 months. Specifically, the Dresden Training Department previously administered a comprehensive written examination pursuant to 10 CFR 55.59 to you during the period of January through February 2000. The next written examination to meet the requirement of 10 CFR 55.59 should have occurred during January 2002. However, through a scheduling error, the examination was deferred until July 2002. Because of the rescheduling of the examination, the 24-month time limit was exceeded. Consequently, during the last 24-month training period, you did not complete a comprehensive written examination in accordance with the condition of your license imposed via 10 CFR 55.53(h).

S. Mattson -2-

personnel by August 2, 2002, before they are scheduled to resume licensed activities. The NRC Office of Nuclear Reactor Regulation (NRR) will respond to this request for an exemption from the requirements of 10 CFR 55.59 by separate correspondence.

Exelon requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to Section VII.C of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. Exelon, on your behalf, requested enforcement discretion for your failure to complete the comprehensive requalification written examination within the 24-month periodicity in accordance with 10 CFR 55.53(h) and 10 CFR 55.59(a)(1) and (a)(2). To accomplish this, Exelon requested that the NRC suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, to allow sufficient time for you to complete the written examination requirement. Regional enforcement discretion was verbally granted at 6:20 p.m. on July 3, 2002 to suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, in order to allow you sufficient time to complete the written examination requirement.

Subsequent to the July 8, 2002 letter from Exelon requesting enforcement discretion, Exelon provided information to the NRC staff that indicated you had successfully completed a comprehensive requalification written examination that met the requirements of your license condition prior to July 3, 2002. As such, you had returned to compliance with your license condition by successfully completing the examination. Therefore, we concluded that issuance of the requested NOED was not necessary. You should be aware that enforcement action may be taken for violations that occurred during the period of time between closure of the station's 24-month training program (January 2002) and your satisfactory completion of the comprehensive written examination administered by the Dresden Training Department in June 2002.

Sincerely,

/RA by Steven Reynolds Acting For/

Geoffrey E. Grant, Director Division of Reactor Projects

Docket No. [DELETED UNDER 10CFR2.790(a)] License No. [DELETED UNDER 10CFR2.790(a)]

cc: Site Vice President - Dresden Nuclear Power Station DOCUMENT NAME: C:\ORPCheckout\FileNET\ML021990177.wpd

OFFICE	RIII		RIII		NRR		RIII		RIII	
NAME	DMcNeil/s	sad	MRing		SBajwa		BClayton		RCaniano for JGrobe	
DATE	7/12/02		7/12/02		7/12/02per em	ail	7/12/02		7/15/02	
OFFICE	RIII									
NAME	SReynold GGrant	ls for								
DATE	7/17/02									

S. Mattson -3-

ADAMS Distribution:

ADAMS (PARS) Public

W. Travers, EDO

W. Kane, DEDR

C. Paperiello, DEDMRS

F. Congel, OE

J. Luehman, OE

D. Dambly, OGC

J. Dixon-Herrity, OE

B. Boger, NRR

S. Collins, NRR

T. Quay, NRR

D. Trimble, NRR

L. Dudes, NRR

J. Dyer, RIII

R. Lickus, RIII

D. Holody, RI

C. Evans, RII

Mr. Daniel M. Potochnic [HOME ADDRESS DELETED UNDER 10CFR2.790(a)]

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) REGARDING

OPERATOR LICENSE CONDITIONS (NOED-02-3-040)

Dear Mr. Potochnic:

By letter dated July 8, 2002, Exelon Generation Company, LLC (Exelon) informed the NRC that certain conditions of your reactor operator license were not being met. Specifically, Title 10 of the *Code of Federal Regulations* (10 CFR), Part 55, Section 55.53(h), imposes a condition on your license which requires you to complete a requalification program as described by 10 CFR 55.59. Title 10 CFR 55.59(a)(1) and (a)(2) require you to successfully complete a requalification program not to exceed 24 months in duration, and to pass a comprehensive requalification written examination as part of that requalification program. The Exelon letter indicated that you had not completed a comprehensive requalification written examination since January/February 2000, and thus you had exceeded the required 24-month written examination periodicity.

The Exelon letter documented information previously discussed with the NRC in a telephone conference which occurred on July 3, 2002. At the time of the telephone conference, both Dresden units were operating in Mode 1.

Exelon, on your behalf, requested enforcement discretion to allow you to continue to operate the Dresden Nuclear Power Station because they believed you had not successfully taken and passed a comprehensive requalification written examination within the requalification training program period. Exelon indicated that a Dresden Training Department scheduling error resulted in the comprehensive written examination being scheduled at an interval greater than the required 24 months. Specifically, the Dresden Training Department previously administered a comprehensive written examination pursuant to 10 CFR 55.59 to you during the period of January through February 2000. The next written examination to meet the requirement of 10 CFR 55.59 should have occurred during January 2002. However, through a scheduling error, the examination was deferred until July 2002. Because of the rescheduling of the examination, the 24-month time limit was exceeded. Consequently, during the last 24-month training period, you did not complete a comprehensive written examination in accordance with the condition of your license imposed via 10 CFR 55.53(h).

personnel by August 2, 2002, before they are scheduled to resume licensed activities. The NRC Office of Nuclear Reactor Regulation (NRR) will respond to this request for an exemption from the requirements of 10 CFR 55.59 by separate correspondence.

Exelon requested that a Notice of Enforcement Discretion (NOED) be issued pursuant to Section VII.C of the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. Exelon, on your behalf, requested enforcement discretion for your failure to complete the comprehensive requalification written examination within the 24-month periodicity in accordance with 10 CFR 55.53(h) and 10 CFR 55.59(a)(1) and (a)(2). To accomplish this, Exelon requested that the NRC suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, to allow sufficient time for you to complete the written examination requirement. Regional enforcement discretion was verbally granted at 6:20 p.m. on July 3, 2002 to suspend the enforcement of the requirements of 10 CFR 55.53(h) until July 17, 2002, in order to allow you sufficient time to complete the written examination requirement.

Subsequent to the July 8, 2002 letter from Exelon requesting enforcement discretion, Exelon provided information to the NRC staff that indicated you had successfully completed a comprehensive requalification written examination that met the requirements of your license condition prior to July 3, 2002. As such, you had returned to compliance with your license condition by successfully completing the examination. Therefore, we concluded that issuance of the requested NOED was not necessary. You should be aware that enforcement action may be taken for violations that occurred during the period of time between closure of the station's 24-month training program (January 2002) and your satisfactory completion of the comprehensive written examination administered by the Dresden Training Department in June 2002.

Sincerely,

/RA by Steven Reynolds Acting For/

Geoffrey E. Grant, Director Division of Reactor Projects

Docket No. [DELETED UNDER 10CFR2.790(a)] License No. [DELETED UNDER 10CFR2.790(a)]

cc: Site Vice President - Dresden Nuclear Power Station DOCUMENT NAME: C:\ORPCheckout\FileNET\ML021990177.wpd

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