

January 09, 2003

Mr. Michael Mulligan
New England Coalition on Nuclear Pollution
5 Woodlawn Lane
Hinsdale, NH 03451

Dear Mr. Mulligan:

This is response to your e-mail dated December 20, 2002, to Mr. Victor L. Dricks regarding your safety concerns at the Braidwood and Byron Nuclear Stations. You referenced Licensee Event Report (LER) 454-2002-001-01 and raised the following two concerns:

1. The main steam safety valves (MSSVs) were tested sequentially. The licensee incorrectly stated that only one valve was known to be inoperable at any one time, whereas they all could be inoperable at the same time.
2. Utilities are making statements regarding discovery of inoperable equipment while shutdown and claiming that there is no effect while the plant was operating.

On March 7, 2002, the setpoint testing of the Byron Unit 1 MSSVs was initiated in preparation of refueling outage (i.e., B1R11). The MSSVs are tested each cycle in accordance with the American Society of Mechanical Engineers (ASME) *Boiler and Pressure Vessel Code*, Section XI, inservice testing requirements. Specifically, the ASME Code requires testing a minimum of four valves (20 percent) out of the 20 total MSSVs on the four steam generator loops, with all 20 valves being tested every 5 years. The licensee had initially planned to test only 9 valves; however, due to test failures, the licensee expanded the testing to include all 20 valves. The licensee reported the issue of multiple MSSVs being outside of their required lift setting tolerance band in accordance with the NRC's regulations and the satisfactory retesting of the MSSVs. The NRC staff has evaluated LER 454-2002-001-01 and determined the licensee's approach to be consistent with the ASME Code requirements and appropriate. It should be noted that testing of all the MSSVs at the same time is not practicable. Moreover, there is no advantage to testing all of the MSSVs at the same time. During individual testing of MSSVs, all test failures must be evaluated and resolved. Therefore, we did not substantiate your first concern.

We find your second concern to be general and that you did not provide specific details in support of the issue. However, please be advised that when equipment is identified to be inoperable during any plant condition, licensees do not merely claim, but are required to evaluate the impact of such inoperability during all applicable plant conditions and to take corrective action to provide assurance that the equipment will perform its intended safety function. Such licensee evaluations are subject to NRC inspections or audits. Therefore, we did not substantiate your second concern.

M. Mulligan

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For the reasons stated herein, we do not plan to take any further action on your concerns.

Thank you for bringing these issues to the attention of the NRC.

Sincerely,

/RA/ by L. Raghavan

Anthony J. Mendiola, Chief, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-454, STN 50-455,
STN 50-456, and STN 50-457

cc: See next page

M. Mulligan

- 2 -

For the reasons stated herein, we do not plan to take any further action on your concerns.

Thank you for bringing these issues to the attention of the NRC.

Sincerely,

/RA/ by L. Raghavan

Anthony J. Mendiola, Chief, Section 2
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. STN 50-454, STN 50-455,
STN 50-456, and STN 50-457

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| NAME | MChawla | CRosenberg | TScarborough for DTerao | AMendiola /RA/ by LRaghavan |
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Byron/Braidwood Stations

cc:

Ms. C. Sue Hauser, Project Manager
Westinghouse Electric Corporation
Energy Systems Business Unit
Post Office Box 355
Pittsburgh, PA 15230

Joseph Gallo
Gallo & Ross
1025 Connecticut Ave., NW, Suite 1014
Washington, DC 20036

Howard A. Learner
Environmental Law and Policy
Center of the Midwest
35 East Wacker Dr., Suite 1300
Chicago, IL 60601-2110

U.S. Nuclear Regulatory Commission
Byron Resident Inspectors Office
4448 N. German Church Road
Byron, IL 61010-9750

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4351

Ms. Lorraine Creek
RR 1, Box 182
Manteno, IL 60950

Chairman, Ogle County Board
Post Office Box 357
Oregon, IL 61061

Mrs. Phillip B. Johnson
1907 Stratford Lane
Rockford, IL 61107

George L. Edgar
Morgan, Lewis and Bockius
1800 M Street, NW
Washington, DC 20036-5869

Attorney General
500 S. Second Street
Springfield, IL 62701

Illinois Department of Nuclear Safety
Office of Nuclear Facility Safety
1035 Outer Park Drive
Springfield, IL 62704

Byron Station Manager
Exelon Generation Company, LLC
4450 N. German Church Road
Byron, IL 61010-9794

Site Vice President - Byron
Exelon Generation Company, LLC
4450 N. German Church Road
Byron, IL 61010-9794

U.S. Nuclear Regulatory Commission
Braidwood Resident Inspectors Office
35100 S. Rt. 53, Suite 79
Braceville, IL 60407

Illinois Emergency Management
Agency
Division of Disaster Assistance &
Preparedness
110 East Adams Street
Springfield, IL 62701-1109

Chairman
Will County Board of Supervisors
Will County Board Courthouse
Joliet, IL 60434

Braidwood Station Manager
Exelon Generation Company, LLC
35100 S. Rt. 53, Suite 84
Braceville, IL 60407-9619

Ms. Bridget Little Rorem
Appleseed Coordinator
117 N. Linden Street
Essex, IL 60935

Document Control Desk-Licensing
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Exelon Generation Company, LLC
Site Vice President - Braidwood
35100 S. Rt. 53, Suite 84
Braceville, IL 60407-9619

Senior Vice President, Nuclear Services
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Vice President
Mid-West Operations Support
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Senior Vice President
Mid-West Regional Operating Group
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Director Licensing
Mid-West Regional Operating Group
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Exelon Generation Company, LLC
Regulatory Assurance Supervisor -
Braidwood
35100 S. Rt. 53, Suite 84
Braceville, IL 60407-9619

Exelon Generation Company, LLC
Regulatory Assurance Supervisor - Byron
4450 N. German Church Road
Byron, IL 61010-9794

Senior Counsel, Nuclear
Mid-West Regional Operating Group
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Vice President - Licensing and
Regulatory Affairs
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Manager Licensing - Braidwood and Byron
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

Mr. John L. Skolds, President
Exelon Nuclear
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555