

February 6, 2003

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

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR EXELON GENERATION
COMPANY, LLC REGARDING BRAIDWOOD (NOED 03-3-002)

Dear Mr. Skolds:

By letter dated February 4, 2003, your staff requested that for Braidwood Unit 1, the U.S. Nuclear Regulatory Commission (NRC) exercise discretion not to enforce compliance with the actions required in Technical Specification (TS) LCO 3.5.2, "Emergency Core Cooling System - Operating," Condition A, for one train of emergency core cooling system (ECCS) inoperable in Modes 1, 2, and 3. Your letter documented information previously discussed with the NRC in a telephone conference which occurred on February 2, 2003, at approximately 11:00 a.m. (All times discussed in this letter refer to Central Standard Time).

Your staff stated that on January 26, 2003, at 10:00 p.m., Braidwood was not in compliance with the LCO for TS 3.5.2, "Emergency Core Cooling - Operating," when the Unit 1 B (1B) residual heat removal (RHR) pump was made inoperable for planned work. As a result, the plant was in TS LCO 3.5.2, Condition A, which required the equipment be restored to operable within 7 days or to place the plant in Mode 3 (Hot Standby) within the 6 hours, and Mode 4 (Hot Shutdown) within 12 hours.

In accordance with TS 3.5.2, the plant would be required to restore the 1B RHR pump to operable by 10:00 p.m. on February 2, or be in Mode 3 by 4:00 a.m. on February 3, and Mode 4 by 10:00 a.m. on February 3. Your staff requested that a Notice of Enforcement Discretion (NOED) be granted pursuant to the NRC's policy regarding exercise of discretion for an operating facility, set out in Section VII.C of the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, and be effective to extend the completion times in LCO 3.5.2 by an additional 20 hours to avoid a plant shutdown that would impose an unnecessary plant transient. This letter documents our telephone conversation on February 2, 2003, when we orally granted this NOED at 12:50 p.m. At the time of the telephone conference, the Braidwood Unit 1 was operating in Mode 1 (Power Operation). We understand that you restored the 1B RHR pump to an operable status and exited from TS 3.5.2 and from this NOED on February 3, 2003, at 3:37 a.m.

The principal NRC staff members who participated in that telephone conference included: Steven Reynolds, Deputy Director, Division of Reactor Projects (DRP), RIII; John Zwolinski, Division Director, Division of Licensing Project Management (DLPM), Office of Nuclear Reactor Regulation (NRR); Frank Akstulewicz, Section Chief, NRR; Lakshminaras Raghavan, Section Chief, NRR; David Terao, Section Chief, NRR; George Dick, Project Manager, NRR; Peter Wilson, Senior Reactor Analyst, NRR; Richard Skokowski, Acting Branch Chief, Reactor Projects Branch 3, DRP, RIII; Steven Ray, Senior Resident Inspector, Braidwood; Michael Parker, Senior Reactor Analyst, DRS, RIII; and Nirodh Shah, Resident Inspector, Braidwood.

Your staff requested enforcement discretion after encountering unforeseen difficulties during the planned work window on the 1B RHR pump. The planned work window for the 1B RHR pump included numerous routine surveillance and preventative maintenance activities. However, the primary activity was the inspection of the pump internals and the replacement of the stuffing box extension, which was pursued as follow-up actions from a previous 2B RHR pump repair. The work window was originally scheduled for 4 days and 17 hours; however, the following unanticipated delays occurred:

8.0 hours	to address emergent radiation protection issues regarding personnel dose and contamination controls;
11.5 hours	to address and repair an out-of-round condition identified with the pump casing that precluded the replacement of the stuffing box extension;
8.0 hours	to address a personnel safety issue regarding performing work under a suspended load;
6.0 hours	to address and repair an out-of-tolerance condition with the concentricity of the motor support assembly;
34.0 hours	to address and repair an out-of-tolerance condition identified with the impeller runout values.

Based on the time used to address these unforeseen issues coupled with the time required to complete the remaining operability testing, your staff determined that allowed completion time for restoring the ECCS train to operable would be exceeded. After evaluating the safety significance and potential consequences, your staff requested this NOED of a one time 20-hour extension to the TS completion time to allow the 1B ECCS train to be returned to operable and avoid cycling the unit through a thermal transient associated with a plant shutdown. Your staff determined that the risk associated with continued operations with the 1B RHR inoperable for up to an additional 48 hours past the 7 days allowed by TS was less than the risk associated with a plant shutdown. Also, your staff determined that there were additional non-quantifiable risk savings achieved by: (1) avoiding the shutdown risk associated with the 1B RHR pump unavailability and the risk associated with power escalation; and (2) taking certain compensatory measures. As for compensatory measures, during the time the 1B RHR pump was inoperable, your staff committed to the following: (1) protect the 1A train of ECCS and other key safety equipment; (2) perform specific Auxiliary Building floodwatch walkdowns once a shift; (3) monitor weather conditions and re-evaluate risk if severe weather threatens the

offsite power lines; (4) perform no production risk activities on Unit 1; (5) maintain the 1B auxiliary feedwater pump diesel oil day tank level at greater than 80%; (6) provide a Heightened Level of Awareness briefing at the start of each shift while this NOED is in effect; (7) evaluate surveillance and other work activities to be performed on the unit and reschedule activities that have the potential to adversely affect the unit status; (8) perform no work activities in the switchyard; and (9) terminate the extension allowed by this NOED if at any time it becomes apparent that completion of the work on the 1B RHR pump will be significantly delayed or if other significant problems are identified with the pump. The Resident Inspector staff verified that these compensatory measures were properly implemented while this NOED was in effect.

The NRC reviewed your written request for enforcement discretion dated February 4, 2003, and verified consistency between your oral and written requests. The NRC determined that the risk of continued operation with your compensatory measures for the additional 20 hour period of the NOED would not result in an increased risk over shutting down Unit 1 with the 1B RHR pump inoperable. The basis of our decision was that there was no net increase in risk associated with extending the allowed outage time for TS 3.5.2 by 20 hours. Based on this qualitative evaluation, the NRC accepted your staff's safety rationale.

Based on the above considerations, the NRC staff concluded that Criterion B.2.1.1.a and the applicable criteria in Section C.4 to NRC Manual Chapter 9900, "Technical Guidance, Operations - Notices of Enforcement Discretion," were met. Criterion B.2.1.1.a states that for an operating plant, the NOED is intended to avoid unnecessary transients as a result of compliance with the license condition and, thus, minimize potential safety consequences and operational risks.

On the basis of the NRC staff's evaluation of your request, we concluded that granting of this NOED is consistent with the Enforcement Policy and staff guidance, and had no adverse impact on public health and safety. Therefore, we exercised discretion at 12:50 p.m. on February 2, 2003, not to enforce compliance with TS 3.5.2 for entry into Mode 3 by 4:00 a.m. on February 3, 2003, until 12:00 a.m. on February 4, 2003. The additional requirements of TS 3.5.2 for entry into Mode 4 was also extended by 20 hours to 6:00 a.m. on February 4, 2003. We understand that you restored the 1B RHR pump to an operable status and exited from TS 3.5.2 and from this NOED on February 3, 2003, at 3:37 a.m.

As stated in the Enforcement Policy, action may be taken, to the extent that violations were involved, for the root cause that led to the noncompliance for which this NOED was necessary.

Sincerely,

/RA by Steven A. Reynolds Acting for/

Geoffrey E. Grant, Director
Division of Reactor Projects

Docket No. 50-456
License No. NPF-72

cc: Site Vice President - Braidwood
Braidwood Station Plant Manager
Regulatory Assurance Manager - Braidwood
Chief Operating Officer
Senior Vice President - Nuclear Services
Senior Vice President - Mid-West Regional
Operating Group
Vice President - Mid-West Operations Support
Vice President - Licensing and Regulatory Affairs
Director Licensing - Mid-West Regional
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