



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, ILLINOIS 60532-4352

March 26, 2015

EA-15-001

Mr. Bryan C. Hanson
Senior VP, Exelon Generation Company, LLC
President and CNO, Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

**SUBJECT: FINAL SIGNIFICANCE DETERMINATION OF A WHITE FINDING WITH
ASSESSMENT FOLLOWUP AND NOTICE OF VIOLATION;
NRC INSPECTION REPORT NO. 05000249/2015008; DRESDEN NUCLEAR
POWER STATION**

Dear Mr. Hanson:

This letter provides you the final significance determination of the preliminary White finding discussed in our previous communication dated January 29, 2015, which included U.S. Nuclear Regulatory Commission (NRC) Inspection Report Nos. 05000237/2014005; 05000249/2014005. This report is available in the NRC's Agencywide Documents Access and Management System (ADAMS) at Accession Number ML15029A177. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The finding involved the failure of the Unit 3 "E" electromatic relief valve (ERV) to perform its intended safety function.

In a telephone conversation with Mr. Jamnes Cameron of NRC, Region III, on February 9, 2015, and in a letter dated February 9, 2015, (ML15062A571), you indicated that Exelon declined the opportunity to discuss this issue in a Regulatory Conference; however, you indicated that you would provide a written response. On March 2, 2015, you provided a written response to the NRC's preliminary determination letter (ML15076A197). This March 2, 2015, letter did not contest the characterization of the risk significance of the Unit 3 "E" ERV finding. By the letter, you declined your opportunity to discuss this issue in a Regulatory Conference or to provide a position on the finding in writing. You acknowledged that in doing so, you relinquished the right to appeal the final significance determination of the finding.

After considering the information developed during the inspection, the NRC has concluded that the finding is appropriately characterized as White, a finding of low to moderate risk significance. According to NRC Inspection Manual Chapter (IMC) 0609, Attachment 2, "Process for Appealing NRC Characterization of Inspection Findings (SDP Appeal Process)," appeal rights only apply to those licensees that have either attended a Regulatory Conference or submitted a written response to the preliminary determination letter. As noted previously, you declined these options, and thus, do not meet the criteria for appealing the significance of the finding.

The NRC has also determined that the failure of Exelon Generation Company, LLC., involved a violation as cited in the Notice of Violation (Notice) found in the Enclosure. The circumstances surrounding the violation were described in detail in NRC Inspection Report

B. Hanson

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Nos. 05000237/2014005; 05000249/2014005. In accordance with the NRC Enforcement Policy, the Notice is considered an escalated enforcement action because it is associated with a White finding.

The NRC has concluded that the information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance will be achieved is already adequately addressed on the docket in NRC Inspection Report Nos. 05000237/2014005; 05000249/2014005. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position.

As a result of our review of Dresden's performance, including this White finding, we have assessed Unit 3 to be in the Regulatory Response column of the NRC's Action Matrix, effective the fourth quarter of 2014. Therefore, we plan to conduct a supplemental inspection using Inspection Procedure 95001, "Inspection for One or Two White Inputs in a Strategic Performance Area," when your staff has notified us of your readiness for this inspection. This inspection procedure is conducted to provide assurance that the root cause and contributing causes of risk-significant performance issues are understood, the extent of condition and the extent of cause are identified, and the corrective actions are sufficient to prevent recurrence. Unit 2 remains in the Licensee Response Column of the NRC action matrix.

For administrative purposes, this letter is issued as NRC Inspection Report No. 05000249/2015008. Additionally, apparent violation (AV) 05000249/2014005-02 is now closed and violation (VIO) 05000249/2014005-02 is opened in its place.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from ADAMS. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information, so that it can be made available to the Public without redaction. The NRC also includes significant enforcement actions on its Web site at <http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions>.

Sincerely,

/RA Patrick L. Loudon Acting for/

Darrell J. Roberts
Acting Regional Administrator

Docket No. 50-249
License No. DPR-25

Enclosure:
Notice of Violation

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NOTICE OF VIOLATION

Exelon Generation Company, LLC
Dresden Nuclear Power Station, Unit 3

Docket No. 50-249
License No. DPR-25
EA-15-001

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted from October 1 to December 31, 2014, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix B, Criterion III, Design Control, requires, in part, that measures be established for the selection and review for suitability of application of materials, parts, equipment, and processes that are essential to the safety-related functions of the structures, systems, and components.

Technical Specification 3.4.3, Safety and Relief Valves, Limiting Condition for Operation requires, in part, that in Modes 1, 2, and 3, the relief function of five relief valves shall be OPERABLE. Required Action A states that if one relief valve is inoperable, then restore the valve to operable status within 14 days. Required Action B states, in part, that if the Required Action and associated Completion Time are not met, then (1) be in Mode 3 within 12 hours and (2) be in Mode 4 within 36 hours.

Technical Specification 3.5.1, ECCS Operating, Limiting Condition for Operation requires, in part, that in Modes 1, 2, and 3, with pressure above 150 pounds per square inch gauge (psig), the Automatic Depressurization System (ADS) function of five relief valves shall be OPERABLE. Required Action G states that if one ADS valve is inoperable, then restore the valve to operable status within 14 days. Required Action H states, in part, that if the Required Action G and associated Completion Time are not met, then (1) be in Mode 3 within 12 hours and (2) reduce reactor steam dome pressure to less than 150 psig within 36 hours.

Contrary to the above, from November 29, 2010, to November 6, 2014, the licensee failed to establish measures to ensure that the application of the ADS electromechanical relief valve (ERV) actuators, which are essential to perform the safety-related reactor vessel depressurization and overpressure protection functions, remained suitable for operation. This resulted in multiple failures of the 3E ERV during testing prior to operating cycle D3C23, and an indeterminate period of inoperability and unavailability greater than allowed by Technical Specifications 3.4.3 and 3.5.1 during operating cycle D3C23. The 3E ERV inoperability during the operating cycle was identified after the failure of the valve during its first operational test following the Unit 3 shutdown for refueling. Additionally, because the licensee was not aware of the valve's inoperability between 2012 and 2014 during operating cycle D3C23, the required actions in Actions 3.4.3 A and B and 3.5.1 G and H were not followed.

This violation is associated with a White Significance Determination Process finding.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance will be achieved is already adequately addressed on the docket in NRC Inspection Report Nos. 05000237/2014005; 05000249/2014005. However, you are required to submit a

Enclosure

written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, EA-15-001", and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, 2443 Warrenville Road, Suite 210, Lisle, IL 60532, and a copy to the NRC Resident Inspector at the Dresden Nuclear Power Station, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 26th day of March, 2015.

Nos. 05000237/2014005; 05000249/2014005. In accordance with the NRC Enforcement Policy, the Notice is considered an escalated enforcement action because it is associated with a White finding.

The NRC has concluded that the information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance will be achieved is already adequately addressed on the docket in NRC Inspection Report No. 05000237/2014005; 05000249/2014005. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position.

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Sincerely,
/RA Patrick L. Loudon Acting for/
 Darrell J. Roberts
 Acting Regional Administrator

Docket No. 50-249
 License No. DPR-25

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 Notice of Violation

cc w/encl: Distribution via ListServ®

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*See previous concurrence

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1 NRR and OE concurrence provided via e-mail from K. Hanley on March 20, 2015

Letter to Mr. Bryan C. Hanson from Mr. Darrell J. Roberts dated March 26, 2015

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