

UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

September 2, 1992

Docket Nos. 50-237 and 50-249
License Nos. DPR-19 and DPR-25
EA 92-088

Commonwealth Edison Company
ATTN: Mr. Cordell Reed
Senior Vice President
Opus West III
1400 Opus Place
Downer's Grove, Illinois 60515

Dear Mr. Reed:

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NO. 50-237/92009 (DRP);
50-249/92009 (DRP))

This refers to the special safety inspection conducted during the period of March 23 through May 1, 1992, at the Dresden Nuclear Station. During this inspection violations of NRC requirements were identified, and on June 4, 1992, an enforcement conference was held in the Region III office. The inspection report documenting the inspection was sent to you by letter dated May 19, 1992. The report summarizing the conference was sent to you by letter dated June 12, 1992.

On August 7, 1991, the reactor recirculation pump discharge valve (2-0202-5A) failed to close due to the incorrect setting of a torque switch during motor operated valve (MOV) testing on December 14, 1990. Since the discharge valve is included in the low pressure coolant injection (LPCI) system initiation logic, LPCI was inoperable during power operation since startup from the refueling outage on January 4, 1991, until August 10, 1991, when the MOV's torque switch setting was raised and the valve was returned to service. The root cause of the incorrect torque switch setting was inadequate vendor-supplied training on the MOV test evaluation system which resulted in a misinterpretation of the valve's unusual diagnostic test data. You submitted written reports of this event on September 4, 1991, and February 5, 1992.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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Violation A, which is described in the enclosed Notice of Violation (Notice), concerns a violation of Technical Specification 3.5.A, in that, the LPCI system was inoperable during plant operation from January 4, 1991, until August 10, 1991. The consequence of this violation is that the LPCI system, which is designed to mitigate a serious safety event, was not able to perform its intended safety function. Therefore, in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C, this violation has been categorized at Severity Level III. We recognize that you have submitted an analysis to demonstrate that the LPCI system would have functioned during an accident. However, our review identified that the initial conditions and assumptions used in the analysis were less conservative than those used in the original design basis for the LPCI system. Although this analysis was considered in our determination of a severity level, the failure to demonstrate that the LPCI system would perform under all the design basis conditions is a significant regulatory concern.

We acknowledge your corrective actions which included returning the reactor recirculation pump discharge valve to service, reanalysis of valve traces from all six Commonwealth Edison nuclear stations, additional vendor training on the new MOV diagnostic software, and a procedure revision to include enhanced independent review requirements and thrust window acceptance criteria for MOV analysis.

In accordance with the Enforcement Policy a civil penalty is considered for a Severity Level III violation. However, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research, I have decided that a civil penalty is not appropriate in this case. In reaching this conclusion, the NRC staff considered the adjustment factors in the NRC Enforcement Policy. The staff determined that full mitigation of the base civil penalty was appropriate based upon the collective consideration of your identification of the self-disclosing violation, extensive corrective actions which involved changing the corporate MOV program which oversees MOV testing at all six sites, and good past performance in the area of MOV testing at the Dresden site. The remaining factors in the Enforcement Policy were also considered and their application was not found to be appropriate in this case.

Violations B through G of the enclosed Notice concern three examples where inadequate corrective actions for previous violations resulted in: (1) subsequent failures to follow administrative procedural requirements, make required 10 CFR 50.72 notifications of engineered safety feature actuations, and consider systematic evaluation program commitments when

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performing safety evaluations; (2) an inadequate procedure for identifying and evaluating 10 CFR Part 21 deviations; and (3) quality assurance deficiencies involving corporate control of the motor operated valve program. These violations have been categorized as Severity Level IV violations, with no civil penalty assessed.

Although the weaknesses identified in violations B and C did not contribute to violation A, we are concerned that those weaknesses in your offsite corporate engineering technical support, if not given proper management attention, have the potential to adversely affect the MOV programs not only at Dresden, but also at your other facilities.

We are also concerned that Violations D through G, indicate weaknesses in your corrective action program. While Violation D involves a 10 CFR Part 21 failure, it also involves a corrective action issue, in that the failure to properly evaluate deviations for generic applicability prevents thorough corrective actions from being taken.

Violations E through G are a concern because they are indicative of your management's inability to ensure that the corrective action program is effective in preventing repetitive violations of NRC requirements. Further violations of this nature will be considered for escalated enforcement. You have committed to implement a station policy on commitment tracking, and an Integrated Reporting Program. Additionally, you have committed to evaluate a sample of previously implemented corrective actions, and evaluate the effectiveness of corrective actions implemented for NRC violations issued from June 1991 to May 1992. In your response, please document the current status of these programs and your plans to ensure the effectiveness of their implementation. We plan to schedule quarterly meetings to review your progress in this area.

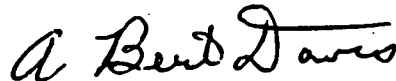
You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

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The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,



A. Bert Davis
Regional Administrator

Enclosure: Notice of Violation

cc w/enclosure:

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BWR Operations

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