



**Commonwealth Edison**  
1400 Opus Place  
Downers Grove, Illinois 60515

January 12, 1994

U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Attention: Document Control Desk

Subject: Dresden Nuclear Power Station Units 2 and 3 Response to Notice of Violation; Inspection Report 50-237/93029; 50-249/93029  
NRC Docket Numbers 50-237 and 50-249

Reference: E. G. Greenman letter to M. D. Lyster, dated December 16, 1993, transmitting Inspection Report 50-237/93029; 50-249/93029.

Enclosed is Commonwealth Edison Company's (CECo) response to Notice of Violation transmitted with Inspection Report 50-237(249)/93029 as requested in the referenced letter.

If your staff has any questions concerning this letter, please refer them to Sara Reece-Koenig, Regulatory Performance Administrator at (708) 663-7250.

Sincerely,

D. Farrar  
Nuclear Regulatory Services Manager

attachments

cc: J. B. Martin, Regional Administrator Region III  
J. F. Stang, Project Manager, NRR  
M. N. Leach, Senior Resident Inspector, Dresden

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**ATTACHMENT**  
**RESPONSE TO NOTICE OF VIOLATION**  
**NRC INSPECTION REPORT**  
**50-237/93029; 50-249/93029**

**VIOLATION:** (50-237/93029-04)

10 CFR 19.11 requires that any Notice of Violation involving radiological working conditions shall be posted within 2 working days after receipt of the document from the Commission.

Contrary to the above, on October 18, 1993, the licensee received a Notice of Violation, included in Inspection Report 50-237/93028(DRSS), which involved a lack of procedures for control of contaminated material. The licensee failed to post this Notice involving radiological working conditions until October 26.

Severity Level V violation (Supplement I)

**REASON FOR VIOLATION:**

Upon receiving Inspection Report 50-237/93028 and associated Notice of Violation (NOV) on October 18, 1993, the Regulatory Assurance (RA) department personnel responsible for handling NOV's reviewed the subject NOV and made a determination that the NOV need not be posted. This inappropriate decision was based on the interpretation of the NOV as a violation involving Technical Specification 6.11.1, not one involving radiological working conditions.

Upon further review of the NOV with other RA department personnel, including the RA Supervisor, it was determined that the NOV did address radiological working conditions, and therefore should be posted as required by 10 CFR 19.11. This follow up review and resultant posting of NOV did not occur until October 26, 1993, violating the two working day requirement.

**CORRECTIVE STEPS TAKEN AND RESULTS ACHIEVED:**

On October 26, 1993, upon determination that the NOV addressed radiological working conditions and therefore needed to be posted, the NOV was provided to the Office Supervisor for posting and was posted that same day.

The Senior NRC Resident Inspector was immediately informed of the failure to meet the posting requirement.

ATTACHMENT  
RESPONSE TO NOTICE OF VIOLATION  
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50-237/93029; 50-249/93029  
(Continued)

**CORRECTIVE STEPS TAKEN TO AVOID FURTHER VIOLATION:**

The RA department personnel responsible for posting appropriate NOV's was counseled by the RA supervisor with regards to the content of the subject NOV. It was discussed that a violation of Technical Specification 6.11.1 which, in part, requires a procedure to address the control of material and equipment on contaminated area boundaries, is a "violation involving radiological working conditions", and therefore meets the 10 CFR 19.11 requirement for posting.

To ensure that the responsible individual is fully aware of the posting requirements and the procedures and processes to be used when handling NOV's, the following items were re-reviewed by the individual and the RA supervisor: 10 CFR 19.11, Posting of Notices to Workers; DAP 02-17, Required Posting of Documents; RA checklist which is used for guidance when handling NOV's; and turnover notes from individual previously responsible for handling NOV's.

Additionally, the responsible individual will review subject of future NOV's with either the RA supervisor, the RA Technician responsible for tracking NRC commitments, or with a CECo Corporate Compliance Engineer, to determine if individual's decision regarding posting requirements is appropriate. This review will continue until five consecutive NOV's have been properly posted.

**DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED:**

Dresden Station achieved full compliance with the posting requirements of 10 CFR 19.11 on October 26, 1993, when the subject NOV was posted.