

MAR 1 1994

DCD
DCB
IEO

Docket No. 50-237; 50-249/94-2
License No. DPR-19; DPR-25
EA 94-048

Commonwealth Edison Company
ATTN: Mr. M. Lyster
Site Vice President
Dresden Station
6500 North Dresden Road
Morris, IL 60450

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NOS. 237/94002; 249/94002)

Dear Mr. Lyster:

Enclosed are the results of our inspection conducted by M. Leach, A. M. Stone, and D. Chyu of this office on January 11 through February 22, 1994. The inspectors reviewed activities authorized for your Dresden Nuclear Station, Units 2 and 3. At the conclusion of the inspection, the inspectors discussed the findings with members of your staff.

The areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress. The purpose of the inspection was to determine whether activities authorized by the license were conducted safely and in accordance with NRC requirements.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation (Notice). The violation was cited for the failure to submit licensee event reports for repetitive failures of the reactor water level instruments. This violation is of concern because it is important that repetitive generic failures be recognized and reported to the NRC.

One apparent violation regarding inadequate and untimely corrective actions regarding recurring drift and failures of reactor water level instruments was identified. For example, over the last 8 months, 17 failures of Unit 2 level instruments occurred. We are concerned with the apparent lack of response to these failures. This issue is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 10 CFR Part 2, Appendix C. Accordingly, no Notice of Violation is presently being issued for this inspection finding. Please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

9403220047 940311
PDR ADDCK 05000237
Q PDR

IEO
11

MAR 11 1994

Commonwealth Edison Company

2

An enforcement conference to discuss this apparent violation has been scheduled for 2:00 p.m. (CST) on March 21, 1994, at the Region III office in Lisle, Illinois. The decision to hold an enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. The purposes of this conference are to discuss the apparent violation, its cause and safety significance; to provide you the opportunity to point out any errors in our inspection report; and to provide an opportunity for you to present your proposed corrective action. In particular, we expect you to discuss why your equipment dedication process did not identify the manufacturing flaws in the Unit 2 instruments installed in 1993. We also expect you to address your actions to ensure other previously known or current emerging safety significant issues are identified, appropriately prioritized, and corrected.

In addition, this is an opportunity for you to provide any information concerning your perspectives on 1) the severity of the violation, 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violation is required at this time.

Certain other activities appeared to be a deviation from your commitments in response to Generic Letter 89-13, "Service Water System Problems Affecting Safety Related Equipment," as specified in the enclosed Notice of Deviation. This deviation occurred because an operator failed to strictly adhere to a procedure, and the required maintenance action to restore the chemical injection system was untimely. This deviation demonstrated that management expectations regarding procedure adherence were not clearly conveyed.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notices 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 the Notices, including your proposed corrective actions and the results of future inspections, we 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, its enclosures, and your response will be placed in the NRC Public Document Room.

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, Pub. L. No. 96.511.

Sincerely,

ORIGINAL SIGNED BY E. GREENMAN

Edward G. Greenman, Director
Division of Reactor Projects

Enclosures:

1. Notice of Violation
2. Notice of Deviation
3. Inspection Report
Nos. 50-237/94002(DRP);
50-249/94002(DRP)

cc w/enclosures:

L. DelGeorge, Vice President, Nuclear
Oversight & Regulatory Services
G. Spedl, Station Manager
J. Shields, Regulatory Assurance
Supervisor
D. Farrar, Nuclear Regulatory Services
Manager
OC/LFDCB
Resident Inspectors, Dresden
LaSalle, Quad Cities, Clinton
R. Hubbard
J. McCaffrey, Chief, Public
Utilities Division
Licensing Project Manager, NRR
State Liaison Officer
Chairman, Illinois Commerce Commission
J. Lieberman, OE
J. Goldberg, OGC
J. Callan, NRR

bcc: PUBLIC - IE01

RIII

P2H
Hiland

3/8/94

RIII

MAK/n
Mc-Barger

(Para. 3.6)
J-8-47

RIII

Yes
bc
Clayton

3/8/94

RIII

for
Greenman

3/8/94