



Commonwealth Edison
1400 Opus Place
Downers Grove, Illinois 60515

April 20, 1994

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

Attention: Document Control Desk

Subject: Dresden Nuclear Power Station Unit 2 and 3 Response to
Notice of Violation regarding Post-TMI Order
Inspection Report 50-237/93034; 50-249/93034
NRC Docket Numbers 50-237 and 50-249


Reference: E. G. Greenman letter to M. D. Lyster, dated January 28,
1994, transmitting Inspection Report 50-237/93034; 50-
249/93034.

D. Farrar Letter to U.S. Nuclear Regulatory Commission,
dated February 25, 1994, transmitting Response to Notice of
Violation regarding inadequate corrective actions from
Inspection Report 50-237/93034; 50-249/93034.

Enclosed is Commonwealth Edison Company's (CECo) response to Notice of
Violation regarding Post-TMI Order transmitted with Inspection Report 50-
237(249)/93034. The response is being submitted as requested in the referenced E.
G. Greenman letter. The response to Notice of Violation regarding inadequate
corrective actions transmitted with the same inspection report was submitted as
an attachment to the referenced D. Farrar letter on February 25, 1994. The Post-
TMI Order response due date, as approved by B. Clayton of your staff, was set at
thirty days after a management meeting was conducted to discuss the issues
involved with the violation. The management meeting was conducted on March
21, 1994.

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 Station
J. Shields, Regulatory Assurance Supervisor, Dresden Station

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ATTACHMENT
RESPONSE TO NOTICE OF VIOLATION
NRC INSPECTION REPORT
50-237/94034; 50-249/94034

VIOLATION: (50-237/93034-05)

The Order Confirming Licensee Commitments on Post-TMI Related Issues, Serial No. LS05-83-03-028, required the licensee to implement and maintain the specific items described in the Order Attachments. Attachment 1 contained the licensee's response to Item II.K.3.24, "Space Cooling for HPCI/RCIC". The licensee stated that the high pressure coolant injection system room coolers were supplied from pumps powered by the emergency diesel generators.

Contrary to the above, from 1990 to the present, the licensee isolated the water supplies to the HPCI room coolers.

This is a Severity Level IV (Supplement I)

REASON FOR THE VIOLATION:

An engineering report and a 10 CFR 50.59 safety evaluation were performed prior to valving out the Diesel Generator Cooling Water (DGCW) supply to the High Pressure Coolant Injection (HPCI) system room cooler in 1990. The conclusion based on the engineering report and the safety evaluation was that the HPCI system can be considered operable with its room coolers isolated from the DGCW supply and that an unreviewed safety question did not exist. Based on the licensee's request for information and discussions with the Nuclear Reactor Regulations staff the engineering study and safety evaluation were found to be technically acceptable. Thus, the Diesel Generator Cooling Water will remain valved out from the HPCI room cooler to provide additional flow to the diesel generators and prevent marginal flow conditions. This licensing discrepancy with the Order will remain until a license amendment is submitted by the licensee and approved by the NRC. However, the more significant issue of concern is that Commonwealth Edison Company (CECo) failed to assess the impact of proposed plant changes on commitments made to the NRC via the Order.

Specifically, the portion of the Order confirming CECo's commitments on Post-TMI related issues required the maintenance of the subject items in the manner described in the Generic Letter responses. Item II.K.3.24 assures the adequacy of space cooling for HPCI during a "loss of offsite power" event by taking credit for DGCW which is powered from the emergency diesel generators. Since this commitment is referenced in the Order, it may not be changed through 10 CFR 50.59, but rather requires a license amendment.

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(Continued)

REASON FOR THE VIOLATION: (Continued)

A review of previous NRC Orders issued that were applicable to Dresden Station revealed that they could be classified into the following categories:

- (1) Scheduling requirements to satisfy commitments
- (2) Revision to schedule imposed in prior Order
- (3) Imposition of civil penalty
- (4) Shutdown (eg., to implement Inter Granular Stress Corrosion Cracking inspection)

The referenced TMI Order is unique in that it imposed a requirement to maintain systems or programs in the manner described in the original commitment. Thus, the root cause for the violation was the previous lack of understanding by the CECo engineering/licensing departments that this order limits the applicability of 10 CFR 50.59 and requires a license amendment to change commitments contained in the Post-TMI Order and associated correspondence.

CORRECTIVE ACTIONS TAKEN AND RESULTS ACHIEVED:

As previously stated, NRC Orders applicable to Dresden have been reviewed. None of the Orders reviewed contained similar restrictions precluding changes under 10 CFR 50.59. Additionally, the Updated Final Safety Analysis Report (UFSAR) was reviewed against the Post-TMI Order to determine if the appropriate level of detail specified in the Order was incorporated in the UFSAR. The review indicates that the proper information was included with a few minor exceptions. As a result of this comparison, one modification (replacement of oxygen analyzers with a single, more reliable analyzer) and the following minor enhancements will be incorporated in the next UFSAR update:

- (1) State that Dresden/BWROG has submitted test results to demonstrate that SRVs can withstand the dynamic loading of alternate cooldown.
- (2) State that HRSS gas chromatograph provides backup capability for containment hydrogen monitoring (Already incorporated in Technical Specifications).

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CORRECTIVE ACTIONS TAKEN TO AVOID FURTHER VIOLATION:

Dresden Station believes that the intent of the subject Order was twofold:

- (1) To assure that the licensee completed the actions which licensees had proposed in response to Post-TMI concerns.
- (2) To provide a mechanism binding each plant to incorporate these changes into their licensing basis.

To meet this intent, the licensee's continued attention to Post-TMI safety concerns can adequately be preserved by the generally applicable regulatory processes which assure that any changes to the plant under 10 CFR 50.59 will maintain the necessary safety functions of systems, structures and components. Therefore, Commonwealth Edison intends to submit a license amendment with the inclusion of a license condition that represents the following philosophy:

The commitments made in response to NUREG-0737 shall be included within the appropriate level of detail in the UFSAR. As such, any changes made to commitments made in response to NUREG-0737 included in the UFSAR require evaluation under the auspices of 10 CFR 50.59. If the review of any change to a commitment made in response to NUREG-0737 included within the UFSAR results in an Unreviewed Safety Question, a license amendment shall be submitted to the NRC staff for review and approval.

CECo's proposed license amendment will update the Licensing Basis for Dresden Station to be consistent with the manner of control used for TMI commitments at a plant licensed post-TMI (eg., CECo's Byron Station). Additionally, the next update to the UFSAR will incorporate the minor changes identified above to assure that the NUREG-0737 items are described to the proper level of detail.

DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED:

Consistent with the 10 CFR 50.71 rule change, the next UFSAR revision will be submitted in the fourth quarter of 1995. The additional NUREG-0737 information identified in the "Corrective Actions Taken And Results Achieved" section of this response will be included at that time. CECo also proposes to amend Facility Operating Licenses DPR-19 and DPR-25. The license amendment will be submitted by December 30, 1994. Full compliance will be achieved upon the NRC's approval of the license amendment.