UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

April 5, 1995

EA 95-030

Commonwealth Edison Company
ATTN: Mr. Michael J. Wallace
Vice President,
Chief Nuclear Officer
Executive Towers West III
1400 Opus Place, Suite 300
Downers Grove, Illinois 60515

Dear Mr. Wallace:

SUBJECT: DRESDEN STATION - UNITS 2 AND 3
NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY - $100,000
(NRC Inspection Report Nos. 50-237/249/95004(DRP))

This refers to the inspection conducted during the period of January 25 through February 10, 1995, at Dresden Station, Units 2 and 3. The purpose of the inspection was to review the circumstances surrounding starting an idle recirculation pump on January 10, 1995, with the indicated temperature differential between the reactor vessel steam space and the bottom head drain line greater than 145°F, and the failure to maintain primary containment between January 6 and February 3, 1995. Both events were reported to the NRC. During the inspection, violations of NRC requirements were identified.

The report documenting the inspection was sent to you by letter dated February 27, 1995. An enforcement conference was held on March 9, 1995, to discuss the violations, the causes, and your corrective actions. The report documenting the conference was sent to you by letter dated March 15, 1995.

The first event occurred on January 10, 1995. While preparing to start the 2B recirculation pump, the Unit 2 Nuclear Station Operator (NSO) recognized that the requirements of the pump startup procedure could not be met. The procedure required the reactor bottom head thermocouple temperature to be within 145°F of the steam space temperature while the actual indicated temperature difference was approximately 158°F. The operating crew reviewed the applicable technical specification (TS), which had been revised July 19, 1994, which specified a different requirement than the procedure; specifically, that the bottom head drain line coolant temperature as measured by a thermocouple be within 145°F of the steam space temperature. However, your control room staff was aware that the bottom head drain line had been blocked for some time and, therefore, would not be an accurate indication of the thermal conditions at the reactor bottom head.

After some deliberation, the operating crew decided that an alternate temperature indication could be substituted to satisfy the technical basis for the limiting temperature differential. The alternate indication selected was

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the active recirculation loop discharge temperature, and the control room staff concluded that using this temperature indication (with a margin of 8°F inserted for conservatism) would meet the TS and procedure intent. The control room staff did not consult with any licensee management concerning what effectively constituted an independent interpretation of the TS, despite the event occurring during normal working hours when senior licensee management was available onsite. An Independent Safety Engineering Group (ISEG) engineer present in the control room advised the operating crew to stop and consult with engineering about the procedure problem before proceeding. Shift management considered the ISEG engineer's advice and explained to him what they believed to be the correct technical rationale for proceeding with the recirculation pump start. The operating crew subsequently started the recirculation pump, but violated the applicable TS in doing so. Although a later evaluation determined that the actual temperatures were within the required 145°F difference, we are particularly concerned about the operating crew's actions in attempting to work around an inadequate procedure.

The second event was initiated on January 6, 1995, when an operator was performing a quarterly surveillance on suppression chamber to reactor building vacuum breakers 3-1601-31(A&B). The operator, who had experience performing the surveillance in the past under an earlier procedure, was assigned the surveillance although the Inservice Testing (IST) Engineer had been performing the surveillance since October 1992. The operator was not aware that the surveillance procedure had been revised. The old method required the opening of an access which was part of the containment boundary; therefore, a satisfactory local leak rate test (LLRT) would be required to establish containment integrity following the surveillance. The new method required the opening of an access outside the containment boundary eliminating the need for an LLRT following the surveillance.

Through the combination of a weak procedure revision and the operator not being aware of some parts of the new method, the operator completed the surveillance using the old method and the required LLRTs were not performed. On February 3, 1995, the IST Engineer questioned how the surveillance was performed because there had been no engineering involvement. He determined that the wrong method had been used and LLRTs were subsequently performed. Both breaker valve flanges failed their LLRTs and were repaired. Therefore, primary containment integrity was not maintained between January 6 and February 3, 1995.

The enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) describes several violations. The violations involve (1) the failure to maintain primary containment; (2) starting an idle recirculation pump without assurance that the temperature differential between the reactor vessel steam space and the bottom head drain line was less than or equal to 145°F; and (3) three violations involving inadequate procedures and a failure to follow a procedure.

The NRC acknowledges that the actual consequence to safety was not high for these events. For the recirculation pump event, there was an absence of conditions necessary to create thermal stratification in the reactor bottom

head region prior to the restart of the pump. The significance of the loss of primary containment integrity event was mitigated by the integrity of secondary containment and the function of the standby gas treatment system. The small consequence to safety notwithstanding, the potential for significant safety issues was high, given that station personnel failed to follow procedures and their acceptance and use of poor and inadequate procedures.

The control and use of procedures at Dresden is a programmatic problem. A lack of teamwork and a non-conservative decision-making process were evident from the operating crew's willingness to work around hardware and procedural deficiencies during the recirculation pump start event. The requirements for adherence to procedures were not well defined or clearly understood. Procedures were also not kept consistent with the TS or updated in a timely manner. Training for revisions to procedures was inadequate. In addition to these cited, specific instances, over the past year numerous procedural problems have been identified. We are concerned that the procedural violations are not isolated instances but are examples of a much broader problem. These violations, therefore, represent a breakdown in control of licensee activities associated with procedural adherence and adequacy. This breakdown in fundamental controls of safety activities warrants your immediate attention. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 10 CFR Part 2, Appendix C, these violations are classified in the aggregate as a Severity Level III problem.

We acknowledge the corrective actions you took for both events as detailed in your Licensee Event Reports. At the Enforcement Conference, you presented a number of generic corrective actions associated with the broader procedural adherence and adequacy problem. These included, for example, conducting all station meetings on February 8, 1995, clarifying management's expectations concerning strict procedural adherence; establishing a Procedure Adherence Project Team; setting and communicating higher standards regarding procedural adherence; providing employees adequate time for procedure review prior to performing work activities; streamlining the procedure change process; emphasizing conservative decision-making; formalizing the TS change process; and overhauling training on procedural changes.

To emphasize the need for strict adherence to procedures, and implementation of adequate procedures, I have been authorized after consultation with the Director, Office of Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) in the amount of $100,000 for the Severity Level III problem. The base value of a civil penalty for a Severity Level III problem is $50,000. The civil penalty adjustment factors in the Enforcement Policy were considered.

The base civil penalty was mitigated 50 percent for the identification factor in that you identified most of the individual violations. The base civil penalty was mitigated 50 percent for your comprehensive corrective actions as discussed above. The base civil penalty was escalated 100 percent for your poor past performance based on two escalated enforcement actions being issued to Dresden last year, and in the most recent SALP 12 report, issued

September 30, 1993, Operations and Engineering were rated Category 3. The base civil penalty was further escalated 100 percent for prior opportunities to identify the Severity Level III problem in that numerous non-escalated enforcement actions concerning procedural violations were identified during NRC inspections conducted last year. The other adjustment factors in the Enforcement Policy were considered, and no further adjustment to the base civil penalty was appropriate. Therefore, the base civil penalty has been increased by 100 percent.

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, its enclosure, and your response will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without reduction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

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, Public Law No. 96-511.

Sincerely,

John B. Martin
Regional Administrator

Docket Nos. 50-237; 50-249
License Nos. DPR-19; DPR-25

Enclosure:
Notice of Violation and Proposed
Imposition of Civil Penalty

cc w/enclosure:
J. S. Perry, Vice President, BWR Operations
T. Joyce, Site Vice President
J. C. Brons, Vice President,
Nuclear Support
T. Nauman, Station Manager Unit 1
E. D. Eenigenburg, Station Manager Unit 3
R. Bax, Station Manager Unit 2
P. Holland, Regulatory Assurance
Supervisor
D. Farrar, Nuclear Regulatory
Services Manager
Richard Hubbard
Nathan Schloss, Economist,
Office of the Attorney General
State Liaison Officer
Chairman, Illinois Commerce Commission

Commonwealth Edison Company

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