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October 4, 1995

EA 95-214

Mr. T. Joyce, Site Vice President  
Dresden Station  
Commonwealth Edison Company  
6500 North Dresden Road  
Morris, IL 604050

SUBJECT: NRC INSPECTION REPORT NOS. 50-237/95011(DRS); 50-249/95011(DRS)

Dear Mr. Joyce:

This refers to the inspection conducted on August 22 through September 29, 1995, at the Dresden facility. The purpose of the inspection was to determine whether activities authorized by the license were conducted safely and in accordance with NRC requirements. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed report.

The area examined during this inspection consisted of a review of circumstances involving a radioactive waste shipment which arrived at an offsite vendor facility exhibiting radiation levels in excess of Department of Transportation limits. Specific items reviewed included selected procedures, interviews with personnel, and your root cause investigation of the incident.

Based on the results of this inspection, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600 (60 FR 34381; June 30, 1995). This apparent violation is of concern due to the ineffective implementation of your radioactive material shipping program with respect to the proper packaging, loading, and inspection of a shipment to ensure compliance with applicable Department of Transportation regulations. The circumstances surrounding the apparent violation, the significance of the issue, and the need for lasting and effective corrective action were discussed with members of your staff at the inspection exit meeting on September 29, 1995. As a result, it may not be necessary to conduct a predecisional enforcement conference in order to enable the NRC to make an enforcement decision. However, a Notice of Violation is not presently being issued for these inspection findings. Before the NRC makes its enforcement decision, we are providing you an opportunity to either (1) respond to the apparent violation addressed in this inspection report within 30 days of the date of this letter, or (2) request a predecisional enforcement conference.

Your response should be clearly marked as a "Response to An Apparent Violation in Inspection Reports No. 50-237/95011(DRSS); 50-249/95011(DRSS)" and should include for each apparent violation: (1) the reason for the apparent violation, or, if contested, the basis for disputing the apparent violation, (2) the corrective steps that have been taken and the results achieved, (3)

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the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response should be submitted under oath or affirmation and may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response.

If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision or schedule a predecisional enforcement conference.

If you choose not to provide a response and would prefer participating in a predecisional enforcement conference, please contact Roy Caniano at (708)829-9804 as soon as possible.

In addition, 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. You will be advised by separate correspondence of the results of our deliberations on this matter.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response (if you choose to provide one) 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.

The responses to the apparent violations described in the enclosed inspection report 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 Cynthia D. Pederson

Cynthia D. Pederson, Director  
Division of Nuclear Materials Safety

Docket Nos. 50-237; 50-249  
Licenses No. DPR-19; DPR-25

Enclosure: Inspection Report  
No. 50-237/95011(DRS);  
No. 50-249/95011(DRS)

See Attached Distribution

DOCUMENT NAME: A:DRE95011.DRS

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cc w/encl: J. C. Brons, Vice President,  
Nuclear Support  
J. S. Perry, Vice President, BWR Operations  
T. Nauman, Station Manager Unit 1  
M. Heffley, Station Manager Units 2 and 3  
P. Holland, Regulatory Assurance  
Supervisor  
D. Farrar, Nuclear Regulatory  
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Richard Hubbard  
Nathan Schloss, Economist  
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