

April 11, 1996

EA 96-114  
EA 96-115

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

SUBJECT: NRC INSPECTION REPORT NOS. 50-237/96005(DRS); 50-249/96005(DRS);  
50-254/96005(DRS); AND 50-265/96005(DRS)

Dear Mr. Wallace:

This refers to the inspection conducted on February 14 through April 1, 1996, at the Dresden and Quad Cities Nuclear Stations. The purpose of the inspection was to determine whether activities authorized by the licenses were conducted safely and in accordance with NRC requirements. At the conclusion of the inspection, the inspectors discussed their findings with members of your staff at the Dresden exit meeting on March 29, 1996, and via a telephone exit meeting with your staff at Quad Cities on April 1, 1996. A public meeting was also conducted on March 5, 1996, in the NRC Region III Office, to discuss certain calculations reviewed during the inspection.

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.

Based on the results of this inspection, three apparent violations were identified and are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. Accordingly, no Notice of Violation is presently being issued for these inspection findings. One apparent violation involves inadequate design controls, which resulted in the low pressure coolant injection corner rooms' structural steel not meeting applicable design margins and the reactor protection system not meeting single failure vulnerability requirements. The second example applies only to Dresden. The second apparent violation concerns failures to take corrective actions for several years following your identification of these nonconforming conditions. The third apparent violation involves a failure to submit licensee event reports for these conditions outside the design basis of the plant. 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.

A predecisional enforcement conference to discuss these apparent violations has been scheduled for April 24, 1996, at 10:00 a.m., in the NRC Region III Office, Lisle, Illinois. The decision to hold a predecisional enforcement

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conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violation sooner, corrective actions and significance of the issues.

In particular, during the enforcement conference we expect you to address the circumstances resulting in the apparent violations, including the safety significance you placed on licensing and design basis nonconforming conditions. We also expect you to describe the management decision process with respect to priorities and resource allocations that resulted in your continual delays in correcting these deficiencies and your basis for not reporting these nonconforming conditions. Furthermore, you are expected to address the inadequate design process controls which resulted in nonconforming conditions with your current licensing basis. You should include a discussion of assurances that similar nonconforming conditions do not exist at any of your nuclear power plants.

In addition, this is an opportunity for you to point out any errors in our inspection report and for you to provide any additional information concerning your perspectives on 1) the severity of the violations, 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 written response regarding these apparent violations is required at this time.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

Sincerely,

/s/ J. A. Grobe (for)

Geoffrey E. Grant, Director  
Division of Reactor Safety

Docket Nos. 50-237; 50-249; 50-254; 50-265  
License No. DPR-19; DPR-25; DPR-29; DPR-30

Enclosure: Inspection Report  
No. 50-237/96005(DRS); 50-249/96005(DRS)  
No. 50-254/96005(DRS); 50-265/96005(DRS)

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DOCUMENT NAME: G:DRE96005.DRS

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conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violation sooner, corrective actions, significance of the issues and the need for lasting and effective corrective action.

In particular, we expect you to address the circumstances resulting in the apparent violations, including safety significance placed on licensing and design basis nonconforming conditions, the management decision process with respect to priority and resource allocation, and reportability of such nonconforming conditions. Furthermore, you are expected to address the inadequate design process controls which resulted in nonconforming conditions with your current licensing basis. You should include a discussion of assurances that further nonconforming conditions do not exist at any of your nuclear power plants.

In addition, this is an opportunity for you to point out any errors in our inspection report and for you to provide any information concerning your perspectives on 1) the severity of the violations, 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.

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Sincerely,

Geoffrey E. Grant, Director  
Division of Reactor Safety

Docket Nos. 50-237; 50-249; 50-254; 50-265  
License No. DPR-19; DPR-25; DPR-29; DPR-30

Enclosure: Inspection Reports  
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DATE	04/4/96		04/4/96		04/4/96		04/4/96		04/ /96

April 11, 1996

cc w/encl: H. W. Keiser, Chief Nuclear Operating Officer  
 J. S. Perry, Vice President, BWR Operations  
 E. Kraft, Site Vice President, Quad Cities  
 J. C. Brons, Vice President, Nuclear Support  
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Docket File w/encl	RIII PRR w/encl	LPM, NRR w/encl
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