

NOTICE OF VIOLATION

Commonwealth Edison Company
Dresden Station, Units 2 and 3

Docket Nos. 50-237; 50-249
License Nos. DPR-19; DPR-25
EA 98-122

During a Nuclear Regulatory Commission (NRC) inspection conducted on October 21, 1997 through January 27, 1998, three violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

1. 10 CFR 50.59 permits the licensee, in part, to make changes to the facility, and procedures, as described in the safety analysis report, without prior Commission approval, provided the changes do not involve an unreviewed safety question (USQ). Records of these changes must include a written safety evaluation which provides the bases for the determination that the changes do not involve an USQ.

Prior to March 22, 1996, the Dresden Updated Final Safety Analysis Report, Sections 6.4.2 and 6.4.4.3, in part, stated that for fire and smoke protection, the control room heating, ventilation, and air conditioning (HVAC) system was designed to isolate and maintain the design conditions within the control room during fires. The control room Train A HVAC system was capable of both automatic and manual transfer from the normal operating mode to the smoke purge mode. Automatic transfer to the smoke purge mode was initiated by smoke detectors, located in the control room return air ducts.

Contrary to the above, in November 1994, the licensee identified that a prior inadvertent change to the Dresden Station's control room ventilation system design deleted the automatic smoke purge mode transfer capability. From November 1994 to March 1996, the licensee failed to perform a written safety evaluation to provide the bases for the determination that the change did not involve an USQ.
(VIO 50-237/249-97021-02(DRS))

This is a Severity Level IV violation (Supplement 1).

2. 10 CFR 50.71(e) states, in part, that the licensee shall submit revisions containing updated information to the Final Safety Analysis Report (UFSAR) to the NRC annually or six months after each refueling outage provided the interval between successive updates does not exceed 24 months.

Contrary to the above, from November 1994 through November 21, 1997, the Fire Protection Report, referenced as part of the UFSAR, had not been updated and the required revision updates submitted to the NRC. (VIO 50-237/249-97021-03(DRS))

This is a Severity Level IV violation (Supplement 1).

3. Technical Specification 6.2.A states, in part, that written procedures shall be established and implemented covering the activities referenced in Regulatory Guide (RG) 1.33, Revision 2, Appendix A, dated February 1978. The activities listed in RG 1.33 included procedure review and the approval process.

Dresden Fire Protection Program Procedure (DFPP) 4100-01, "Fire Protection Program," Revision 1, Section G.2.a.(7) required that fire pre-plans be reviewed on an annual basis, and revised as appropriate.

Contrary to the above, as of November 21, 1997, the fire pre-plans had not been reviewed or revised since September 1992. (VIO 50-237/249-97021-04(DRS))

This is a Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Commonwealth Edison Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790 (b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Lisle, Illinois
this 6th day of March 1998