



Commonwealth Edison

One First National Plaza, Chicago, Illinois

Address Reply to: Post Office Box 767
Chicago, Illinois 60690

July 14, 1977

Mr. Lee V. Gossick
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Gossick:

I am writing this letter to express my deep concern over a recent action taken by the Division of Inspection and Enforcement. In fulfilling its obligation, the Division has, on occasion, exercised sanctions against Commonwealth Edison which have ranged from notices of violation to civil penalties. Although we have not always agreed with the severity of the Commission's actions, we have accepted the responsibility for the violations for which we were cited, taken corrective action, and have chosen not to contest the enforcement sanctions.

On June 16, 1977, a notice of violation was issued to a licensed Senior Operator at our Dresden Station. The alleged violation was a failure to conform to a procedural requirement during a startup. The requirement was not based on safety but on operating convenience and was written early in the life of the plant under a different regulatory climate. Failure to observe this requirement represented no threat to the health and safety of the public. In retrospect, the wording of the procedure made literal compliance with it impossible.

We are well aware of the need for and the value of the NRC's Inspection and Enforcement Program. We agree that the Commission should have the authority to take action against all licensees -- individuals as well as organizations. However, we feel strongly that actions against an individual should be taken only under serious circumstances where a different action would have led to significantly improved performance in terms of the health and safety of the public and where such action was within the limits of his qualifications and authority.

Rec'd Off. EDO

Date 7-19-77

Time 2:08

July 14, 1977

Simple human errors or lack of strict adherence to every procedure (we have over 4500 at Dresden) should not result in enforcement actions against individuals. Nuclear safety depends not on making either humans or equipment function perfectly but on a system of design, construction, and operation which assures that failures pose no threat to the health and safety of the public.

In the present case, the problem did not lie with the failure of the individual involved but with the use of a procedure written under a different regulatory climate. Although there was no effect on safety, we would not contest an action against the Company for having an inadequate procedure, but feel that sanctions against an individual are unwarranted. A major factor in the excellent safety record of nuclear power has been the involvement of intelligent, highly trained and highly motivated people. Because of the rapidly changing regulatory climate, and in particular the new security regulations with their requirement for personal searches, it has become increasingly more difficult to maintain a high level of morale. Yet high morale is vital to the initiative required for good job performance in high technology assignments. An unduly punitive disciplinary system can deter the improvements which free and open communication can bring. Our experience in the electric industry, where our employes are confronted with many hazards, indicates that sanctions against individuals for human errors do not lead to improved performance and, in fact, many times is detrimental.

Enclosed for your information are copies of the Notice of Violation and the response of the individual involved. We would be happy to discuss this serious matter further with you at your convenience.

Sincerely,


James J. O'Connor
Executive Vice-President

cc: E. Volgenau
J. Keppler

2. 1957
cc: E. Anderson

RECEIVED AT THE BUREAU
JAN 11 1957
U.S. DEPARTMENT OF JUSTICE

STUSSKOLLA

THESE ARE THE FACTS OF THE CASE CONCERNING
THE MATTER OF THE DEATH OF THE LATE
MRS. J. A. ANDERSON AND THE PROBATE OF
HER WILL AS ADMINISTERED BY THE ESTATE OF THE

SAID DECEASED. THE FACTS ARE AS FOLLOWS:
ON THE 15TH DAY OF JANUARY 1957, THE
DECEASED WAS FOUND DEAD AT HER HOME IN
THE CITY OF NEW YORK. SHE WAS 78 YEARS OF
AGE AT THE TIME OF HER DEATH. SHE WAS
WIDOWED AND HAD NO CHILDREN. SHE WAS
A NATIVE BORN AMERICAN AND WAS A
RESIDENT OF THE CITY OF NEW YORK FOR
OVER 50 YEARS. SHE WAS A MEMBER OF THE
LUTHERAN CHURCH AND WAS A DEVOTED
CHRISTIAN. SHE WAS A PERSON OF
GOOD CHARACTER AND REPUTATION. SHE
WAS A PERSON OF SOUND MIND AND
MEMORY AT THE TIME OF HER DEATH.
SHE WAS A PERSON OF GOOD CHARACTER
AND REPUTATION. SHE WAS A PERSON
OF SOUND MIND AND MEMORY AT THE
TIME OF HER DEATH. SHE WAS A
PERSON OF GOOD CHARACTER AND
REPUTATION. SHE WAS A PERSON OF
SOUND MIND AND MEMORY AT THE
TIME OF HER DEATH.

THE WILL OF THE DECEASED WAS
PROBATED BY THE COURT AND THE
ESTATE WAS ADMINISTERED BY THE
EXECUTOR NAMED IN THE WILL. THE
ESTATE WAS SETTLED AND THE
BENEFICIARIES RECEIVED THEIR
RESPECTIVE SHARES. THE DECEASED
DIED WITHOUT ANY DEBTS OR
LIABILITIES. THE ESTATE WAS
SETTLED WITHOUT ANY DISPUTES
OR LITIGATION. THE DECEASED
DIED WITHOUT ANY DEBTS OR
LIABILITIES. THE ESTATE WAS
SETTLED WITHOUT ANY DISPUTES
OR LITIGATION.

July 1, 1977

Mr. James G. Keppler
Director, Region III
United States Nuclear Regulatory Commission
499 Roosevelt Road
Glen Ellyn, IL 60137

RE: License No. SOP-1617-2, Docket No. 55-2468

Dear Mr. Keppler:

In response to your letter of June 16, 1977 and to the item of non-compliance set forth in Appendix A to that letter, my review of the start-up of Dresden Unit 2 on December 28, 1976, at approximately 1939 hours indicates that the reactor experienced a period of less than 30 seconds in spite of my using my best efforts to follow all applicable procedures and my supervising the operators in a diligent and prudent manner.

The short period occurred as the reactor reached criticality during the start-up following a scram at 1711 hours on December 28. Prior to commencing reactor start up, I conferred with the nuclear engineer concerning the cause of the prior scram to assure that the conditions which resulted in that scram would not recur. I was advised that the prior scram resulted from a particular control rod geometry and xenon condition which yielded a high notch reactivity worth. I asked if it would be possible to alter the control rod withdrawal sequence so as to avoid control rod movement in the region of the core where the high notch reactivity worth had occurred. I was informed that this was not possible and was unnecessary because, as a result of changing xenon conditions, I would not experience criticality at the same point in the control rod withdrawal sequence chosen for the second start-up and should not expect a similarly high notch worth on the second start-up.

Based on the information at hand, and with the concurrence of the Assistant Station Superintendent, I commenced the unit start-up. The foreman in charge of Unit 2 for the shift and I both personally supervised the second startup, especially in view of the scram experienced in the first start-up. As a result of this, the foreman and I were both present in the control room, in addition to the two NSOs normally assigned to the unit start-up.

As a result, four licensed operators and senior operators were present in the control room during the start-up. The approach to criticality was in accordance with applicable portions of Station Procedure DGP 1-1, "Normal Unit Start-up" and the "Minimum Start-up Checklist" DGP 1-S2 was completed prior to the start-up. Control rod withdrawals were made in strict accordance with Station Procedure DGP 3-4, "Control Rod Movements-Control Rod Sequences," and the Control Rod Sequence Package issued under that procedure. Both Procedures DGP 3-4 and the Control Rod Sequence Packages are developed by nuclear engineers on the Station Technical Staff and reviewed and approved by the operating engineers and the technical staff supervisor who are licensed reactor operators.

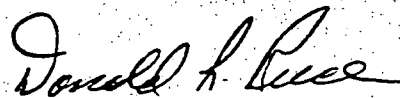
Dresden Unit 2 became critical at 1939 hours as control rod G-2 was withdrawn one notch from position 04. At that time my attention was focused primarily on the IRM instrumentation as part of my general desire to supervise the start-up and not as a result of any particular concern about events in that area. Due to my attention towards the IRM's, I did not observe the period indicator and was not informed that it showed a period of less than 30 seconds.

Subsequently, calculations from instrument printouts have shown that the period was less than 30 seconds. The reactor period decayed and the power increase quickly terminated at a level of approximately 3 megawatts (thermal) as a result of negative doppler reactivity feedback in about 1½ minutes. However, it should be pointed out that, although predictions of the point of criticality are made, predictions of the reactor period are not possible. In particular, it is not technically possible to guarantee in advance that the reactor period will be greater than 30 seconds. The wording in the procedure was unnecessarily strict and set forth a requirement which no operator could have been certain to meet. The stipulation in the procedure of 30 seconds as a limiting reactor period was based on operational convenience, and had no reactor safety connotations. The Technical Specifications do not require reporting of reactor periods greater than 5 seconds. Operating procedure DGP 1-1, which states in step D.1.2. that a reactor period of less than 30 seconds shall not be allowed to occur, has subsequently been revised to remove this impossible requirement which should prevent future problems of this nature and assure that full compliance is maintained.

In summary, preparation for the start-up of Unit 2 following the IRM scram at 1705 hours was conducted properly and in full accordance with the specific operating instructions to applicable station procedures. Prior to commencement of the start-up, I had exercised due caution to assure that a repetition of the high notch worth scram would not occur. My decision to proceed with unit start-up was based on the information and counseling available to me at the time, and had the concurrence of station management.

The start-up itself was executed in full accordance with applicable station procedures, up until the time that criticality was achieved. Following criticality, my actions were taken without knowledge that the reactor period attained was less than 30 seconds, and absolutely without prior planning or intent to attain or tolerate a reactor period of less than 30 seconds.

I am confident that my actions in this situation, given the information that I had at the time, were right and proper and undeserving of a citation.



Donald L. Reece
Shift Engineer
Dresden Nuclear Power Station



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

JUN 16 1977

Mr. Donald L. Reece
1021 Mazon Street
Coal City, IL 60416

License No. SOP-1617-2
Docket No. 55-2468
File with Docket No. 50-237

Dear Mr. Reece:

This refers to the special inspection conducted by Messrs. J. S. Creswell and G. A. Phillip of this office on February 28, March 2, 22 and 23, 1977, regarding the circumstances surrounding short reactor periods experienced during a reactor startup at the Dresden Unit 2 nuclear plant on December 28, 1976. This also refers to the discussion of our findings which I held with Mr. Byron Lee, Jr., Vice President, Commonwealth Edison Company and other members of his staff on April 11, 1977.

Based on the result of this inspection it appears that one of your activities was not conducted in full compliance with the requirements of your Senior Operator License No. SOP-1617-2 as set forth in the Notice of Violation, enclosed herewith as Appendix A.

This item of noncompliance has been categorized into the levels as described in the attached enclosure dated December 31, 1974. This notice is sent to you pursuant to the provisions of Section 2.201 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Section 2.201 requires you to submit to this office within twenty (20) days of your receipt of this notice, a written statement in reply including admission or denial of the item of noncompliance and if admitted, the reasons for the item of noncompliance.

Enforcement action is also being taken against your employer, Commonwealth Edison Company. Copies of the correspondence relating to these actions are available in the Public Document Room. Copies are also enclosed for your information.

IS 843 APPENDIX A

NOTICE OF VIOLATION

Mr. Donald L. Reece

License No. SOP-1617-2

Docket No. 55-2468

File with Docket No. 50-237

Based on the results of an NRC inspection conducted February 28, March 2, 22 and 23, 1977, it appears that one of your activities was not conducted in full compliance with conditions of your Senior Operator's License as indicated below. This is an infraction.

Senior Operator License No. SOP-1617-2 states in part that, "In directing the licensed activities of licensed operators and in manipulating the controls of the . . . facility . . . the licensee shall observe the operating procedures and other conditions specified in the facility license or authorization which authorizes operations of the facility . . ." Appendix A to Provisional Operating License No. DPR-19, Technical Specification Section 6.2.A.1 states in part that "Detailed written procedures . . . shall be . . . adhered to." Operating Procedure DGP 1-1, "Normal Unit Startup," Step 1.2 states, "do not allow an indicated reactor period of less than 30 seconds to occur."

Contrary to the above, on December 28, 1976, while directing an operator, the reactor went critical with the instrumentation showing a period less than 30 seconds. The reactor operator was not instructed to insert control rods but the reactor power level was allowed to increase into the heatup range (range 6 of the intermediate range monitoring system) with you and at least two others operating the IRM range switches.