

NOTICE OF VIOLATION

Commonwealth Edison Company
Dresden Station, Units 2 and 3

Docket Nos. 50-237; 50-249
License Nos. NPF-19; NPF-25
EA 97- 546

During an NRC inspection conducted February 9 through 13, 1998, 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 Part 50, Appendix B, Criterion III, "Design Control," states, in part, that measures shall be established to assure that applicable design basis, for those structures, systems, and components to which this appendix applies, are correctly translated into procedures.

Section 6.2.1 of the Updated Final Safety Analysis Report, "Primary Containment Functional Design," states, in part, that the torus is a pressure suppression system.

Contrary to the above, as of April 10, 1997, Dresden Operating Procedure 1600-1, Rev. 12, "Normal Pressure Control of the Drywell or Torus," and Dresden Operating Procedure 1600-5, Rev. 22, "Primary Containment Inerting and Atmosphere Control," failed to ensure that the containment functioned as a pressure suppression system while the containment was being deinerted or inerted. Specifically, these procedures permitted the connection of the drywell directly to the atmosphere of the pressure suppression chamber (torus) which bypassed a portion of the containment pressure suppression function in the event of a large break loss of coolant accident.

This is a Severity Level IV violation. (Supplement I) (50-237/98013-01; 50-249/98013-01)

2. 10 CFR Part 50, Appendix B, Criterion XVI, "Corrective Action," states, in part, that measures shall be established to assure that conditions adverse to quality, such as deficiencies, deviations, defective material and equipment, and nonconformances are promptly identified and corrected.

Contrary to the above, from February 21 to April 10, 1997, the licensee failed to promptly establish corrective actions to preclude bypassing the drywell to torus pressure suppression function, a condition adverse to quality, after receiving notification of a related issue on February 21, 1997, from the LaSalle nuclear power plant. Specifically, corrective actions to preclude bypassing the containment pressure suppression system were not timely in that the licensee bypassed the pressure suppression function while deinerting the Unit 3 torus on March 28, 1997, with the reactor at power. In addition, on April 10, 1997, the licensee planned and subsequently postponed the deinerting of the Unit 2 containment, at power, with the drywell connected to the torus atmosphere after discussions with the NRC revealed that this activity would bypass the pressure suppression function.

This is a Severity Level IV violation. (Supplement I) (50-237/98013-02; 50-249/98013-02)

Pursuant to the provisions of 10 CFR 2.201, Commonwealth Edison Company is hereby required to submit a written statement or explanation for Violation 2 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. A reply to Violation 1 is not required because the Commonwealth Edison corrective actions were adequately documented in LER 50-237/97-011.

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.

Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

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 16th day of April 1998