

September 23, 1998

EA 98-409

Mr. Oliver D. Kingsley
President, Nuclear Generation Group
Commonwealth Edison Company
ATTN: Regulatory Services
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: NRC INDEPENDENT SAFETY INSPECTION AT DRESDEN NUCLEAR POWER
STATION - INSPECTION REPORT NO. 50-237/96201; 50-249/96201

Dear Mr. Kingsley:

On November 8, 1996, the NRC completed a special Independent Safety Inspection (ISI) at Commonwealth Edison (ComEd) Dresden Nuclear Generating Station. This inspection evaluated key functions of the site's: (1) corrective action program effectiveness, (2) design and licensing bases conformance, and (3) operational safety performance. The results were transmitted to ComEd in a letter dated December 24, 1996, from James M. Taylor, NRC Executive Director for Operations, to James J. O'Connor, Chief Executive Officer.

The ISI report classified the team findings as deficiencies and unresolved items. Although not required at that time, ComEd responded to each of the ISI findings by letters dated January 13, and February 26, 1997. These letters included a description of the corrective actions taken to address the ISI team's specific findings and similar issues that ComEd had identified. In most cases, the concerns identified by the ISI team were in areas where the site had previously recognized program weaknesses and had initiated corrective actions. However, in the engineering area, the ISI team identified a number of problems in design control, and the quality of engineering calculations, and in corrective actions for several licensee identified design basis deficiencies.

Concurrent with ISI report preparation, on November 21, 1996, the NRC issued Confirmatory Action Letter (CAL) 96-016 confirming actions that ComEd would implement to address the ISI team's preliminary findings. The ISI team's preliminary findings pertained to the control of calculations and the overall performance of site and corporate engineering activities. The actions detailed in CAL 96-016 included: (1) implementation of additional reviews by senior engineers for all key engineering activities, (2) reviews of key operating parameters against existing calculations to verify correlation for risk significant systems, (3) validation or reconstitution of design bases calculations for risk significant systems, (4) augmented audits of architect engineers' calculations to determine design control and calculation quality, and (5) revisions to procedures for calculation controls and for design basis discrepancy identification. An additional element of the CAL involved the NRC's continued monitoring of

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CAL item progress during periodic status meetings with site management. These public status meetings occurred in December 1996, and in January, February, April, May, June, and October 1997.

On January 27, 1997, the NRC issued a Request for Information pursuant to 10 CFR 50.54(f), pertaining to the cyclic safety performance at all of ComEd's nuclear stations. In that letter, one of the six major weaknesses cited, relating to ComEd's cyclic performance, was the lack of engineering support. In ComEd's March 28 and April 15, 1997 responses, 20 specific actions were documented relative to improvements in ComEd engineering support to all of its nuclear power plants and 29 specific actions were documented regarding overall improvements at Dresden. Quarterly meetings have been held to discuss ComEd's performance relating to these actions, and ongoing inspection activities have verified the implementation of these actions at Dresden as well as other ComEd nuclear stations.

On March 26, 1998, the NRC completed engineering inspections and closed CAL 96-016 by concluding that the issues had been adequately addressed. At that time, it was determined that the CAL commitments and corrective actions were completed and that the engineering staff was effective in the identification and resolution of technical issues, that self-assessments exhibited a pro-active trend to disclose performance problems within the engineering organization, and that the quality of engineering reviews was technically sound.

Based on the NRC's review of CAL 96-016 activities and 10 CFR 50.54(f) programmatic improvement plans, the corrective actions, outlined in ComEd's February 26, 1997 letter, were appropriately planned, acceptably implemented, and timely. Also, as a result of these reviews, we have further concluded that appropriate processes and procedures are in place to prevent recurrence, and that improvements in engineering performance have occurred. In addition, self-assessments by the Quality and Safety Assessment Department have exhibited a pro-active trend in the attempt to disclose performance problems within the engineering organization. Finally, oversight by the Dresden Engineering Assurance Group has improved recently developed engineering products.

With varying levels of significance, many of the deficiencies and unresolved items in the ISI report appeared to be violations of NRC requirements. However, I have been authorized, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Regulatory Effectiveness, to exercise enforcement discretion in accordance with Section VII.B.6, "Violations Involving Special Circumstances," of NUREG 1600, "General Statement of Policy and Procedures for NRC Enforcement Actions (Enforcement Policy)," and not issue a Notice of Violation in this case. The decision to apply enforcement discretion was based on consideration of the following: (1) the response to the ISI findings was timely and comprehensive, (2) specific corrective actions were implemented for each ISI deficiency and unresolved items, (3) broad programmatic corrective actions were taken which have been reflected by continued improvements in station performance, (4) enforcement action EA 96-532 was taken separately for several of the ISI items and the safety significance of the other individual items was subsequently determined to be low or not classified at higher than a Severity Level IV, (5) many

of the deficiency examples were historical in nature and were not reflective of current station performance. Therefore, no Notice of Violation is being issued and no further response is necessary in this matter.

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

Sincerely,

Original /s/ J. L. Caldwell

James L. Caldwell
Acting Regional Administrator

cc: M. Wallace, Senior Vice President
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J. Perry, BWR Vice President
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