

DOD/DCB
KIDS

November 1, 1989

Docket Nos. 50-237 and 50-249
License Nos. DPR-19 and DPR-25
EA-87-51

Commonwealth Edison Company
ATTN: Mr. Cordell Reed
Senior Vice President
Post Office Box 767
Chicago, IL 60690

Gentlemen:

SUBJECT: NOTICE OF VIOLATION [NRC INSPECTION REPORT NO. 50-237/87003(DRSS);
50-249/87003(DRSS) AND NRC INVESTIGATION REPORT NO. 3-87-016]

This refers to the inspection conducted during the period December 8, 1986, through January 13, 1987 and the investigation conducted during the period September 29, 1987 through June 23, 1989, of activities at the Dresden Station. The inspection report was provided to you on February 17, 1987, and the investigation report synopsis is enclosed for your information. This matter was discussed during an enforcement conference between our respective staffs on February 6, 1987.

The NRC inspection and subsequent investigation reviewed the circumstances associated with a planned radioactive waste release performed on January 5, 1987 in which valves to the radiation monitor had not been aligned by a radwaste operator in accordance with station procedures. The inspection and investigation showed, among other things, that on January 5, 1987, a foreman at Dresden willfully violated requirements for dual verification of safety-related equipment operating status and falsified records of these activities. The NRC recognizes the limited consequences of these failures in that the release was a planned release in which some samples had been taken. While the release was within Technical Specifications limits, the NRC is concerned with the verification issue. The NRC places great emphasis on the integrity and credibility of individuals performing safety-related activities and the accuracy of the records of such activities. In addition, our review showed that one of the root causes of the incident was inadequate training of the radwaste operator in certain areas, including the proper implementation of the procedure and its temporary changes and response to abnormal indications.

We are aware of the prompt disciplinary actions taken in response to these violations, including suspension and/or demotion of individuals and management's awareness of the significance of the violation and its corrective actions. Violation A has been categorized at Severity Level IV. Civil penalties are considered for willful violations at any severity level. A civil penalty was considered in accordance with the NRC Enforcement Policy, 10 CFR Part 2, Appendix C (1989). However, I have decided that a civil penalty will not be

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proposed for this case due to your identification and reporting of the violation and your prompt and comprehensive corrective actions. Nevertheless, we expect that you will reinforce to Commonwealth Edison Company and contractor employees the importance of integrity in the conduct of all activities that are associated with the safety of the plant. Recurrence of this type of violation would be considered to represent a potentially significant lack of attention toward licensed responsibilities and subject to enforcement action as a Severity Level III problem. Violation B, involving the improperly positioned valves to a radiation monitor, was categorized at Severity Level IV.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence of the violation. After reviewing your response to the Notices, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Sincerely,

Original signed by
A. Bert Davis

A. Bert Davis
Regional Administrator

Enclosures:

1. Notice of Violation
2. Synopsis for OI Report 3-07-016

cc w/enclosures:

T. Kovach, Nuclear
Licensing Manager
E. D. Eenigenburg, Station Manager
DCD/DCB (RIDS)
Licensing Fee Management Branch
Resident Inspector, RIII
Richard Hubbard
J. W. McCaffrey, Chief, Public
Utilities Division

(SEE ATTACHED CONCURRENCE)

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Licensing Manager
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DCD/DCB (RIDS)
Licensing Fee Management Branch
Resident Inspector, RIII
Richard Hubbard
J. W. McCaffrey, Chief, Public
Utilities Division

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