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Dresden Generating Station  
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**ComEd**

May 14, 1998

JMHLTR: #98-0139

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, D. C. 20555

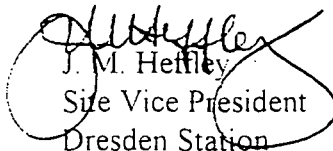
Subject: Dresden Nuclear Power Station Units 2 and 3  
Reply to a Notice of Violation; Inspection Report 50-237/249/98007  
NRC Docket Numbers 50-237 and 50-249

Reference: (a) J. A. Grobe letter to O. D. Kingsley, dated April 14, 1998,  
transmitting NRC Inspection Report 50-237/249/98007 and Notice of  
Violation

The purpose of this letter is to provide ComEd's reply to the Notice of Violation transmitted by reference (a). The violation was identified in that M&TE calibration records were not specified to be retained as quality assurance records for the required five years. Based on reviews we have completed following the receipt of the referenced Notice of Violation, Dresden does not believe we have violated regulations applicable to our station. This matter has been discussed with Mr. John Jacobson of the NRC Region III Staff, and the basis for our conclusions are delineated in the attachment to this letter.

This response contains no proprietary or safeguards information. If there are any questions concerning this letter, please refer them to Mr. Frank Spangenberg, Dresden Station Regulatory Assurance Manager, at (815) 942-2920 extension 3800.

Sincerely,

  
J. M. Heffley  
Site Vice President  
Dresden Station

Attachment

cc: J. Lieberman, Director, Office of Enforcement  
A. Bill Beach, Regional Administrator, Region III  
M. Ring, Branch Chief, Division of Reactor Projects, Region III  
L. Rossbach, Project Manager, NRR (Unit 2/3)  
K. Riemer, Senior Resident Inspector, Dresden  
Office of Nuclear Facility Safety - IDNS

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ATTACHMENT  
RESPONSE TO NOTICE OF VIOLATION  
NRC INSPECTION REPORT  
50-237/98007, 50-249/98007  
98007-01

VIOLATION:

Technical Specification 6.8.A.1 required the implementation of Regulatory Guide 1.33, Revision 2, 1978 "Quality Assurance Program Requirements (Operations)"

Regulatory Guide 1.33 required the implementation of American National Standards Institute (ANSI) N18.7-1976/ANS-3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants."

Section 5.2.12 of ANSI 18.7-1976 required that ANSI N45.2.9-1974, "Requirements for Collection, Storage, and Maintenance of Quality Assurance Records for Nuclear Power Plants," be used for the management of plant records during the operational phase.

Appendix A of ANSI N45.2.9-1974 required that Measuring and Test Equipment (M/TE) calibration records be retained as quality assurance (QA) records for at least five years.

Contrary to the above, the licensee identified that prior to December 22, 1997, the Master Records Retention Schedule of General Procedure GP 136, dated September 15, 1995, "Retention of Company Records," failed to designate measuring and test equipment calibration records as quality assurance records and the procedure allowed the records to be eliminated after three years.

BASIS FOR CONTESTING VIOLATION:

The violation states that the source for the record retention requirement used during the course of the inspection was ANSI N45.2.9-1974. The violation also goes on to state that Appendix A of ANSI N45.2.9-1974 requires that Measuring and Test Equipment (M/TE) be retained as quality assurance (QA) records for at least five years. These requirements are not applicable to Dresden Station based upon the following:

- Dresden Station is not committed to ANSI N45.2.9-1974. Dresden Station, as defined in the ComEd Quality Assurance Manual, is committed to ASME NQA-1-1989 (1a, 1b). Per ASME NQA-1-1989, the M/TE calibration records are to be classified as Nonpermanent records in order to show evidence that an activity was performed in accordance with the applicable requirements.

- The stated requirement from ANSI N45.2.9-1974 for a five (5) year retention is in error. Per Appendix A, Section A.4.6 General, Calibration of Measuring and Test Equipment and Instruments Procedures and Reports has a retention schedule of, "Until Recalibrated," for a Nonpermanent record. As such, the three (3) year retention originally identified in the Master Records Retention Schedule fulfilled this requirement. The inspector also noted in his report that the licensee had not needed to retrieve any record older than three years and all M&TE were calibrated at least once a year.

Dresden Station has taken the more conservative action to change the retention period to five (5) years as stated in the inspection report. Additionally, these changes were submitted to corporate for incorporation into the Master Records Retention Schedule of General Procedure GP 136, "Retention of Company Records." Corporate completed the changes on April 29, 1998.

Therefore, Dresden Station does not believe that we were in violation of any of our license commitments as identified in Inspection Report 50-237/249/98007 and we request that violation 50-237/249/98007-01 be retracted.

#### **CORRECTIVE STEPS TAKEN AND RESULTS RECEIVED:**

Prior to this inspection, Dresden Station had taken the following action:

The M&TE group had identified a records custodian who had reviewed the original retention information and sent updates to corporate to be included in the Master Retention Schedule. Those updates had been incorporated and included an even more conservative retention of 5 years.

Also, as a result of the NRC inspection, the M&TE retention was again reviewed for completeness and accuracy. This second look proved beneficial as the documentation was determined not to fall under Technical Specification 6.8.A.1 guidance. DAP 02-03 FORM C, "Master Records Retention Schedule Change Requests," has been filled out to request corporate to update the sources for retention.

The M&TE records custodian training coupled with a retention schedule identifying all M&TE documentation and a semi-annual review conducted under the guidance of DAP 02-03, "Control of Central and Satellite Files and Department Active Files and Technical Library," will heighten the awareness of records retention requirements.

Corporate has revised the M&TE retention portion of the Master Records Retention Schedule.

**CORRECTIVE STEPS TAKEN TO AVOID FURTHER VIOLATION:**

No further action is required due to the fact that Dresden Station does not believe a violation existed

**DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED:**

Based upon the above statements, Dresden Station had maintained full compliance.