



Commonwealth Edison
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November 28, 1979

Mr. James G. Keppler, Director
Directorate of Inspection and
Enforcement - Region III
U.S. Nuclear Regulatory Commission
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Subject: Byron Station Units 1 and 2
Braidwood Station Units 1 and 2
Response to IE Inspection Report
Nos. 50-454/79-15, 50-455/79-15,
50-456/79-13 and 50-457/79-13
NRC Docket Nos. 50-454/455 and
50-456/457

Reference (a): G. Fiorelli letter to C. Reed dated
October 24, 1979

Dear Mr. Keppler:

The following is in response to the inspection conducted by Messrs. J. E. Konklin and E. R. Scheibinz on October 10-11, 1979 at the Commonwealth Edison corporate offices relating to activities at Byron Station Units 1 and 2 and Braidwood Station Units 1 and 2. Reference (a) indicated that certain activities appeared to be in noncompliance with NRC requirements. These activities are addressed in the enclosure to this letter. It should be noted that we have carefully reviewed the circumstances relating to the alleged infraction identified, and it is judged by Commonwealth Edison that our activities did not constitute a noncompliance with requirements.

Please refer any additional questions you may have on this matter to this office.

Very truly yours,

D. L. Peoples
Director of Nuclear Licensing

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enclosure

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ENCLOSURE

Response to Notice of Violation

The item of apparent noncompliance identified in Appendix A of the NRC letter dated October 24, 1979 is responded to in the following paragraphs.

10 CFR 50, Appendix B, Criterion V, states, in part, that "Activities affecting quality shall be prescribed by documented instructions, procedures or drawings, ... and shall be accomplished in accordance with these instructions, procedures, or drawings." The Commonwealth Edison Company Quality Assurance Manual, QR No. 5.0, states in Section 5.1 that "Activities affecting quality are required to be prescribed by documented instructions, procedures or drawings."

Contrary to the above, on October 10-11, 1979, the inspectors found that the licensee had no procedures for the control of IE Bulletins and IE Circulars, which are documents notifying the licensee of significant findings or occurrences with safety implications.

Response

The alleged noncompliance is founded on the premise that a lack of documented reviews, examinations, tests, or evaluations of the applicability of certain IE Circulars issued "for information" is evidence that procedures are needed for the control of IE Bulletins and IE Circulars. The investigation that resulted in this finding was limited to a review of the Commonwealth Edison Nuclear Licensing, Quality Assurance, and Station Nuclear Engineering Department files. It was acknowledged that the review of all IE Bulletins and the majority of IE Circulars verified that appropriate action had been taken.

It is Commonwealth Edison's contention that the noncompliance identified is not warranted. This contention is based on the following facts:

1. It has not been demonstrated in the subject IE Report that appropriate action had not been taken for the seven (7) Circulars in question, only that no evidence of such action existed in the files reviewed.
2. It has not been demonstrated, based on the limited discrepant sample reported, that the existing Nuclear Licensing Department distribution system did not in fact address the IE Circular "recommendations;" but rather, that this existing system did not result in a documented record.

3. It has not been demonstrated, notwithstanding the reference to 10 CFR 50, Appendix B, Criterion V, that formal procedures as opposed to the written instructions and informal distribution procedures are required to control IE Bulletins and, more specifically, IE Circulars issued "for information" with "no written response" to the NRC required.

Although it is acknowledged that the NRC recommendations contained in IE Circulars should be considered as a part of the overall design review for a plant, there exists no formal or informal NRC requirements, position or guidance document with which we are aware which specifically addresses documentation expected to be included as a part of the permanent record. In the case of the allegedly discrepant IE Circulars, each had been received and distributed for review with the exception of one (IE Circular 77-01) which was distributed for information only.

The fact that a documented record did not exist is the result of a lack of guidance relative to expected documentation, as opposed to the inadequacy of the process employed to control the review of the document. This is evidenced by the fact that no deficiencies were identified with respect to any IE recommendations except those identified "for information only." This form of distribution has, we believe, resulted where necessary in the implementation of appropriate action. A subsequent review conducted by Commonwealth Edison of the site (Operating Department) files indicates that the Region III recommendations made in the seven IE Circulars in question were evaluated. The site files were not audited as a part of this inspection.

It is our belief that Region III correspondence issued "for information only" should be reviewed by appropriate engineering and operating personnel so that the information provided can be assimilated into the plant design review process. The existing Nuclear Licensing Department distribution system, which has been the subject of previous Region III audits and has until now been judged both by Commonwealth Edison and Region III to be adequate, accomplishes that objective. All Bulletins and Circulars have been distributed, where action was explicitly required, and a record of the action taken is available. In the case of Region III correspondence issued "for information only," it was judged that discretion was reserved to the licensee to determine the form of the response taken. Lacking any guidance, it was assumed that the process outlined above was adequate. For this reason, and based on the preceding discussion, it is judged that our program is in conformance with applicable requirements.

In acknowledgement of the concern recently expressed by Region III with respect to our handling of Region III correspondence, improvements to the existing system have been considered and will be implemented. These improvements include the following:

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1. A Nuclear Licensing Department Log will be established to monitor the status of all IE Bulletins and IE Circulars.
2. The Nuclear Licensing Department distribution will require the receipt of a "Review Completion Record" (RCR) from the department assigned responsibility for the review. This RCR will be retained on file in the Nuclear Licensing Department.

NOTE: This process was informally initiated in September, 1979 prior to the subject inspection.

3. The Station Nuclear Engineering Department will develop and implement a procedure for the control of IE Bulletins and Circulars.
4. The Nuclear Licensing Department will issue criteria for the control of IE Bulletins and Circulars against which the programs currently in existence at the generating stations will be assessed. Any deviations from these criteria will be resolved within the framework of the station program. That criteria will include, as a minimum the requirement for:
 - (a) a document log
 - (b) a distribution list for internal station review
 - (c) a follow-up system to assure closure of review
 - (d) a "Review Completion Record" to be transmitted to the Nuclear Licensing Department

These improvements will be implemented by January 31, 1980.

In addition, the seven IE Circulars specifically addressed in the subject inspection report are in the process of being re-evaluated. A record of that review will be maintained. This effort is also expected to be completed by January 31, 1980.

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