

Docket File



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20565-0001

March 15, 1994

Docket Nos. STN 50-454, STN 50-455,  
and STN 50-457

Mr. D. L. Farrar, Manager  
Nuclear Regulatory Services  
Commonwealth Edison Company  
Executive Towers West III, Suite 500  
1400 OPUS Place  
Downers Grove, Illinois 60515

Dear Mr. Farrar:

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION (NOED) FOR COMMONWEALTH EDISON  
COMPANY REGARDING BYRON STATION, UNITS 1 AND 2 AND BRAIDWOOD  
STATION, UNIT 2

On March 10, 1994, you requested by telephone that the U.S. Nuclear Regulatory Commission (NRC) to exercise its discretion not to enforce compliance with the required actions in Technical Specifications (TS) 3.7.1.1 for Byron Station Units 1 and 2 and for Braidwood Station Unit 2. This request was submitted formally by letter dated March 11, 1994. You informed the NRC that Byron Station Units 1 and 2 and Braidwood Station Unit 2 would not be in compliance with TS 3.7.1.1 Action statement "a" due to inoperable Main Steam Safety Valves (MSSVs). You had recently identified that the deviations for the as-left MSSVs lift setpoints were greater than the  $\pm 1\%$  maximum allowed, but less than  $\pm 3\%$ . Therefore, TS 3.7.1.1, Action statement "a" would have required you to restore the inoperable valves within four hours or be in at least HOT STANDBY within the next six hours. Without the NOED, Byron Units 1 and 2, and Braidwood Unit 2, would have been required to enter a forced shutdown.

You provided as justification for continued operation that MSSVs will continue to prevent overpressurization on the secondary side and provide an acceptable heat removal path even with the higher setpoint settings. You had previously analyzed as-found MSSV setpoint deviations of up to  $\pm 3\%$  in support of an upcoming amendment request. In addition, your analysis indicated that current accident analyses as presented in the Updated Final Safety Analysis Report remain valid.

On the basis of our review of your justification, the staff concluded that this exercise of enforcement discretion involves minimal or no safety impact, and we are clearly satisfied that this course of action was warranted from a public health and safety perspective. Therefore, on March 10, 1994, we informed you of our intention to exercise discretion not to enforce compliance with TS 3.7.1.1 for the period from March 10, 1994, until the approval of your emergency TS amendment request which will be submitted for NRC review by March 21, 1994. The proposed amendment will request a one-time exemption from TS 3.7.1.1 until the MSSVs can be reset in accordance with the schedule to be provided with your amendment request. However, we will consider enforcement

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action, as appropriate, for the conditions that led to the need for this exercise of enforcement discretion.

Sincerely,

Original signed by:

John A. Zwolinski, Assistant Director  
for Region III Reactors  
Division of Reactor Projects - III/IV/V  
Office of Nuclear Reactor Regulation

cc: See next page

DISTRIBUTION:

Docket File	NRC & Local PDRs
PDIII-2 r/f (2)	W. Russell
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OFC	LA:PDIII-2	PM:PDIII-2	PM:PDIII-2	D:PDIII-2	EMEB	SBXB
NAME	TCLARK <i>JAC</i>	RASSA <i>RA</i>	GDICK <i>GD</i>	JDYER <i>JW</i>	JNORBERG <i>JN</i>	JCOLLINS <i>JC</i>
DATE	3/15/94	3/15/94	3/15/94	3/15/94	3/15/94	3/15/94
COPY	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO
OFC	RIII <i>pub per Telom</i>	AD:R3:DRPW				
NAME	EGREHAMAN	JZWOLINSKI				
DATE	3/15/94	3/15/94	1/94	1/94	1/94	1/94
COPY	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO	YES/NO

Mr. D. L. Farrar  
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cc:

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