

MAR 16 1994

WCD/DCB  
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Docket No. 50-457  
License No. NPF-77  
NOED No. 94-3-007

Commonwealth Edison Company  
ATTN: Mr. S. Berg  
Site Vice President  
Braidwood Station  
RR #1, Box 84  
Braceville, IL 60407

SUBJECT: NOTICE OF ENFORCEMENT DISCRETION FOR COMMONWEALTH EDISON COMPANY  
REGARDING BRAIDWOOD STATION UNIT 2

Dear Mr. Berg:

By letter dated March 15, 1994, you requested the U. S. Nuclear Regulatory Commission (NRC) to exercise its discretion not to enforce compliance with the action requirements of Technical Specification 3.6.1.1. Technical Specification 3.6.6.1 requires that primary containment integrity shall be maintained in Modes 1, 2, 3, and 4. You declared primary containment integrity inoperable at 1:50 p.m. on March 14, 1994, after determining that the primary containment boundary was not constructed as designed, in that concrete pouring vents in the escape hatch barrel were not capped and sealed.

You informed the NRC on March 14, 1994, at approximately 2:45 p.m. that Braidwood Station could not restore the containment boundary to its design condition within the time limits specified in Technical Specification 3.6.1.1. You requested exercise of enforcement discretion for a period of 96 hours in lieu of the specified one-hour allowed outage time. The specified period was to allow time to restore the containment boundary and to perform verification testing on the repair. Details of the situation were discussed among staff of this office, the Office of Nuclear Reactor Regulation, members of your staff and you in a telephone conference call following your notification. You provided justification for continued operation based on:

1. Declaring the containment boundary inoperable was based on a deficiency in construction compared to design. Actual evidence, from previous containment testing and from recent containment pressurization due to valve operating air leakage, indicates the containment has no significant leakage.
2. The discrepancy does not affect the structural integrity of the containment, nor its ability to withstand analyzed accidents with no structural dysfunction.
3. Any potential challenge to containment during the period of discretion has a low probability of occurrence.

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- 4. Compensatory measures were available and would be applied to maximize availability of active containment cooling and pressure control systems.

On the basis of our evaluation of your justification, including compensatory measures discussed with your staff and subsequently documented in your letter, the NRC staff has concluded that this exercise of enforcement discretion is warranted from the perspective of public health and safety.

Based on the above, this documents our verbal notification on March 14, 1994, at 4:00 p.m. (CST), of our intention to exercise discretion not to enforce compliance to the action requirements of Technical Specification 3.6.1.1 for the period from March 14, 1994, at 1:50 p.m. (CST), when the action requirement became effective, until March 18, 1994, at 1:50 p.m. (CST). However, we will consider enforcement action, as appropriate, for the conditions that led to the need for this exercise of enforcement discretion.

Sincerely,

*Original Signed By*  
*T. C. Martin*

*for* Edward G. Greenman, Director  
 Division of Reactor Projects

cc:

- L. DelGeorge, Vice President, Nuclear Oversight & Regulatory Services
- K. Kofron, Station Manager
- A. Haeger, Regulatory Assurance Supervisor
- D. Farrar, Nuclear Regulatory Services Manager
- OC/LFDCB
- Resident Inspectors, Braidwood, Byron, Zion
- H. A. Learner
- R. Hubbard
- N. Schloss, Economist, Public Utilities Division
- Licensing Project Manager, NRR
- State Liaison Officer
- Chairman, Illinois Commerce Commission
- L. A. Reyes, Acting ADPR/NRR
- W. T. Russell, ADT/NRR
- J. W. Roe, DRPW/NRR
- J. A. Zwolinski, ADR3/NRR
- J. Lieberman, OE
- Technical Assistant, Division of Reactor Projects - I/II, NRR

bcc: PUBLIC - IE01

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Jorgensen	Clayton	DeFayette

See Previous Concurrences  
 NRR  
*Concurrence in phone*  
 Zwolinski con  
 03/16/94

RIII  
*PM for*  
 Greenman  
 3/16/94

MAR 16 1994

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Sincerely,

Edward G. Greenman, Director  
Division of Reactor Projects

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J. Lieberman, OE  
Technical Assistant, Division of Reactor  
Projects - I/II, NRR

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RIII

Jorgensen  
3/16/94

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Clayton  
3/16/94

YES  
for  
DeFayette  
3/16/94

NRR

Zwolinski

RIII

Greenman