

DEC 14 1994

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MEMORANDUM FOR: Ben B. Hayes, Director
Office of Investigations

FROM: Eugene T. Pawlik, Director
Office of Investigations Field Office
Region III

SUBJECT: NOTIFICATION OF INVESTIGATION
(OI CASE NO. 3-92-055R)

Commonwealth Edison Company
Licensee/Vendor/Applicant

50-237; 50-249
Docket No(s)/License No.

Dresden Nuclear Power Plant
Facility or Site Location

RIII-92-A-0135
Allegation No.

A. Title of Investigation

What is the matter being investigated?

Senior Management and Commonwealth Edison Company (CECo) Dresden Nuclear Power Plant (Dresden), alleged to the U.S. Nuclear Regulatory Commission (NRC) that certain employees of the Dresden plant failed to report and log an event in accordance with plant procedures.

B. Purpose of Investigation

1. What is the basis for the belief that the violation of a regulatory requirement is more likely to have been intentional or to have resulted from careless disregard or reckless indifference than from error or oversight?

On September 18, 1992, a reactor operator moved an incorrect control rod during the repositioning of control rods to change localized power levels within the reactor core. The operator did not have the control rod movement verified by a second person as required. The quality nuclear engineer (QNE) directed the operator to continue rod movement then notified the shift control

EXHIBIT 1

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room engineer (SCRE). The QNE advised the SCRE, who concurred, of a change in the control rod pattern to correct the error. The mispositioned control rod was allegedly never entered into the plant's operating log, documented in the licensee's corrective action system nor reported to the shift engineer.

2. What are the potential regulatory requirements that may have been violated? If no violation, what is the specific regulatory concern?

10 CFR 50.36: Technical specifications (1992 Edition)

(a) Each applicant for a license authorizing operation of a production or utilization facility shall include in his application proposed technical specifications in accordance with the requirements of this section

10 CFR 50.54: Conditions of licenses (1992 Edition)

(k) An operator or senior operator licensed pursuant to Part 55 of this chapter shall be present at the controls at all times during the operation of the facility.

(l) The licensee shall designate individuals to be responsible for directing the licensed activities of licensed operators. These individuals shall be licensed as senior operators pursuant to Part 55 of this chapter.

3. What staff members were coordinated with to determine these requirements or concerns?

Bruce Berson, Regional Counsel, Region III
Robert DeFayette, Enforcement Coordinator, Region III
Robert G. Greenman, Director, Division of Reactor Projects
Brent Clayton, Chief of Reactor Projects, Branch 1
A. Bert Davis, Regional Administrator, Region III

C. Technical Staff Priority

1. What is the priority of this investigation?

High.

EXHIBIT 1

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2. What is the initial estimated date of completion of this investigation based upon facts and circumstances known today?

April 1993.

3. What staff members were coordinated with to determine priority?

Bruce Berson, Regional Counsel, RIII
Robert DeFayette, Enforcement Coordinator, RIII
Robert G. Greenman, Director, Division of Reactor Projects
Brent Clayton, Chief of Reactor Projects, Branch 1
A. Bert Davis, Regional Administrator, RIII

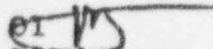
D. OI Case Investigator/Telephone Number:

Richard T. Anderson, Investigator
Office of Investigations Field Office, RIII
(708) 790-5686

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s/f 3-92-055R


RANDERSON
12/17/92

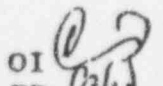

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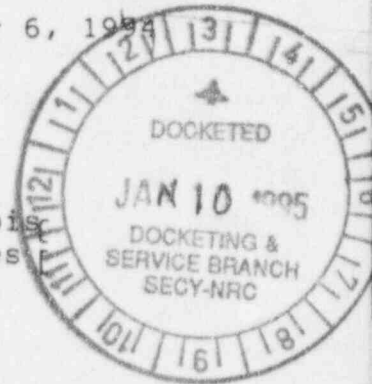
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Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Attn: Docketing and service Branch

December 6, 1994



In The matter of: Kenneth G. Pierce, Shorewood, Illinois
Re: Prohibition of Participation in Licensed Activities
Docket Nos. 55-30662-EA, IA-94-007
ASLBP No. 94-694-05-EA

The enclosed document (forty-six exhibits to the Office of Investigations Report No. 3-92-055R) was entered as evidence in the hearing held November 29 & 30 in Joliet, Illinois. I am furnishing this copy to you as ordered by the Board for inclusion in the record.

Sincerely,

Kenneth G. Pierce, Jr.
21013 S. Sarver Drive
Shorewood, IL 60436
(815) 729-3106

OI EXHIBITS 1-46

EXHIBITS TO CASE NO. 3-92-055R