

DLO/DCB

September 14, 1998

EA 97-413

Mr. Oliver D. Kingsley  
President, Nuclear Generation Group  
Commonwealth Edison Company  
ATTN: Regulatory Services  
Executive Towers West III  
1400 Opus Place, Suite 500  
Downers Grove, IL 60515

SUBJECT: EXERCISE OF ENFORCEMENT DISCRETION AND NOTICE OF VIOLATION

Dear Mr. Kingsley:

This will acknowledge receipt of your letter dated July 13, 1998, in response to our letter dated September 17, 1997, transmitting a Notice of Violation associated with inaccurate documentation of an operability evaluation of RHR structural steel at the Quad Cities Nuclear Power Station. We have reviewed your corrective actions and have no further questions at this time. These corrective actions will be examined during future inspections.

Sincerely,

Original /s/ S. A. Reynolds for

John A. Grobe, Director  
Division of Reactor Safety

Docket Nos.: 50-254; 50-265  
License Nos.: DPR-29; DPR-30

Enclosure: Ltr dtd 7/13/98 from O. Kingsley,  
ComEd to USNRC

See Attached Distribution

DOCUMENT NAME: G:DRS\quadnov.res

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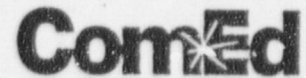
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cc w/o encl: M. Wallace, Senior Vice President  
D. Helwig, Senior Vice President  
G. Stanley, PWR Vice President  
J. Perry, BWR Vice President  
D. Farrar, Regulatory Services Manager  
I. Johnson, Licensing Director  
DCD - Licensing  
J. Dimmette, Jr., Site Vice President  
W. Pearce, Quad Cities Station Manager  
C. Peterson, Regulatory Affairs Manager

cc w/encl: R. Hubbard  
N. Schloss, Economist  
Office of the Attorney General  
State Liaison Officer  
Chairman, Illinois Commerce Commission  
W. Leech, Manager of Nuclear  
MidAmerican Energy Company

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GREENS



SVP-98-241

July 13, 1998

U. S. Nuclear Regulatory Commi:  
Washington, D C 20555

Attention: Document Control Desk

Subject: Quad Cities Nuclear Power Station, Units 1 and 2  
NRC Docket Numbers 50-254 and 50-265  
Facility Operating License Numbers DPR-29 and DPR-30  
Reply to a Notice of Violation, EA 97-413

- Reference:
- (a) Carl J. Paperiello (NRC) letter to O. D. Kingsley (ComEd), dated June 5, 1998, "Exercise of Enforcement Discretion and Notice of Violation (NRC Letter to the Licensee dated September 17, 1997 and Office of Investigations Report Number 3-96-023)"
  - (b) H. J. Miller (NRC) letter to T. J. Maiman (ComEd), dated June 13, 1996, "Notice of Violation and Proposed Imposition of Civil Penalty", EA-114
  - (c) L. W. Pearce (ComEd) letter SVP-97-263 to USNRC, dated November 18, 1997, "NRC Inspection Report EA 97-413"
  - (d) Telephone call from Charles Peterson (ComEd) to the NRC staff, dated July 6, 1998

Enclosed is Commonwealth Edison's (ComEd's) reply to a Notice of Violation (NOV) transmitted in Reference (a). The report contained one Level IV violation. In Reference (d), ComEd requested an extension of the due date of this response until July 13, 1998.

The enclosure to this letter contains the following commitments.

1. Train remaining targeted personnel on the provisions of 10 CFR 50.9 that require all communications with the NRC to be complete and accurate.
2. The lessons learned from this enforcement action will be communicated to and acted upon, as necessary, by the other ComEd Nuclear Power Stations and Corporate Office Staff. The communication will be completed by July 31, 1998.

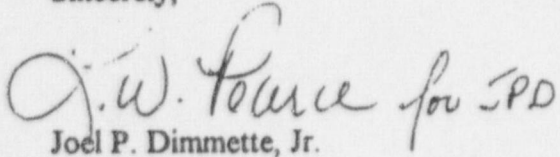
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July 13, 1998

If there are any questions or comments concerning this letter, please refer them to Mr. Charles Peterson, Regulatory Affairs Manager, at (309) 654-2241, ext. 3609.

Sincerely,



Joel P. Dimmette, Jr.  
Site Vice President  
Quad Cities Station

Attachment: "Reply to a Notice of Violation EA 97-413"

cc: C. J. Paperiello, Acting Regional Administrator, Region III  
R. M. Pulsifer, Project Manager, NRR  
C. G. Miller, Senior Resident Inspector, Quad Cities  
W. D. Leech, MidAmerican Energy Company  
D. C. Tubbs, MidAmerican Energy Company  
Office of Nuclear Facility Safety, IDNS  
INPO Records Center

**ATTACHMENT**  
**REPLY TO A NOTICE OF VIOLATION EA 97-413**  
**SVP LETTER 98-241**  
**(Page 1 of 2)**

**NOTICE OF VIOLATION**

10 CFR 50.9 (a) requires, in part, that information provided to the Commission by a licensee shall be complete and accurate in all material respects.

Contrary to the above, the licensee provided to the Commission on August 25, 1996 an Operability Determination Checklist which stated, "The beams and connections checked had functionality interaction coefficients (FICs) less than 1.0." This information was inaccurate because the supporting calculations showed FICs to be in excess of 1.0. This information was material because the correct information related to the operability of safety-related components.

This is a Severity Level IV violation. (Supplement VII.D.1)

ComEd admits this violation occurred as stated.

**REASON FOR THE VIOLATION**

ComEd comment: The Operability Determination Checklist was provided on August 25, 1995.

The operability determination, as documented in the "Operability Determination Checklist," for PIF 95-2256, was primarily qualitative. The engineers used the existing Dresden operability evaluation, additional preliminary evaluations performed at Quad Cities and engineering judgement.

Although the written checklist included the statement "calculations were done ...", the engineers did preliminary estimates, not formally prepared, reviewed and approved calculations.

The accuracy and completeness of the written operability determination conducted in August 1995, was weak due to the use of the term "calculation" and the lack of explanation in the written checklist for the use of engineering judgement. The conclusions in the supporting formal calculations performed in September 1995, did not clearly explain that the results validated the assumptions used in the original Operability Determination Checklist. This resulted in an inadequate portrayal of the techniques used and the conclusions reached by the engineers.

**CORRECTIVE STEPS THAT HAVE BEEN TAKEN AND RESULTS ACHIEVED**

All supporting documentation was provided to the NRC during February, March, and April 1996. This documentation consisted of copies of station controlled documents; for example, the Operability Determination Checklist, Plant Operating Review Committee (PORC) meeting notes and supporting calculations, and formal responses to questions asked.

**ATTACHMENT**  
**REPLY TO A NOTICE OF VIOLATION EA 97-413**  
**SVP LETTER 98-241**  
**(Page 2 of 2)**

**CORRECTIVE STEPS THAT WILL BE TAKEN TO AVOID FURTHER VIOLATION:**

Station personnel, including Engineering personnel, Regulatory Assurance personnel, Operations personnel and Station Senior Management, will be trained on the provisions of 10 CFR 50.9 that all communications with the NRC must be complete and accurate. The majority of this population has already been trained. The remainder of the target population, including new personnel, will complete this training by July 31, 1998.

If personnel are unable to complete this training by July 31, 1998, their badge will be pulled (temporarily or permanently) until they complete the training.

The lessons learned from this enforcement action will be communicated to and acted upon, as necessary, by the other ComEd Nuclear Power Stations and Corporate Office Staff. The communication will be completed by July 31, 1998.

**DATE WHEN FULL COMPLIANCE WAS ACHIEVED:**

Full compliance was achieved when the supporting documentation was provided on or before April 30, 1996. This documentation consisted of copies of station controlled documents, for example, the Operability Determination Checklist, PORC meeting notes and supporting calculations, and formal responses to questions asked.