UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

September 16, 2015

EA-15-115

Mr. Bryan C. Hanson
Senior VP, Exelon Generation Company, LLC
President and CNO, Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: FINAL SIGNIFICANCE DETERMINATION OF WHITE FINDING AND NOTICE OF VIOLATION; NRC INSPECTION REPORT NO. 05000237/2015010; DRESDEN NUCLEAR POWER STATION

Dear Mr. Hanson:

This letter provides you the final significance determination of the preliminary White finding discussed in our previous communication dated July 1, 2015, which included U.S. Nuclear Regulatory Commission (NRC) Inspection Report No. 05000237/2015002; 05000249/2015002; 07200037/2015001. This report is available in the NRC's Agencywide Documents Access and Management System (ADAMS) at Accession Number ML15219A500. The finding involved the failure of the Unit 2 "C" electromatic relief valve (ERV) to perform its intended safety function.

In a telephone conversation with Mr. Jamnes Cameron of NRC, Region III, on August 13, 2015, and in a letter dated August 14, 2015, (ML15239A723), Mr. Marik, Site Vice President, Dresden Nuclear Power Station, indicated that Exelon did not contest the characterization or the risk significance of this finding. Further, your staff declined the opportunity to discuss this issue in a Regulatory Conference or to provide additional information in a written response.

After considering the information developed during the inspection, the NRC has concluded that the finding is appropriately characterized as White, a finding of low to moderate risk significance. According to NRC Inspection Manual Chapter (IMC) 0609, Attachment 2, "Process for Appealing NRC Characterization of Inspection Findings (SDP Appeal Process)," appeal rights only apply to those licensees that have either attended a Regulatory Conference or submitted a written response to the preliminary determination letter that provided additional information. As noted previously, you declined these options, and thus, do not meet the criteria for appealing the significance of the finding.

The NRC has also determined that the failure of Exelon Generation Company, LLC., to establish measures to ensure that the application of the Unit 2 "C" ERV, which is essential to perform the safety-related reactor vessel depressurization and overpressure protection functions, remained suitable for operation is a violation of Title 10 of the *Code of Federal Regulations* (10 CFR*)* Part 50, Appendix B, Criterion III, "Design Control," and associated Technical Specifications, as cited in the attached Notice of Violation (Notice) found in the Enclosure. The circumstances surrounding the violation were described in detail in Inspection

Report No. 05000237/2015002; 05000249/2015002; 07200037/2015001. In accordance with the NRC Enforcement Policy, the Notice is considered escalated enforcement action because it is associated with a White finding. The finding was also assigned a cross-cutting aspect of Resolution in the area of Problem Identification and Resolution, since it involves the failure to implement effective corrective actions to address issues in a timely manner commensurate with their safety significance.

The NRC has concluded that the information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in the NRC inspection report number 05000237/2015002; 05000249/2015002; 07200037/2015001. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position.

As a result of our review of Dresden's performance, including this White finding, we have assessed Dresden Unit 2 to be in the Regulatory Response column of the NRC's Action Matrix, effective the second quarter of 2015. Therefore, we plan to conduct a supplemental inspection using Inspection Procedure 95001, "Inspection for One or Two White Inputs in a Strategic Performance Area." By letter, dated August 25, 2015, (ML15239B289), your staff has notified us of your readiness for this inspection. Inspection procedure 95001 is conducted to provide assurance that the root cause and contributing cause of risk significant performance issues are understood, the extent of condition and the extent of cause are identified, and the corrective actions are sufficient to prevent recurrence. Unit 3 remains in the Regulatory Response column of the NRC Action Matrix for a similar White finding affecting that Unit's ERVs that the NRC issued on March 26, 2015.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from ADAMS, accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. The NRC also includes significant enforcement actions on its Web site at http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions.

Sincerely,

/RA/

Darrell J. Roberts
Deputy Regional Administrator

Docket No. 50-237
License No. DPR-19

Enclosure:
Notice of Violation

cc w/encl: Distribution via ListServ®

NOTICE OF VIOLATION

Exelon Generation Company, LLC
Dresden Nuclear Power Station, Unit 2

Docket No. 50-237
License No. DPR-19
EA-15-115

During a U.S. Nuclear Regulatory Commission (NRC) inspection conducted from April 1 to June 30, 2015, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

> Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix B, Criterion III, Design Control, requires, in part, that measures be established for the selection and review for suitability of application of materials, parts, equipment, and processes that are essential to the safety-related functions of the structures, systems, and components.
>
> Technical Specification 3.4.3, Safety and Relief Valves, Limiting Condition for Operation requires, in part, that in Modes 1, 2, and 3, the relief function of five relief valves shall be OPERABLE. Required Action A states that if one relief valve is inoperable, then restore the valve to operable status within 14 days. Required Action B states, in part, that if the Required Action and associated Completion Time are not met, then (1) be in Mode 3 within 12 hours and (2) be in Mode 4 within 36 hours.
>
> Technical Specification 3.5.1, ECCS Operating, Limiting Condition for Operation requires, in part, that in Modes 1, 2, and 3, with pressure above 150 pounds per square inch gauge (psig), the Automatic Depressurization System (ADS) function of five relief valves shall be OPERABLE. Required Action H, states that, if one ADS valve is inoperable, then restore the valve to operable status within 14 days. Required Action I states, in part, that if the Required Action H and associated Completion Time are not met, then (1) be in Mode 3 within 12 hours, and (2) reduce reactor steam dome pressure to less than 150 psig within 36 hours.
>
> Contrary to the above, from December 1, 2009, to February 7, 2015, the licensee failed to establish measures for the review of suitability of application for the ADS electromatic relief valve (ERV) actuators, which are essential to perform the safety-related reactor vessel depressurization and overpressure protection functions. This resulted in a failure of the 2C ERV, and an indeterminate period of inoperability and unavailability greater than allowed by Technical Specifications 3.4.3 and 3.5.1 during operating cycle D2C24. The 2C ERV inoperability during the operating cycle was identified after the failure of the valve during its first operational test in mid-cycle outage D2F56. Additionally, because the licensee was not aware of the valve's inoperability between 2013 and 2015 during operating cycle D2C24, the required actions in Actions 3.4.3 A and B, and 3.5.1 H and I were not followed.

This violation is associated with a White Significance Determination Process finding.

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance will be achieved is already adequately addressed on the docket in NRC Inspection Report No. 05000237/2015002; 05000249/2015002; 07200037/2015001. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation, EA-15-115", and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region III, 2443 Warrenville Road, Suite 210, Lisle, IL 60532, and a copy to the NRC Resident Inspector at the Dresden Nuclear Power Station, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at http://www.nrc.gov/reading-rm/adams.html. Therefore, to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 16th day of September, 2015.

Report No. 05000237/2015002; 05000249/2015002; 07200037/2015001. In accordance with the NRC Enforcement Policy, the Notice is considered escalated enforcement action because it is associated with a White finding. The finding was also assigned a cross-cutting aspect of Resolution in the area of Problem Identification and Resolution, since it involves the failure to implement effective corrective actions to address issues in a timely manner commensurate with their safety significance.

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Sincerely,

/RA/

Darrell J. Roberts
Deputy Regional Administrator

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DATE	09/03/15	09/03/15	09/03/15	09/08/15	09/08/15	09/11/15	09/16/15

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1 NRR and OE concurrence provided via e-mail from K. Hanley on September 08, 2015

Letter to Mr. Bryan C. Hanson from Mr. Darrell J. Roberts dated September 16, 2015

SUBJECT: FINAL SIGNIFICANCE DETERMINATION OF A WHITE FINDING AND NOTICE OF VIOLATION; NRC INSPECTION REPORT NO. 05000237/2015010; DRESDEN NUCLEAR POWER STATION

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