

NOTICE OF VIOLATION

Commonwealth Edison Company
Dresden Station Units 1, 2, and 3

Docket Nos. 50-10; 50-237; 50-249
License No. DPR-2; DPR-19; DPR-25

During an NRC inspection conducted on July 13 through August 30, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

1. Technical Specification 6.2.A requires, in part, that written procedures be established and implemented covering the activities referenced in Regulatory Guide (RG) 1.33, Appendix A. The activities listed in regulatory guide 1.33 include procedure review and approval process.

Dresden Administrative Procedure (DAP) 9T-1, "Review Tables," revision 5, required an On-Site Review and Investigation Function review of Special Procedures.

Contrary to the above, on July 11, 1996, Special Test Procedure (SPI)-96-07-13 for safety related 4kV switchgear was authorized for use without the required On-Site Review.

This is a Severity Level IV violation (Supplement I) (50-249/96009-01).

2. 10 CFR 50.54(i) states, in part, that the licensee may not permit the manipulation of the controls of any facility by anyone who is not a licensed operator or senior operator as provided in part 55 of that chapter.

Contrary to the above, from July 19, 1996, through August 2, 1996, a senior reactor operator whose license had been amended to prohibit licensed activities was assigned to regular shift duty in the control room prior to license reactivation.

This is a Severity Level IV violation (Supplement I) (50-249/96009-03).

3. Dresden Technical Specification 3.9.D required, in part, that whenever the plant is in cold shutdown and a core or containment cooling system is required, either the Unit 3 diesel generator or the Unit 2/3 diesel generator shall be operable.

Contrary to the above, on July 15, 1996, during the surveillance run of the Unit 3 diesel generator, no diesel generators were operable for Unit 3 to provide emergency power to Bus 34-1.

This is a Severity Level IV violation (Supplement I) (50-237;249/96009-04).

4. Criterion XVI, "Corrective Action," of 10 CFR Part 50, Appendix B, states, in part, that measures shall be established to assure that conditions adverse to quality are promptly identified and corrected. In the case of significant conditions adverse to quality, the measures shall assure that the cause of the condition is determined and corrective action taken to preclude repetition.

- A. Contrary to the above, corrective actions for past deficiencies in calculations performed during battery tests were narrow in scope and were not effective in preventing the recurrence of similar deficiencies during a June 1996 Dresden Electrical Surveillance (DES) 8300-19, "Unit 3 125 Volt-DC Main Station Battery Modified Performance Test," (50-237;249/96009-05A).
- B. Contrary to the above, corrective actions in response to Unit 2 HGA relay failures in 1994 and 1995 were not effective in preventing the failure of two HGA relays on Unit 3 in May 1996, a condition adverse to quality. The result of the ineffective corrective actions was the unexpected opening of two Unit 3 primary containment isolation valves (50-237;249/96009-05B).

This is a Severity Level IV violation (Supplement I) (50-237;249/96009-05A&B).

- 5. 10 CFR 20.1501 requires that each licensee make or cause to be made surveys that may be necessary for the licensee to comply with the regulations in Part 20 and that are reasonable under the circumstances to evaluate the extent of radiation levels, concentrations or quantities of radioactive materials, and the potential radiological hazards that could be present.

Pursuant to 10 CFR 20.1003, survey means an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation.

10 CFR 20.1701 required to the extent practicable, the use of process or other engineering controls (e.g., containment or ventilation) to control the concentrations of radioactive material in air.

Contrary to the above, as of July 8, 1996, the licensee did not make surveys to assure compliance with 10 CFR 20.1201(a)(1)(i), which limits radiation exposure Total Effective Dose Equivalent to 5 rems per year. Specifically, the licensee failed to properly evaluate the potential radiological hazards and use process or other engineering controls to control airborne radioactivity concentrations during the removal and transfer of highly contaminated bags of radioactive material in the south stock bay of the radioactive waste storage area.

This is a Severity Level IV Violation (Supplement IV) (50-237;249/96009-10).

With regards to violations 1, 2, 4A and 5 pursuant to the provisions of 10 CFR 2.201, ComEd is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply

to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

With regards to violation 3 and 4B, 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 in the enclosed inspection report (50-010;237;249/96009). 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" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

Dated at Lisle, Illinois
this 13 day of October 1996