



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

JUL 12 1985

Docket No. 50-454

Commonwealth Edison Company
ATTN: Mr. Cordell Reed
Vice President
Post Office Box 767
Chicago, IL 60690

Gentlemen:

This is in response to your letter dated June 10, 1985, informing us of the steps you have taken to correct the violations which we brought to your attention in Inspection Report No. 50-454/85008, forwarded by our letter dated May 3, 1985. In your response you requested that we reconsider the categorization and the basis for items 1 and 2 in the Notice of Violation. Furthermore, you requested that particular attention be given to the issue of whether it is appropriate to proceed in the testing program without repeating a test when the results deviate from the acceptance criteria.

We have reviewed the severity level of the first violation and have concluded that our original conclusion was correct. It should be noted that this violation contains four separate examples of inadequate documentation of results evaluation. These examples were used to demonstrate what we considered to be more than an isolated case of inadequate results evaluation. We consider that a review process which does not adequately document the depth of the review and the specific technical justification for the deviation from the acceptance criteria to have more than minor safety significance. A severity level 4 was assigned to reflect our concern on this issue.

We have reviewed the basis for the first violation and have concluded that our original conclusions were correct. The first two examples in the violation concern test results which do not meet the acceptance criteria as stated in the Final Safety Analysis Report (FSAR). You have acknowledged that the Byron Startup Manual precludes approving tests whose results do not meet acceptance criteria and that based on the difficulties meeting the stated requirements of the FSAR, the FSAR test abstract is required to be revised. We do not question your responsibility to review and accept, if appropriate, test data which falls outside expected values and acceptance criteria. However, it is incumbent upon you to identify and obtain prior approval of modifications to commitments which have been made to the NRC. Concerning the first two examples, you committed to verify that rod worths were in accordance with the Westinghouse Design Report. This was not or could not be performed. We believe that this testing commitment should have been satisfied or modified prior to proceeding to the next higher power level test sequence.

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Specifically, the test package for startup test 2.32.33 (Initial Criticality and Low Power Test Sequence) does not clearly demonstrate that the test method used for obtaining the rod worth of rod control cluster assembly (RCCA) F-10 was accurate. This is in light of deficiency AD which indicated that Westinghouse believed that the procedure employed to measure the worth of RCCA F-10 is not accurate. You have inferred in your response that it is not feasible to verify this value by direct measurement. If so then a modification to your testing commitments is apparently required. Furthermore, the test package for startup test 2.64.33 (Boron Endpoint Determination) documents a reactivity worth in excess of the value assumed by the Design Report. Westinghouse letters provided as justification for the PED acceptance of these results indicated that a detailed analysis of the exceeded acceptance criteria would be provided at a later time. Again, we agree that it is permissible within the requirements of 10 CFR 50 Appendix B to accept deviations from acceptance criteria with appropriate technical justification and approval. However, in light of the absence of the detailed analysis to be provided by Westinghouse and your commitment to verify that control rod reactivity worths are within their respective design predictions, it is not clear that your testing commitments have been satisfied.

Concerning the third example of the first violation, we have reviewed your corrective actions and have no further concerns for this specific example.

The fourth example is considered to be significant in that the review of the test results were not accurately documented to demonstrate the depth and adequacy of the review. You have stated that the PED evaluation did not rely on extrapolated data as the basis for their conclusions. However, in the absence of amplifying comments, an independent review cannot conclude that the PED evaluation did not endorse the incorrect results evaluation provided in the test package. Although there is not a question as to the adequacy of the specific test results, this example supports our conclusion that the depth and adequacy of your results evaluation is not supported by the documentation of the same.

Concerning the second violation, in which startup test 2.05.30 (Loss of Offsite Power) was modified to use a different source of offsite power during the test. We have reconsidered the basis for this violation and although we do not agree with the portion of your response which indicates that normal breaker position and a potential review by an offsite non-licensed operator is considered to be positive control of breaker ACB 3-7's position, based upon the new information provided in your response concerning the status of the Unit 2 ring bus and the position of circuit breaker ACB 6-7 whose position was specified by the test procedure, we have concluded that the violation should be withdrawn.

In summary, we have reviewed the basis and severity levels of the violations and have concluded that our original determination in regard to the first violation is correct for the reasons stated above. In addition, we believe the question of accepting data outside acceptance criteria to be adequately addressed. The second violation is withdrawn based upon the new information provided for review, and our records are being revised accordingly.

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In light of the significance you place on the first violation in regards to its likely recurrence as you complete your test program, and in the absence of corrective and preventative actions concerning this item, you are requested to respond to the Notice of Violation, dated May 3, 1985, within 10 days of the date of this letter. In addition, you are requested to include in your response your actions concerning another example of this violation which was brought to your attention in a subsequent inspection (Report No. 50-454/85017). In this report, Unresolved Item 454/85017-10 documented the inadequate documentation of the evaluation of the pressurizer heater phase currents and their effect on pressurizer heater effectiveness as expressed in Acceptance Criteria 4.3. This item was identified as an unresolved item because it occurred in the same time period as the previous examples and because the corrective actions and action to prevent recurrence for the violation could reasonably be expected to encompass this additional example.

In accordance with 10CFR2.790 of the Commission's regulations, a copy of this letter will be placed in the NRC Public Document Room.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

"Original signed by R.L. Spessard"

R. L. Spessard, Director
Division of Reactor Safety

cc: D. L. Farrar, Director of
Nuclear Licensing
V. I. Schlosser, Project
Manager
G. Sorensen, Site Project
Superintendent
R. E. Querio, Plant
Manager

cc w/ltr dtd 06/10/85:
DMB/Document Control Desk (RIDS)
Resident Inspector, RIII, Byron
Resident Inspector, RIII, Braidwood
Phyllis Dunton, Attorney General's
Office, Environmental
Control Division

D. W. Cassel, Jr. Esq.
Diane Chavez, DAARE/SAFE
H. S. Taylor, Quality Assurance
Division
W. Paton, ELD
E. Chan, ELD
L. Olshan, NRP
J. Stevens, NRR

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