

Docket No. 50-247

June 12, 1984

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Mr. John O'Toole, Vice President  
Nuclear Engineering and Quality Assurance  
Consolidated Edison Company of New York  
4 Irving Place  
New York, New York 10003

Dear Mr. O'Toole:

The Commission has issued the enclosed Order confirming your commitments to implement the requirements of Supplement 1 to NUREG-0737. This Order is based on commitments contained in your letter dated April 15, 1983, (as supplemented August 31, 1983, November 18, 1983, February 14, 1984, and March 12, 1984), submitted in response to the NRC's Generic Letter 82-33 dated December 17, 1982.

A copy of this Order is being filed with the Office of the Federal Register for publication.

Sincerely,

/s/SVarga

Steven A. Varga, Chief  
Operating Reactors Branch #1  
Division of Licensing

Enclosure:  
Order

cc w/enclosure:  
See next page

\*See previous white for concurrences

ORB#1:DL\*  
CParrish  
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- Gray

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Sincerely,

Steven A. Varga, Chief  
 Operating Reactors Branch No. 1  
 Division of Licensing

Enclosure:  
Order

cc w/enclosure  
See next page

*L. Cross for S. Lieberman  
No legal obj. subject*

OFFICE	ORB 1 CParrish	ORB 1 RPedersen/rs	ORB 1 SVarga	ORB 5 DCrutchfield	AD:OR:DL Glatias	OELD Lieberman	D:DL DEisenhut
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DATE							

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

CONSOLIDATED EDISON COMPANY  
OF NEW YORK

(Indian Point Nuclear Generating  
Unit No. 2)

Docket No. 50-247

ORDER CONFIRMING LICENSEE COMMITMENTS  
ON EMERGENCY RESPONSE CAPABILITY

I.

Consolidated Edison Company of New York (the licensee) is the holder of Facility Operating License No. DPR-64 which authorizes the operation of the Indian Point Nuclear Generating Unit No. 2 (the facility) at steady-state power levels not in excess of 2758 megawatts thermal. The facility is a pressurized water reactor (PWR) located in Westchester County, New York.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements include Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial additional protection in the operation of nuclear facilities and significant upgrading of emergency response capability based on the experience from the accident at TMI-2 and the official studies and investigations of the

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accident. The requirements are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements," and in Supplement 1 to NUREG-0737, "Requirements for Emergency Response Capability." Among these requirements are a number of items consisting of emergency response facility operability, emergency procedure implementation, addition of instrumentation, possible control room design modifications, and specific information to be submitted.

On December 17, 1982, a letter (Generic Letter 82-33) was sent to all licensees of operating reactors, applicants for operating licenses, and holders of construction permits enclosing Supplement 1 to NUREG-0737. In this letter operating reactor licensees and holders of construction permits were requested to furnish the following information, pursuant to 10 CFR 50.54(f), no later than April 15, 1983:

- (1) A proposed schedule for completing each of the basic requirements for the items identified in Supplement 1 to NUREG-0737, and
- (2) A description of plans for phased implementation and integration of emergency response activities including training.

### III.

The licensee responded to Generic Letter 82-33 by letter dated April 15, 1983, as supplemented August 31, 1983 and November 18, 1983. In these submittals, the licensee made commitments to complete the basic requirements. The attached Table, summarizing the licensee's schedular commitments or status, was developed by the NRC staff from the Generic Letter and the information provided by the licensee.

The licensee's commitments include (1) dates for providing required submittals to the NRC, (2) dates for implementing certain requirements, and (3) a schedule for providing implementation dates for other requirements. These latter implementation dates will be reviewed, negotiated and confirmed by a subsequent order.

The NRC staff reviewed the licensee's April 15, 1983 letter as supplemented by letters dated August 31, 1983, November 18, 1983, February 14, 1984 and March 12, 1984 and entered into negotiations regarding schedules for meeting the requirements of Supplement 1 to NUREG-0737. The NRC staff finds that the dates are reasonable, achievable dates for meeting the Commission requirements. The NRC staff concludes that the schedule proposed by the licensee will provide timely upgrading of the licensee's emergency response capability.

In view of the foregoing, I have determined that the implementation of the licensee's commitments is required in the interest of the public health and safety and should, therefore, be confirmed by an immediately effective Order.

#### IV.

Accordingly, pursuant to Sections 103, 161i, 161o and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY, THAT the licensee shall:

Implement the specific items described in the Attachment to this ORDER in the manner described in the licensee's submittals noted in Section III herein no later than the dates in the Attachment.

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Extensions of time for completing these items may be granted by the Director, Division of Licensing, for good cause shown.

V.

The licensee may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. Any request for a hearing should be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy should also be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is to be held, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensee should comply with the requirements set forth in Section IV of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Darrell G. Eisenhut, Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,  
this 12th day of June 1984.

Attachment:  
Licensee's Commitments on  
Requirements Specified in  
Supplement 1 to NUREG-0737

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
1. Safety Parameter Display System (SPDS)	1a. Submit a safety analysis and an implementation plan to the NRC.  1b. SPDS fully operational and initial operator training complete.	1. Safety Analysis: 9/84 2. Implementation plan: Complete  December 1986
2. Detailed Control Room Design Review (DCRDR)	2a. Submit a program plan to the NRC.  2b. Submit a summary report to the NRC including a proposed schedule for implementation.	Draft Report: Complete  Licensee will submit schedule July 1984
3. Regulatory Guide 1.97 - Application to Emergency Response Facilities	3a. Submit a report to the NRC describing how the requirements of Supplement 1 to NUREG-0737 have been or will be met.  3b. Implement (installation or upgrade) requirements.	September 1985  December 1985

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
4. Upgrade Emergency Operating Procedures (EOPs)	4a. Submit a Procedures Generation Package to the NRC.	May 1984 <sup>C</sup>
	4b. Implement the upgraded EOPs.	October 1985
5. Emergency Response Facilities	5a. Technical Support Center fully functional.	Operational*
	5b. Operational Support Center fully functional.	Operational*
	5c. Emergency Operations Facility fully functional.	Operational*

\*ERF's will be revised based on RG 1.97 (December 1985) and DCRDR schedules.