

Docket No. 50-286

Mr. George T. Berry, President  
and Chief Operating Officer  
Power Authority of the State  
of New York  
10 Columbus Circle  
New York, New York 10019

Dear Mr. Berry:

The Order for Modification of License dated August 29, 1980,  
contained incorrect references. We have accordingly revised the  
Order. In view of this revision, the date for which a hearing may  
be requested is also accordingly revised.

Sincerely,

Original Signed by  
BA Purple for

Darrell G. Eisenhut, Director  
Division of Licensing

Enclosure:  
Revised Order

cc: See next page

~~810110066~~

OFFICE	DL:ORB1	DL:ORB1	DL:ORB1	DL:ORB2	OELD	DL:ORB1
SURNAME	LNOLshan:jb	CSParrish	SAVarga	MWWilliams		GEisenhut
DATE	09/16/80	09/16/80	09/16/80	09/17/80	09/18/80	09/19/80



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

September 19, 1980

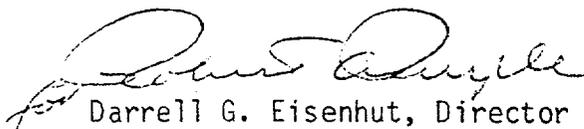
Docket No. 50-286

Mr. George T. Berry, President  
and Chief Operating Officer  
Power Authority of the State  
of New York  
10 Columbus Circle  
New York, New York 10019

Dear Mr. Berry:

The Order for Modification of License dated August 29, 1980, contained incorrect references. We have accordingly revised the Order. In view of this revision, the date for which a hearing may be requested is also accordingly revised.

Sincerely,

  
Darrell G. Eisenhut, Director  
Division of Licensing

Enclosure:  
Revised Order

cc: See next page

Mr. George T. Berry

Power Authority of the State of New York - 2 - September 19, 1980

cc: White Plains Public Library  
100 Martine Avenue  
White Plains, New York 10601

Mr. Charles M. Pratt  
Assistant General Counsel  
Power Authority of the  
State of New York  
10 Columbus Circle  
New York, New York 10019

Ms. Ellyn Weiss  
Sheldon, Harmon and Weiss  
1725 I Street, N.W., Suite 506  
Washington, D. C. 20006

Dr. Lawrence R. Quarles  
Apartment 51  
Kendal at Longwood  
Kennett Square, Pennsylvania 19348

Mr. George M. Wilverding  
Manager - Nuclear Licensing  
Power Authority of the  
State of New York  
10 Columbus Circle  
New York, New York 10019

Mr. P. W. Lyon, Senior Vice  
President - Nuclear Generation  
Power Authority of the  
State of New York  
10 Columbus Circle  
New York, New York 10019

Director, Technical Development  
Programs  
State of New York Energy Office  
Agency Building 2  
Empire State Plaza  
Albany, New York 12223

Mr. S. S. Zulla, Acting  
Resident Manager  
Indian Point 3 Nuclear Power Plant  
P. O. Box 215  
Buchanan, New York 10511

Honorable George Begany  
Mayor, Village of Buchanan  
188 Westchester Avenue  
Buchanan, New York 10511

Mr. J. W. Blake, Ph.D., Director  
Environmental Programs  
Power Authority of the  
State of New York  
10 Columbus Circle  
New York, New York 10019

Theodore A. Rebelowski  
Resident Inspector  
Indian Point Nuclear Generating  
U. S. Nuclear Regulatory Commission  
P. O. Box 38  
Buchanan, New York 10511

Joyce P. Davis, Esquire  
Law Department  
Consolidated Edison Company of  
New York Inc.  
4 Irving Place  
New York, New York 10003

Jeffrey C. Cohen, Esquire  
New York State Energy Office  
Swan Street Building  
CORE 1 - Second Floor  
Empire State Plaza  
Albany, New York 12223

Mr. J. P. Bayne, Senior Vice Pres.  
Power Authority of the State  
of New York  
10 Columbus Circle  
New York, New York 10019

~~8101100~~

Mr. George T. Berry

Power Authority of the State of New York - 3 -

September 19, 1980

cc: Director, Technical Assessment Division  
Office of Radiation Programs (AW-459)  
U. S. Environmental Protection Agency  
Crystal Mall #2  
Arlington, Virginia 20460

U. S. Environmental Protection Agency  
Region II Office  
ATTN: EIS COORDINATOR  
26 Federal Plaza  
New York, New York 10007

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
POWER AUTHORITY OF THE STATE	)	Docket No. 50-286
OF NEW YORK	)	
(Indian Point Station, Unit No. 3)	)	

REVISED ORDER FOR MODIFICATION OF LICENSE

I.

The Power Authority of the State of New York (the licensee) is the holder of Facility Operating License No. DPR-64, which authorizes the operation of the Indian Point Plant Unit No. 3 at steady state reactor power levels not in excess of 3025 megawatts thermal (rated power). The facility consists of a pressurized water reactor located at the licensee's site in Westchester County, New York.

II.

On November 4, 1977, the Union of Concerned Scientists (UCS) filed with the Commission a "Petition for Emergency and Remedial Relief." The petition sought action in two areas: fire protection for electrical cables, and environmental qualification of electrical components. By Memorandum and Order dated April 13, 1978 (7 NRC 400), the Commission denied certain aspects of the petition and, with respect to other aspects, ordered the NRC staff to take several related actions. UCS filed a Petition for Reconsideration on May 2, 1978. By Memorandum and Order, dated May 23, 1980, the Commission reaffirmed its April 13, 1978 decision

~~810110066~~

regarding the possible shutdown of operating reactors. However, the Commission's May 23, 1980 decision directed licensees and the NRC staff to undertake certain actions.

With respect to environmental qualification of safety-related electrical equipment, the Commission determined that the provisions of the two staff documents - the Division of Operating Reactors "Guidelines for Evaluating Environmental Qualification of Class 1E Electrical Equipment in Operating Reactors" (DOR Guidelines) and NUREG-0588, "Interim Staff Position on Environmental Qualification of Safety-Related Electrical Equipment," December 1979 "form the requirements which licensees and applicants must meet in order to satisfy those aspects of 10 CFR Part 50, Appendix A General Design Criterion (GDC-4), which relate to environmental qualification of safety-related electrical equipment." The Commission directed, for replacement parts in operating plants, "unless there are sound reasons to the contrary, the 1974 standard in NUREG-0588 will apply." The Commission also directed the staff to complete its review of the information sought from licensees by Bulletin 79-01B<sup>1</sup> and to complete its review of environmental qualification of safety-related electrical equipment in all operating plants, including the publication of Safety Evaluation Reports, by February 1, 1981. The Commission

---

<sup>1</sup> Bulletin 79-01B was not sent to licensees for plants under review as part of the staff's Systematic Evaluation Program. The information sought by Bulletin 79-01B was requested from these licensees by a series of letters and meetings during the months of February and March, 1980.

imposed a deadline that, "by no later than June 30, 1982 all safety-related electrical equipment in all operating plants shall be qualified to the DOR Guidelines or NUREG-0588." The Commission requested the staff to, "keep the Commission and the public apprised of any further findings of incomplete environmental qualification of safety-related electrical equipment, along with corrective actions taken or planned," and requested the staff to provide bi-monthly progress reports to the Commission.

The Commission further directed the staff to add certain documentation requirements to each license after the specific requirements were approved by the Commission. The Commission also pointed out that the various deadlines imposed in its Order, "do not excuse a licensee from the obligation to modify or replace inadequate equipment promptly."

### III.

The information developed during this proceeding emphasizes the importance of adequate documentation, the prompt completion of the review of environmental qualification of safety-related electrical equipment, and the prompt completion of any plant modification needed to assure conformance with the DOR Guidelines or NUREG-0588. A significant aspect of this review is the timely submittal of environmental qualification information by the operating plant licensees to enable the staff to complete its review in accordance with the Commission's Order. The staff has a program presently underway to reevaluate, using the DOR Guidelines and NUREG-0588, the qualifications of safety-related electrical equipment exposed

to environments that may exist following postulated accidents. These accidents are Loss of Coolant Accident and Main Steam Line Break inside containment, and High Energy Line Breaks inside and outside containment.

In this connection the licensee was requested by our letter of March 5, 1980, as modified by our letter of March 20, 1980 to provide information on emergency procedures and safety related systems. The licensee was requested to define and provide the basis for the hostile environment, inside and outside containment. This hostile environment would then be used, by the licensee, in the determination of unqualified equipment. A complete package, including justification for methods used, was requested.

Clarification was provided by supplemental information, briefings, and in some cases, meetings with the licensee. Timely completion of the staff's review of environmental qualification of electrical equipment and timely completion of needed modifications by the licensee is required to provide continuing reasonable assurance of public health and safety. Such completion is dependent on the prompt receipt of a complete response by the licensee to the staff's requests for information. However, the licensee's response, to date, is incomplete.

Therefore, I have concluded that the public health, safety, and interest require that a firm schedule for the timely submission of all the

information previously requested by the staff should be established by Order effective immediately.

IV.

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS ORDERED THAT EFFECTIVE IMMEDIATELY Facility Operating License No. DPR-64 is hereby amended to add the following provisions:

"Information which fully and completely responds to the staff's request as specified in our letter of March 5, 1980, as modified by our letter of March 20, 1980, shall be submitted to the Director, Division of Licensing, by the licensee not later than November 1, 1980."

An earlier response is encouraged to facilitate staff review and issuance of the safety evaluation report. The licensee or any person whose interest may be affected by this Order may request a hearing within 20 days of the date of publication of this Revised Order in the Federal Register. Any request for a hearing will not stay the effective date of this Order. Any request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555. A copy of the request should also be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, and to Charles M. Pratt, Power Authority of the State of New York, 10 Columbus Circle, New York, New York 10019, attorney for the licensee.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the license should be modified to require submission of information as set forth in Section IV. of the Order.

Operating of the facility on terms consistent with this Order is not stayed by the pendency of any proceedings on the Order. This Order revises, in its entirety, the Order issued August 29, 1980, and published in the Federal Register September 12, 1980, (45 FR 60515).

FOR THE NUCLEAR REGULATORY COMMISSION

  
Darrell G. Eigenhut, Director  
Division of Licensing

Effective Date: September 19, 1980  
Bethesda, Maryland