

NRC PDR
Local PDR
NSIC
ORB 1 File
D. Eisenhut
ORAB
SECY
OELD, Cyr
E. Jordan
T. Barnhart (4)
ACRS (10)
OPA, C. Miles
J. Taylor
R. Diggs
C. Parrish
P. Polk
D. Crutchfield

FEB 21 1984

Docket No. 50-286

Mr. J. P. Bayne
Executive Vice President, Nuclear Generation
Power Authority of the State of New York
123 Main Street
White Plains, New York 10601

Dear Mr. Bayne:

SUBJECT: EMERGENCY PLANNING CONFIRMATORY ORDER AT THE INDIAN POINT
NUCLEAR GENERATING PLANT, UNIT NO. 3

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 letters dated April 18, 1983, and August 23, 1983, 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,

ORIGINAL SIGNED BY

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

Enclosure:
Order

cc w/enclosure:
See next page

8403020171 840221
PDR ADOCK 05000286
F PDR

OFFICE	ORB 1	ORB 1	ORB 1	ORB 5	AD:ORB	OELD	D:DL
SURNAME	CParrish	PPoTK/rs	SVarga	DCrutchfield	G. Miles	S. Barnes	DE Eisenhut
DATE	8/27/83	8/27/83	8/27/83	8/27/83	8/27/83	8/30/83	8/27/83

subject to corrections
K. Crutchfield



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

February 21, 1984

Docket No. 50-286

Mr. J. P. Bayne
Executive Vice President, Nuclear Generation
Power Authority of the State of New York
123 Main Street
White Plains, New York 10601

Dear Mr. Bayne:

SUBJECT: EMERGENCY PLANNING CONFIRMATORY ORDER AT THE INDIAN POINT
NUCLEAR GENERATING PLANT, UNIT NO. 3

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 letters dated April 18, 1983, and August 23, 1983, 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,

A handwritten signature in black ink, appearing to read "Steven A. Varga".

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

Enclosure:
Order

cc w/enclosure:
See next page

Mr. J. P. Bayne
Power Authority of the State
of New York

Indian Point Nuclear Generating Unit 3

cc: Mr. John C. Brons
Indian Point 3 Nuclear Power Plant
Post Office Box 215
Buchanan, New York 10511

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

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

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

Mr. George M. Wilverding, Manager
Nuclear Safety Evaluation
Power Authority of the State
of New York
123 Main Street
White Plains, NY 10601

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

Honorable George Begany
Mayor, Village of Buchanan
236 Tate Avenue
Buchanan, New York 10511

Mr. Leroy W. Sinclair
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

Resident Inspector
Indian Point Nuclear Generating
U.S. Nuclear Regulatory Commission
Post Office Box 66
Buchanan, New York 10511

Thomas J. Farrelly, Esquire
Law Department
Consolidated Edison Company
of New York, Inc.
4 Irving Place
New York, New York 10003

Mr. A. Klausmann, Vice President
Quality Assurance
Power Authority of the State
of New York
10 Columbus Circle
New York, New York 10019

Regional Radiation Representative
EPA Region II
26 Federal Plaza
New York, New York 10007

Mr. D. Halama
Quality Assurance Superintendent
Indian Point 3 Nuclear Power Plant
Post Office Box 215
Buchanan, New York 10511

S. S. Zulla, Vice President
Nuclear Support
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
631 Park Avenue
King of Prussia, PA 19406

cc: Ezra I. Bialik
Assistant Attorney General
Environmental Protection Bureau
New York State Department of Law
2 World Trade Center
New York, New York 10047

P. Kokolakis, Director
Nuclear Licensing
Power Authority of the State
of New York
123 Main Street
White Plains, New York 10601

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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

ORDER CONFIRMING LICENSEE COMMITMENTS
ON EMERGENCY RESPONSE CAPABILITY

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 Nuclear Generating Unit No. 3 (the facility) at steady-state power levels not in excess of 3025 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

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 letters dated April 18, 1983, and August 23, 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 18, 1983 letter and entered into negotiations regarding schedules for meeting the requirements of Supplement 1 to NUREG-0737. Subsequently, the licensee submitted modified dates by letter dated August 23, 1983. The NRC staff finds that the dates are reasonable, achievable dates for meeting the Commission requirements. The NRC staff concludes that the schedule initially 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 licensee's submittals noted in Section III herein no later than the dates in the Attachement.

- 4 -

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

v.

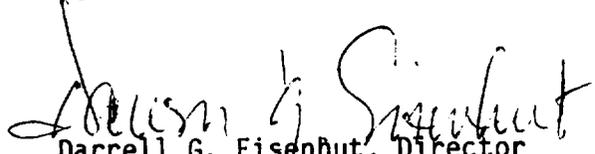
The licensee may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. Any request for a hearing should be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy should 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 21st day of February 1984.

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

Cycle 4/5 reload
Mid 1985LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737 a/

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.	6 months prior to cycle 4/5 refueling outage
	1b. SPDS fully operational and initial operator training complete.	Cycle 4/5 refueling outage
2. Detailed Control Room Design Review (DCRDR)	2a. Submit a program plan to the NRC.	9 months prior to cycle 4/5 refueling outage
	2b. Submit a summary report to the NRC including a proposed schedule for implementation.	Cycle 4/5 refueling outage
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.	June 30, 1984
	3b. Implement (installation or upgrade) requirements.	Submit implementation schedule by June 30, 1984

a/ Cycle 4/5 refueling outage is presently scheduled for mid-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:	9 months prior to cycle 4/5 refueling outage
	4b. Implement the upgraded EOPs.	Cycle 4/5 refueling outage
5. Emergency Response Facilities	5a. Technical Support Center fully functional.	Cycle 4/5 refueling outage
	5b. Operational Support Center fully functional.	Cycle 4/5 refueling outage
	5c. Emergency Operations Facility fully functional.	Cycle 4/5 refueling outage