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Docket No. 50-286

Mr. Leroy W. Sinclair, President  
 and Chief Operating Officer  
 Power Authority of the State of New York  
 10 Columbus Circle  
 New York, New York 10019

Dear Mr. Sinclair:

The Commission has issued the enclosed Order confirming your commitments to implement those post-TMI related items set forth in NUREG-0737 for which the staff requested completion on or after July 1, 1981. This Order is based on commitments contained in your letters responding to the NRC's Generic Letters 82-05 and 82-10 dated March 17, 1982 and May 5, 1982, as superceded by letter dated February 15, 1983.

The Order references your letters and, in its Attachments, contains lists of the applicable NUREG-0737 items with your schedular commitments. As discussed in the Order, several of the items listed in Generic Letter 82-10 will be handled separately and, as such, are not included in this Order.

The Commission's intention when it issued NUREG-0737 was that items would be completed in accordance with the staff's recommended schedule. However, our evaluation of your proposed schedule exceptions concludes that the proposed delays are acceptable. Therefore, the Order requires implementation of these items in accordance with your proposed schedule.

Some of the items set forth in the Attachments to the Order are subject to post implementation review and inspection. Our post implementation review and/or the development of Technical Specifications may identify alterations to your method of implementing and maintaining the requirements. Any identified alterations will be the subject of future correspondence.

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

Sincerely,

Original signed by:  
 S. A. Varga

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

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Enclosure:  
 Order

cc w/enclosure:

*[Signature]*  
 DEisenhut  
 03/17/83

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additional protection in the operation of nuclear facilities based on the experience from the accident at TMI-2 and the official studies and investigations of the accident. The staff's proposed requirements and schedule for implementation are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements." Among these requirements are a number of items, consisting of hardware modifications, administrative procedure implementation and specific information to be submitted by the licensee, scheduled to be completed on or after July 1, 1981. On March 17, 1982, a letter (Generic Letter 82-05) was sent to all licensees of operating power reactors for those items that were scheduled to be implemented from July 1, 1981 through March 1, 1982. Subsequently, on May 5, 1982, a letter (Generic Letter 82-10) was also sent to all licensees of operating power reactors for those items that were scheduled for implementation after March 1, 1982. These letters are hereby incorporated by reference. In these letters each licensee was requested to furnish within 30 days pursuant to 10 CFR 50.54(f) the following information for items which the staff had proposed for completion on or after July 1, 1981:

- (1) For applicable items that have been completed, confirmation of completion and the date of completion, (2) for items that have not been completed, a specific schedule for implementation, which the licensee committed to meet, and (3) justification for delay, demonstration of need for the proposed schedule, and a description of the interim compensatory measures being taken.

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## III.

The Power Authority of the State of New York (PASNY) responded to Generic Letter 82-05 by letter dated April 20, 1982; PASNY responded to Generic Letter 82-10 by letter dated June 4, 1982. Subsequently, by letter dated February 15, 1983 PASNY modified their previous commitments. In these submittals, PASNY confirmed that some of the items identified in the Generic Letters had been completed and made firm commitments to complete the remainder. The attached Tables, summarizing the licensee's schedular commitments or status, were developed by the staff from the Generic Letters and the licensee-provided information.

There are no items from Generic Letter 82-05 for which schedules have not been determined. However, there are six items from Generic Letter 82-10 that, as noted in Attachment 2, have licensee schedules to be determined and are therefore not included in this Order. Some of the items addressed in this Order are considered by the licensee to be completed or to require no modifications. The staff's evaluation of the licensee's delays for the remaining items is provided herein:

## II.B.2 Plant Shielding

This item will be delayed by the licensee and will be completed by during the next refueling outage, i.e., the cycle 4/5 refueling outage. The cycle 4/5 refueling outage will start approximately December 1984. The delay was caused by a lack of manpower to complete the shielding modifications and motorize approximately 37 additional valves. A substantial amount of work will be completed this refueling

outage but about 15 of the valves will not be completed prior to start up. The plant will be required to be shutdown to complete the modifications. The licensee will attempt to motorize the valves which would result in the highest personnel exposure during the present outage. However, if an accident were to occur, the remaining valves could be manually operated if required until final installation is complete.

#### II.F.1 (1-6) Post Accident Monitoring (6 items)

The licensee will delay four items, II.F.1(1), (3), (5) and (6) until completion of the cycle 4/5 refueling outage which will begin approximately in December 1984. The other two items are complete. However, some of the completed equipment requires verification of its environmental qualification. The environmental qualification issue will be covered by separate rulemaking and is not part of this Order. The four items are being delayed due to a combination of vendor delivery problems and a lack of sufficient manpower to install the equipment during the current refueling outage. The plant must be shutdown to complete the installations. For the four items which are being delayed, there is presently installed instrumentation which could serve to provide appropriate measurements as a compensatory arrangement. Also, the licensee has installed internal hydrogen recombiners which also serve as a compensatory measure for the lack of a containment hydrogen monitor (II.F.1(6)).

#### III.D.3.4 Control Room Habitability

The licensee has completed the study of its control room habitability requirements. This item is being delayed until the cycle 4/5 refueling outage (which begins

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approximately in December 1984) due to the earliest anticipated delivery of qualified equipment. A majority of the items listed in the study are completed. There is adequate portable equipment for personnel protection located adjacent to the control room to serve as a compensatory measure until the final monitors are installed.

We find, based on the above evaluation, that: 1) the licensee has taken corrective actions regarding the delays and has made a responsible effort to implement the NUREG-0737 requirements noted; 2) there is good cause for the several delays as noted above; and 3) interim compensatory measures have been provided.

In view of the foregoing, I have determined that these modifications and actions are required in the interest of public health and safety and, therefore, the licensee's commitment should be confirmed by Order.

#### IV.

Accordingly, pursuant to Sections 103, 161i, and 161o 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 and maintain the specific items described in the Attachments to this Order in the manner described in the licensee's submittals noted in Section III herein no later than the dates in the Attachments.

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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. A 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 shall 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 requested by the licensee, 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



Robert A. Purple, Deputy Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,  
this 18th day of March, 1983.

Attachments:

1. Licensee's Commitments on Applicable NUREG-0737 Requirements from Generic Letter 82-05
2. Licensee's Commitments on Applicable NUREG-0737 Requirements from Generic Letter 82-10

PLANT NAME:

LICENSEE COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS  
FROM GENERIC LETTER 82-05

ITEM	TITLE	NUREG-0737 SCHEDULE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)*
I.A.3.1	Simulator Exams	10/1/81	Include simulator exams in licensing examinations.	Complete
II.B.2	Plant Shielding	1/1/82	Modify facility to provide access to vital areas under accident conditions.	Cycle 4/5 refueling outage
II.B.3	Post-accident sampling	1/1/82	Install upgrade post-accident sampling capability.	Complete
II.B.4	Training for Mitigating Core Damage	10/1/81	Complete training program.	Complete
II.E.1.2	Aux FW Indication & Flow Indicator	7/1/81	Modify instrumentation to level of safety grade.	Complete
II.E.4.2	Containment Isolation Dependability	7/1/81	Part 5 - lower containment pressure setpoint to level compatible with normal operation.	Complete
II.E.4.2	Containment Isolation Dependability	7/1/81	Part 7 - isolate purge and vent valves on radiation signal.	Complete

\*Where complete date refers to a refueling outage (the estimated date when the outage begins), the item will be completed prior to the restart of the facility.

PLANT NAME:

LICENSEE COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS  
FROM GENERIC LETTER 82-05

ITEM	TITLE	NUREG-0737 SCHEDULE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)*
II.F.1	Accident Monitoring	1/1/82	(1) Install noble gas effluent monitors.	Cycle 4/5 refueling outage
		1/1/82	(2) Provide capability for effluent monitoring of iodine.	Complete
		1/1/82	(3) Install in-containment radiation-level monitor.	Cycle 4/5 refueling outage
		1/1/82	(4) Provide continuous indication of containment pressure.	Complete
		1/1/82	(5) Provide continuous indication of containment water level.	Cycle 4/5 refueling outage
		1/1/82	(6) Provide continuous indication of hydrogen concentration in containment.	Cycle 4/5 refueling outage

\*Where completion date refers to a refueling outage (the estimated date when the outage begins), the item will be completed prior to the restart of the facility.

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-10

Attachment 2

ITEM	TITLE	NUREG-0737 SCHEDULE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS) *
I.A.1.3.1	Limit Overtime	10/1/82 per Gen. Ltr. 82-12 dtd. 6/15/82	Revise administrative procedures to limit overtime in accordance w/NRC Policy Statement issued by Gen. Ltr. No. 82-12, dtd. June 15, 1982.	Complete
I.A.1.3.2	**Minimum Shift Crew	To be superseded by Proposed Rule.	To be addressed in the Final Rule on Licensed Operator Staffing at Nuclear Power Units.	To be addressed when Final Rule is issued.
I.C.1	**Revise Emergency Procedures	Superseded by SECY 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability.	To be determined.
II.D.1.2	RV and SV Test Programs	7/1/82	Submit plant specific reports of relief and safety valve program.	Complete
II.D.1.3	Block Valve Test Program	7/1/82	Submit report of results of test program.	Complete
II.K.3.30 & 31	**SBLOCA Analysis	1 yr. after staff approval of model	Submit plant specific analyses.	To be determined following staff approval of model.
III.A.1.2	**Staffing Levels for Emergency Situations	Superseded by SECY 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability	To be determined.
III.A.1.2	**Upgrade Emergency Support Facilities	"" ""	"" ""	"" ""
III.A.2.2	**Meteorological Data	"" ""	"" ""	"" ""
III.D.3.4	Control Room Habitability	To be determined by licensee	(1) Review (2) Modify facility as identified by licensee study.	(1) Complete (2) Cycle 4/5 refueling outage.

\*Where completion date refers to a refueling outage (the estimated date when the outage begins), the item will be completed prior to the restart of the facility.

\*\*Not Part of Confirmatory Order