

June 12, 1984

DISTRIBUTION

Docket  
NRC:PDR  
Local PDR  
ORB #5 Reading  
NSIC  
DCrutchfield  
LA  
GDick  
EJordan  
JGrace  
ACRS (10)  
SEPB  
LSchneider  
TBarnhart  
LHarmon

Docket No. 50-244  
LS05-84-06-025

Mr. Roger W. Kober, Vice President  
Electric and Steam Production  
Rochester Gas & Electric Corporation  
89 East Avenue  
Rochester, New York 14649

Dear Mr. Kober:

SUBJECT: ORDER CONFIRMING LICENSEE COMMITMENTS ON EMERGENCY RESPONSE  
CAPABILITY (GENERIC LETTER 82-33 SUPPLEMENT 1 TO NUREG-0737)

R. E. Ginna Nuclear Power Plant

The Commission has issued the enclosed Order confirming your commitments on emergency response capability. This Order is based on your letters dated April 15, August 3, November 28, 1983; April 6 and April 9, 1984 committing to the actions specified in the Orders.

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

Sincerely,

ORIGINAL SIGNED BY JAMES LYONS  
FOR

Dennis M. Crutchfield, Chief  
Operating Reactors Branch #5  
Division of Licensing

Enclosure:  
Order for R. E. Ginna  
Nuclear Power Plant

cc w/enclosure:  
See next page

8406250234 840612  
PDR ADOCK 05000244  
F PDR

\*See previous concurrence sheet

OFFICE	*DL:ORB #5	DL:ORB#5*	DL:ORB #5 *	OELD *	DL:AD/SA*	DL:ORB	
SURNAME	HSmith:jc	GDick	DCrutchfield	S...Burns	FMiraglia	DEisenbut	
DATE	8/17/83	8/17/83	8/24/83	8/30/83	8/31/83	6/12/84	

SE01  
DSU USE 07

ADD. T BARNHART (4)  
L. HARMON (2)

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

Sincerely,

Dennis M. Crutchfield, Chief  
Operating Reactors Branch #5  
Division of Licensing

Enclosure:  
Order

cc w/enclosure:  
See next page

OFFICE	DL:ORB #5	DL:ORB #5	DL:ORB #5	OELD	DL:AD/SA	DL:Dir	
SURNAME	HSmithjc	GD [Signature]	Dcrutchfield	Young S.	Fraglia	DEisenhut	
DATE	8/17/83	8/17/83	8/24/83	8/30/83	8/31/83	8/ /83	

*h. C. Crutchfield  
S. Burns*

Docket No. 50-244

Mr. John E. Maier, Vice President  
Electric and Steam Production  
Rochester Gas & Electric Corporation  
89 East Avenue  
Rochester, New York 14649

DISTRIBUTION  
Docket  
NRC PDR  
Local PDR  
ORB #5 Reading  
NSIC  
DC rutchfield  
HSmith  
GDick  
OELD, Cyr  
ELJordan  
JMTaylor  
ACRS  
SEPB  
LSchneider  
TBarnhart  
LJHarmon

Dear Mr. Maier:

SUBJECT: ORDER CONFIRMING LICENSEE COMMITMENTS ON EMERGENCY RESPONSE  
CAPABILITY SCHEDULES (GENERIC LETTER 82-33)

R. E. Ginna Nuclear Power Plant

The Commission has issued the enclosed Order confirming your commitments to implement those post-TMI related items set forth in Supplement 1 to NUREG-0737. This Order is based on commitments contained in your letters dated April 15, 1983 and August 3, 1983, responding to the NRC's Generic Letter 82-33 dated December 17, 1982.

The Order references your letter and, in its attachment, contains a list of the applicable Supplement 1 to NUREG-0737 items with your schedular commitments.

The Order also provides that the Director, Division of Licensing, may grant extensions of time for completing these items for good cause. The granting of such delays will be based on a finding that:

- There is good cause for the delay.
- You have made a responsible effort to implement the items and taken corrective actions regarding the delay.
- In the interim, applicable compensatory measures have been provided.

Some of the items set forth in the attachment 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.

OFFICE▶							
SURNAME▶							
DATE▶							



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

June 12, 1984

Docket No. 50-244  
LS05-84-06-025

Mr. Roger W. Kober, Vice President  
Electric and Steam Production  
Rochester Gas & Electric Corporation  
89 East Avenue  
Rochester, New York 14649

Dear Mr. Kober:

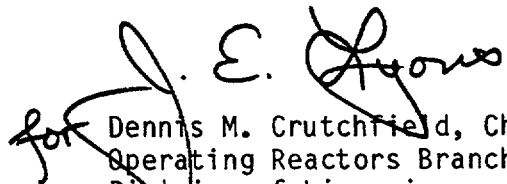
SUBJECT: ORDER CONFIRMING LICENSEE COMMITMENTS ON EMERGENCY RESPONSE  
CAPABILITY (GENERIC LETTER 82-33 SUPPLEMENT 1 TO NUREG-0737)

R. E. Ginna Nuclear Power Plant

The Commission has issued the enclosed Order confirming your commitments on emergency response capability. This Order is based on your letters dated April 15, August 3, November 28, 1983; April 6 and April 9, 1984 committing to the actions specified in the Orders.

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

Sincerely,

  
for Dennis M. Crutchfield, Chief  
Operating Reactors Branch #5  
Division of Licensing

Enclosure:  
Order for R. E. Ginna  
Nuclear Power Plant

cc w/enclosure:  
See next page

Mr. Roger W. Kober

cc

Harry H. Voigt, Esquire  
LeBoeuf, Lamb, Leiby and MacRae  
1333 New Hampshire Avenue, N.W.  
Suite 1100  
Washington, D.C. 20036

U.S. Environmental Protection Agency  
Region II Office  
ATTN: Regional Radiation Representative  
26 Federal Plaza  
New York, New York 10007

Mr. Michael Slade  
12 Trailwood Circle  
Rochester, New York 14618

Herbert Grossman, Esq., Chairman  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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

Supervisor of the Town  
of Ontario  
107 Ridge Road West  
Ontario, New York 14519

Resident Inspector  
R.E. Ginna Plant  
c/o U.S. NRC  
1503 Lake Road  
Ontario, New York 14519

Jay Dunkleberger  
New York State Energy Office  
Agency Building 2  
Empire State Plaza  
Albany, New York 12223

Stanley B. Klimberg, Esquire  
General Counsel  
New York State Energy Office  
Agency Building 2  
Empire State Plaza  
Albany, New York 12223

Dr. Thomas E. Murley  
Regional Administration  
Nuclear Regulatory Commission  
Region I Office  
631 Park Avenue  
King of Prussia, Pennsylvania 19406

Dr. Emmeth A. Luebke  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dr. Richard F. Cole  
Atomic Safety and Licensing Board  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	}	
	}	
ROCHESTER GAS AND ELECTRIC CORPORATION	}	Docket No. 50-244
	}	
(R. E. Ginna Nuclear Power Plant)	}	

ORDER CONFIRMING LICENSEE COMMITMENTS  
ON EMERGENCY RESPONSE CAPABILITY

I.

Rochester Gas and Electric Corporation (RG&E) (the licensee) is the holder of Provisional Operating License No. DPR-18 which authorizes the operation of the R. E. Ginna Nuclear Power Plant (the facility) at steady-state power levels not in excess of 1520 megawatts thermal. The facility is a pressurized water reactor (PWR) located in Wayne 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

8406250238 840612  
PDR ADOCK 05000244  
F PDR

- 2 -

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.

RG&E responded to Generic Letter 82-33 by letter dated April 15, 1983. By letters dated August 3, 1983, November 28, 1983; April 6 and April 9, 1984 RG&E modified several dates as a result of negotiations with the NRC staff. In these submittals RG&E made commitments to complete the basic requirements. The attached Table summarizing RG&E's schedular commitments or status was developed by the NRC staff from the Generic Letter and the information provided by RG&E.

- 3 -

RG&E'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 RG&E's April 15, 1983 letter and entered into negotiations with the licensee regarding schedules for meeting the requirements of Supplement 1 to NUREG-0737. As a result of these negotiations, the licensee modified certain dates by letters dated August 3, 1983, November 28, 1983, April 6 and 9, 1984. The NRC staff finds that the modified 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 RG&E's commitments are 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 RG&E's submittals noted in Section III herein no later than the dates in the Attachment.



- 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 12 day of June 1984.

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

R. E. GINNA

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.	November 30, 1984
	1b. SPDS fully operational and operators trained.	June 30, 1987
2. Detailed Control Room Design Review (DCRDR)	2a. Submit a program plan to the NRC.	October 31, 1984
	2b. Submit a summary report to the NRC including a proposed schedule for implementation.	December 31, 1985
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.	Complete
	3b. Implement (installation or upgrade) requirements.	Provide schedule on February 28, 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.	February 28, 1985
	4b. Implement the upgraded EOPs.	December 31, 1985
5. Emergency Response Facilities	5a. Technical Support Center fully functional.	June 30, 1987
	5b. Operational Support Center fully functional.	Complete
	5c. Emergency Operations Facility fully functional.	June 30, 1987