

MAR 14 1983

DISTRIBUTION:

Docket File

NRC PDR
L PDR
ORB#4 Rdg
Gray File=2 +4

DEisenhut
RIngram
MFairtile
Gears,G
OELD-K.Cyr
Tippolito

EJordan
TBarnhart-8
ACRS-10
CMiles
JTaylor
SECY w/NRC 102
RDiggs
AEOD
HOrnstein
EBlackwood

Dockets Nos. 50-277
and 50-278

Mr. Edward G. Bauer, Jr.
Vice President and General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Dear Mr. Bauer:

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, respectively.

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 outside of 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. Among other things, 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.

8303290398 830314
PDR ADDCK 05000277
P PDR

OFFICE	.....	.....	.....	.....	.....	.....	.....
SURNAME	.....	.....	.....	.....	.....	.....	.....
DATE	.....	.....	.....	.....	.....	.....	.....

Mr. E. G. Bauer, Jr.

-2-

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

Sincerely,

***ORIGINAL SIGNED BY**
John F. Stoltz **JOHN F. STOLTZ***
Operating Reactors Branch #4
Division of Licensing

Enclosure:
Order

cc w/enclosure:
See next page

OFFICE	ORB#4:DL	ORB#4:DL	C-ORB#4:DL	AD-OR:DL	OELD	D:DL	ORAB
SURNAME	RIngram	GGear	JStoltz	GLathas	2/24/82	DEisenhut	2/9/83
DATE	12/1/82	12/9/82	12/14/82	2/27/83	2/24/82	12/14/82	2/9/83

Philadelphia Electric Company

cc w/enclosure(s):

Eugene J. Bradley
Philadelphia Electric Company
Assistant General Counsel
2301 Market Street
Philadelphia, Pennsylvania 19101

Troy B. Conner, Jr.
1747 Pennsylvania Avenue, N.W.
Washington, D. C. 20006

Thomas A. Deming, Esq.
Assistant Attorney General
Department of Natural Resources
Annapolis, Maryland 21401

Philadelphia Electric Company
ATTN: Mr. W. T. Ullrich
Peach Bottom Atomic
Power Station
Delta, Pennsylvania 17314

Albert R. Steel, Chairman
Board of Supervisors
Peach Bottom Township
R. D. #1
Delta, Pennsylvania 17314

Allen R. Blough
U.S. Nuclear Regulatory Commission
Office of Inspection and Enforcement
Peach Bottom Atomic Power Station
P. O. Box 399
Delta, Pennsylvania 17314

Mr. Ronald C. Haynes, Regional Administrator
U. S. Nuclear Regulatory Commission, Region I
Office of Inspection and Enforcement
631 Park Avenue
King of Prussia, Pennsylvania 19406

Regional Radiation Representative
EPA Region III
Curtis Building (Sixth Floor)
6th and Walnut Streets
Philadelphia, Pennsylvania 19106

M. J. Cooney, Superintendent
Generation Division - Nuclear
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Mr. R. A. Heiss, Coordinator
Pennsylvania State Clearinghouse
Governor's Office of State Planning
and Development
P. O. Box 1323
Harrisburg, Pennsylvania 17120

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

7590-01

In the Matter of)
PHILADELPHIA ELECTRIC COMPANY) Dockets Nos. 50-277 and 50-278
(Peach Bottom Atomic Power Station,)
Units 2 & 3))

ORDER CONFIRMING LICENSEE COMMITMENTS
ON POST-TMI RELATED ISSUES

I.

The Philadelphia Electric Company (the licensee) and three other co-owners are the holders of Facility Operating Licenses Nos. DPR-44 and DPR-56 which authorize the operation of the Peach Bottom Atomic Power Station, Units 2 and 3 (Peach Bottom or the facilities) at steady-state power levels not in excess of 3293 megawatts thermal for each unit. The facilities are boiling water reactors located at the licensee's site in York County, Pennsylvania.

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 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.

III.

Philadelphia Electric Company responded to Generic Letter 82-05 by letters dated April 15, June 23 and July 8, 1982. The licensee responded to Generic Letter 82-10 by letter dated June 3 and December 15, 1982. In these submittals, the licensee 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 six items from Generic Letter 82-10 that, as noted in the Table (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 remaining items is provided herein:

II.E.4.2(7) Containment Isolation Dependability, Position 7

This item is still under review by NRC and is therefore not included in this Order. As a consequence, this item, scheduled for completion by July 1, 1981, will be the subject of a future NRC action.

III.D.3.4 Control Room Habitability

Control Room Habitability is a problem at the Peach Bottom site due to the use of liquid-chlorine as a water treatment chemical. The licensee is replacing the chlorine system with a sodium hypochlorite biocide system. The licensee's original January 1, 1983 installation date has been delayed, due to equipment delivery problems, to February 28, 1983. The licensee has compensated for this delay by providing self contained breathing apparatus in the control room for all personnel. Control room personnel have been trained in the use of this equipment in the event of a chlorine release.

We find, based on the above evaluation, that: 1) the licensee has made a responsible effort to implement the NUREG-0737 requirements noted; 2) there is good cause for the delay (equipment delays), and 3) as noted under III.D.3.4, an interim compensatory measure has been implemented.

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.

V.

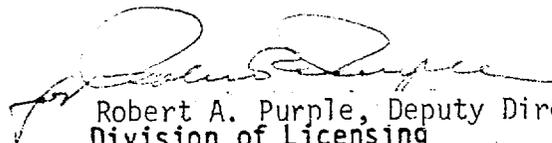
The licensee may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. A request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy shall also be sent to the Executive Legal Director at the same address. A REQUEST FOR A 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 14th 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

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

Attachment 1

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	Unit 2 Complete	Unit 3 Complete
II.B.2	Plant Shielding	1/1/82	Modify facility to provide access to vital areas under accident conditions	Complete	Complete
II.B.3	Post-Accident Sampling	1/1/82	Install upgrade post-accident sampling capability	Complete	Complete
II.B.4	Training for Mitigating Core Damage	10/1/81	Complete training program	Complete	Complete
II.E.4.2	Containment Isolation Dependability	7/1/81	Part 5-lower containment pressure setpoint to level compatible w/normal operation	Complete	Complete
		7/1/81	**Part 7-isolate purge & vent valves on radiation signal	Technical Exception	Technical Exception

**Not part of Confirmatory Order

<u>Item</u>	<u>Title</u>	<u>NUREG-0737 Schedule</u>	<u>Requirement</u>	<u>Licensee's Completion Schedule (or status)*</u>	
				Unit 2	Unit 3
II.F.1	Accident Monitoring	1/1/82	(1) Install noble gas effluent monitors	Complete	Complete
		1/1/82	(2) Provide capability for effluent monitoring of iodine	Complete	Complete
		1/1/82	(3) Install in-containment radiation-level monitors	Complete	Complete
		1/1/82	(4) Provide continuous indication of containment pressure	Complete	Complete
		1/1/82	(5) Provide continuous indication of containment water level	Complete	Complete
		1/1/82	(6) Provide continuous indication of hydrogen concentration in containment	Complete	Complete
II.K.3.15	Isolation of HPCI & RCIC Modification	7/1/81	Modify pipe break detection logic to prevent inadvertent isolation	Complete	Complete
II.K.3.22	RCIC Suction	1/1/82	Modify design of RCIC suction to provide automatic transfer to torus	Complete	Complete
II.K.3.24	Space Cooling for HPCI/RCIC	1/1/82	Confirm adequacy of space cooling for HPCI/RCIC	Complete	Complete
II.K.3.27	Common Reference Level	7/1/81	Provide common Reference Level for Vessel Level Instrumentation	Complete	Complete

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 Generic 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 repts. on relief & safety valve program	Complete
II.K.3.18	ADS Actuation	9/30/82	Submit revised position on need for modifications	Complete
II.K.3.30 & 31	** SBLOCA Analysis	1 year 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	Modify facility as identified by licensee study.	2/28/83

*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