

May 19, 1998

Mr. Garrett D. Edwards
Director-Licensing, MC 62A-1
PECO Energy Company
Nuclear Group Headquarters
Correspondence Control Desk
P. O. Box No. 195
Wayne, PA 19087-0195

SUBJECT: CONFIRMATORY ORDER MODIFYING LICENSE NOS. NPF-39 AND NPF-85 FOR
LIMERICK GENERATING STATION, UNITS 1 AND 2

Dear Mr. Edwards:

The Commission has issued the enclosed Confirmatory Order Modifying Licenses (Order) for the Philadelphia Electric Company's Limerick Generating Station, Units 1 and 2. This Order confirms Philadelphia Electric Company's commitment, as stated in your letter dated April 27, 1998, to complete implementation of Thermo-Lag 330-1 fire barriers corrective actions at both facilities by completion of the April 1999 refueling outage for Limerick Generating Station, Unit 2. This commitment was set out in your letter of consent dated April 27, 1998.

You should proceed with implementation of these corrective actions in accordance with your proposed schedule.

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

Sincerely,

/s/
Bartholomew C. Buckley, Senior Project Manager
Project Directorate I-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos 50-352 and 50-353

Enclosure: Order

cc w/encl: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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Sincerely,

Bartholomew C. Buckley

Bartholomew C. Buckley, Senior Project Manager
Project Directorate I-2
Division of Reactor Projects - VII
Office of Nuclear Reactor Regulation

Docket Nos 50-352 and 50-353

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cc w/encl: See next page

**Mr. Garrett D. Edwards
PECO Energy Company**

Limerick Generating Station, Units 1 & 2

cc:

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**Chairman
Board of Supervisors
of Limerick Township
646 West Ridge Pike
Linfield, PA 19468**

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

In the Matter of)

Philadelphia Electric Company)

Limerick Generating Station, Units 1 and 2)

Docket Nos. 50-352
and 50-353

CONFIRMATORY ORDER MODIFYING LICENSES

EFFECTIVE IMMEDIATELY

I.

Philadelphia Electric Company (the Licensee) is the holder of Facility Operating Licenses Nos. NPF-39 and NPF-85, which authorize operation of Limerick Generating Station (LGS), Units 1 and 2, located in Montgomery and Chester Counties, Pennsylvania.

II.

The staff of the U.S. Nuclear Regulatory Commission (NRC) has been concerned that Thermo-Lag 330-1 fire barrier systems installed by licensees may not provide the level of fire endurance intended and that licensees that use Thermo-Lag 330-1 fire barriers may not be meeting regulatory requirements. During the 1992 to 1994 timeframe, the NRC staff issued Generic Letter (GL) 92-08, "Thermo-Lag 330-1 Fire Barriers" and subsequent requests for additional information that requested licensees to submit plans and schedules for resolving the Thermo-Lag issue. The NRC staff has obtained and reviewed all licensees' corrective plans and schedules. The staff is concerned that some licensees may not be making adequate progress toward resolving the plant-specific issues, and that some implementation schedules may be either too tenuous or too protracted. For example, several licensees informed the NRC staff that their completion dates had slipped by 6 months to as much as 3 years. For plants that have

completion action scheduled beyond 1997, the NRC staff has met with these licensees to discuss the progress of the licensees' corrective actions and the extent of licensee management attention regarding completion of Thermo-Lag corrective actions. In addition, the NRC staff discussed with licensees the possibility of accelerating their completion schedules.

Philadelphia Electric Company was one of the licensees with which the NRC staff held meetings. At these meetings, the NRC staff reviewed with Philadelphia Electric Company the schedule of Thermo-Lag corrective actions described in the Philadelphia Electric Company submittals to the NRC dated April 16 and December 29, 1993, February 4 and December 19, 1994, March 29 and August 2, 1995, May 2, 1996, and March 24, 1997. Based on the information submitted by Philadelphia Electric Company and provided during the meetings, the NRC staff has concluded that the schedules presented by Philadelphia Electric Company are reasonable. This conclusion is based on the (1) amount of installed Thermo-Lag, (2) the complexity of the plant-specific fire barrier configurations and issues, (3) the need to perform certain plant modifications during outages as opposed to those that can be performed while the plant is at power, and (4) integration with other significant, but unrelated issues that Philadelphia Electric Company is addressing at its plant. In order to remove compensatory measures such as fire watches, it has been determined that resolution of the Thermo-Lag corrective actions by Philadelphia Electric Company must be completed in accordance with current Philadelphia Electric Company schedules. By letter dated April 16, 1998, the NRC staff notified Philadelphia Electric Company of its plan to incorporate Philadelphia Electric Company's schedule commitment into a requirement by issuance of an order and requested consent from the Licensee. By letter dated April 27, 1998, the Licensee provided its consent to issuance of a Confirmatory Order.

III.

The Licensee's commitment as set forth in its letter of April 27, 1998, is acceptable and is necessary for the NRC to conclude that public health and safety are reasonably assured. To preclude any schedule slippage and to assure public health and safety, the NRC staff has determined that the Licensee's commitment in its April 27, 1998, letter be confirmed by this Order. The Licensee has agreed to this action. Based on the above, and the Licensee's consent, this Order is immediately effective upon issuance.

IV.

Accordingly, pursuant to sections 103, 161b, 161i, 161o, 182, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.202 and 10 CFR Part 50, IT IS HEREBY ORDERED, effective immediately, that:

Philadelphia Electric Company shall complete final implementation of Thermo-Lag 330-1 fire barrier corrective actions at LGS, Units 1 and 2, described in the Philadelphia Electric Company's submittals to the NRC dated April 16 and December 29, 1993, February 4 and December 19, 1994, March 29 and August 2, 1995, May 2, 1996, March 24, 1997, and January 14, 1998, by completion of the April 1999 refueling outage for LGS, Unit 2.

The Director, Office of Nuclear Reactor Regulation, may relax or rescind, in writing, any provisions of this Confirmatory Order upon a showing by the Licensee of good cause.

V.

Any person adversely affected by this Confirmatory Order, other than the Licensee, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be

made in writing to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and include a statement of good cause for the extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Attention: Chief, Rulemakings and Adjudications Staff, Washington, D.C. 20555. Copies of the hearing request shall also be sent to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, to the Deputy Assistant General Counsel for Enforcement at the same address, to the Regional Administrator, NRC Region I, 475 Allendale Road, King of Prussia, Pennsylvania 19406-1415, and to the Licensee. If such a person requests a hearing, that person shall set forth with particularity the manner in which his/her interest is adversely affected by this Order and shall address criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section IV above shall be final 20 days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section IV shall be final

when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this Order.

FOR THE NUCLEAR REGULATORY COMMISSION

/s/

Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 19 day of May 1998.

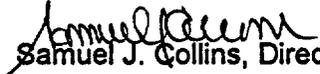
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NAME	BBoger <i>B</i>	SCollins <i>B</i>
DATE	5/18/98	5/19/98

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FOR THE NUCLEAR REGULATORY COMMISSION


Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

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