

Docket No. 50-259

JANUARY 9 1980

Mr. Hugh G. Parris
Manager of Power
Tennessee Valley Authority
500A Chestnut Street, Tower II
Chattanooga, Tennessee 37401

Dear Mr. Parris:

The Commission today has issued the enclosed Confirmatory Order for Browns Ferry Unit No. 1. This Order confirms your commitment, as stated in your letters dated October 17, 1979 and November 16, 1979, to implement all "Category A" lessons learned requirements (excluding 2.1.7.a) prior to plant operation after January 31, 1980.

It is not the Commission's intent, in issuing this Order, to encourage delays in implementation of those "Category A" items you currently have scheduled to complete by January 1, 1980. Therefore, you should still submit, on or shortly after January 1, 1980, a description of the methods used to implement the "Category A" requirements completed by that time. "Category B" lessons learned requirements, those to be implemented by January 1, 1981, will be the subject of future correspondence.

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

Sincerely,

Original signed by

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure:
Confirmatory Order

REGULATORY DOCKET FILE COPY

ORB#3
Tippolite *sof*

12/31/79

800 1310 204 *CP*

OFFICE	ORB#3 <i>sof</i>	GE/IT <i>nm</i>	OELD <i>sh</i>	AtAD/ORR/DOR <i>nm</i>	AtD/DOR <i>nm</i>	D/NRR <i>nm</i>
SURNAME	RCClark <i>sof</i>	DVerrelli <i>nm</i>	WGammill <i>nm</i>	DEisenhut <i>nm</i>	HDenton <i>nm</i>	
DATE	12/31/79	12/31/79	12/2/79	12/3/79	12/2/79	1/12/79

Mr. Hugh G. Parris
Tennessee Valley Authority

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cc:

H. S. Sanger, Jr., Esquire
General Counsel
Tennessee Valley Authority
400 Commerce Avenue
E 11B 33C
Knoxville, Tennessee 37902

U. S. Environmental Protection
Agency
Region IV Office
ATTN: EIS COORDINATOR
345 Courtland Street
Atlanta, Georgia 30308

Mr. Ron Rogers
Tennessee Valley Authority
400 Chestnut Street, Tower II
Chattanooga, Tennessee 37401

Mr. Robert F. Sullivan
U. S. Nuclear Regulatory Commission
P. O. Box 1863
Decatur, Alabama 35602

Mr. Charles R. Christopher
Chairman, Limestone County Commission
P. O. Box 188
Athens, Alabama 35611

Ira L. Myers, M.D.
State Health Officer
State Department of Public Health
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Athens Public Library
South and Forrest
Athens, Alabama 35611

Director, Office of Urban & Federal
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108 Parkway Towers
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Director, Technical Assessment Division
Office of Radiation Programs (AW-459)
US EPA
Crystal Mall #2
Arlington, Virginia 20460

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
TENNESSEE VALLEY AUTHORITY) Docket No. 50-259
(Browns Ferry Unit No. 1))

CONFIRMATORY ORDER

I

The Tennessee Valley Authority (the licensee) is the holder of Facility Operating License No. DPR-33, which authorizes the Licensee to operate the Browns Ferry Nuclear Power Plant, Unit No. 1 at power levels not in excess of 3293 megawatts thermal (rated power). The facility is a boiling water reactor located at the Licensee's site in Limestone County, Alabama.

II

Following the Three Mile Island Unit No. 2 (TMI-2) accident on March 28, 1979, a TMI-2 Lessons Learned Task Force of the Nuclear Regulatory Commission (NRC) Staff conducted an intensive review of the design and operational aspects of nuclear power plants and the emergency procedures for coping with potential accidents. The Task Force identified measures to be taken in the short-term to reduce the likelihood of accidents and to improve emergency preparedness in responding to accidents. These measures are set forth in NUREG-0578, "TMI-2 Lessons Learned Task Force Status Report and Short-term Recommendations". The

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NRC has concluded that prompt implementation of the actions denominated "Category A" requirements at operating nuclear power plants is necessary to provide continued assurance of public health and safety. These "Category A" requirements were transmitted to all licensees operating nuclear power plants by letter dated September 13, 1979. By letter to affected licensees dated October 30, 1979, further clarification of these requirements was provided.

III

NUREG-0578 and my letters of September 13 and October 30, 1979, which are hereby incorporated into this Order by reference, describe in detail the basis for implementing "Category A" requirements. The majority of licensees including this licensee have committed to implement the "Category A" requirements by January 31, 1980 or the reactor will be shutdown until such implementation is complete. However, other licensees have indicated that additional necessary equipment, which is on order, will be delivered after this date. Thirty days after delivery of equipment is a practical time period during which the equipment can be installed. Based on available information, all equipment should be delivered and capable of being installed by June 1, 1980. Licensees are required to meet the January 31, 1980 schedule unless they adequately demonstrate, in accordance with this Order, that delay based on equipment availability is justified. For reasons discussed, timely implementation

of these requirements is necessary to provide continued assurance of public health and safety. Requirements should be satisfied as soon as practicable and in no instance shall a licensee with incomplete "Category A" actions continue operation beyond June 1, 1980.

IV

In view of the importance of this matter it has been determined that this commitment be formalized by order. Accordingly pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED THAT:

The Licensee by January 31, 1980, implement all "Category A" requirements (except the requirement of 2.1.7.a of NUREG-0578) referred to in Part II of this Order, except those for which necessary equipment is previously shown, by appropriate documentary justification to the Director, Office of NRR, to be unavailable, or, in the alternative, place and maintain its facility in a cold shutdown or refueling mode of operation. "Category A" requirements not implemented by January 31, 1980, owing to the unavailability of necessary equipment shall be implemented within 30 days of the date such equipment becomes available but no later than June 1, 1980.

Any person whose interest may be affected by this Order may request a hearing within twenty (20) days of the date of the Order. Any request for a hearing will not stay the effectiveness of this Order. Any request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555. If a hearing is requested by a person whose interest may be affected by this Order, the Commission will issue an Order designating the time and place of any such hearing.

In light of the Licensee's expressed willingness to implement "Category A" requirements, in the event a hearing is requested, the issue to be considered at the hearing shall be:

whether all "Category A" requirements (except the requirement of 2.1.7.a of NUREG-0578) should be implemented in accordance with the schedule prescribed in this Order.

Operation of the facility on terms consistent with this Order is not stayed by the pendency of any proceedings on the Order.

FOR THE NUCLEAR REGULATORY COMMISSION



Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland
this 2 day of January, 1980