

JANUARY 9 1980

DISTRIBUTION

Docket File

NRC PDR

Local PDR

ORBI Reading

TERA

NSIC

H. Denton

E. Case

D. Eisenhut

R. Tedesco

W. Gammill

B. Grimes

L. Shao

R. Vollmer

A. Schwencer

G. Bennington

R. Hartfield

C. Miles

J. Miller

I&E (3)

B. Scharf (10)

B. Jones (4)

ACRS (16)

Docket No. 50-305

Mr. Eugene R. Mathews, Vice President
Power Supply and Engineering
Wisconsin Public Service Corporation
Post Office Box 1200
Green Bay, Wisconsin 54305

Dear Mr. Mathews:

The Commission has issued the enclosed Show Cause Order for the Kewaunee Nuclear Power Plant. Your submittals of October 19, 1979, November 20, 1979 and December 10, 1979 regarding implementation of the short-term lessons learned requirements indicate that you do not intend to implement some of the "Category A" requirements until after January 31, 1980. We have determined that implementation of the "Category A" requirements by January 31, 1980, is necessary to provide continued assurance of public health and safety.

The Show Cause Order requires that you implement, by January 31, 1980, the "Category A" requirements of NUREG-0578 regarding short-term lessons learned, as supplemented by our letters of September 13, and October 30, 1979; or show cause why you should not. Because this Order is immediately effective it also requires that the "Category A" requirements be implemented by January 31, 1980, or the plant be shut down. A provision regarding equipment availability problems is included.

In your submittals, you did indicate that many of the "Category A" requirements would be implemented by January 1, 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 scheduled for implementation by January 1, 1981, 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

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

DOR
RTEisenhut
01/2/80

JOELD
Hedberg
01/2/80

Enclosure: Order to Show Cause	DOR:ORB1 MGrotenuis 01/2/80	DOR:ORB1 ASchwencer 01/2/80	NRR JOLshinski 01/2/80	DOR:AD:GRP WPGammill 01/2/80	NRR HRDenton 01/2/80
-----------------------------------	-----------------------------------	-----------------------------------	------------------------------	------------------------------------	----------------------------

Docket No. 50-305

Mr. Eugene R. Mathews, Vice President
Power Supply and Engineering
Wisconsin Public Service Corporation
Post Office Box 1200
Green Bay, Wisconsin 54305

Dear Mr. Mathews:

The Commission has issued the enclosed Show Cause Order for the Kewaunee Nuclear Power Plant. Your submittals of October 19, 1979, November 20, 1979 and December 10, 1979 regarding implementation of the short-term lessons learned requirements indicate that you do not intend to implement some of the "Category A" requirements until after January 31, 1980. We have determined that implementation of the "Category A" requirements by February 15, 1980, is necessary to provide continued assurance of public health and safety.

The Show Cause Order requires that you implement, by February 15, 1980, the "Category A" requirements of NUREG-0578 regarding short-term lessons learned, as supplemented by our letters of September 13, and October 30, 1979; or show cause why you should not. Because this Order is immediately effective it also requires that the "Category A" requirements be implemented by February 15, 1980, or the plant be shut down. A provision regarding equipment availability and power reliability problems is included.

In your submittals, you did indicate that many of the "Category A" requirements would be implemented by January 1, 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 scheduled for implementation by January 1, 1981, 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,

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

OELD

1/ /80

DISTRIBUTION:

Docket File	LOlshan
NRC PDR	CParrish
Local PDR	JOlshinski
NRR Reading	GBennington
ORBI Reading	RHartfield
TERA	CMiles
NSIC	JMiller
HDenton	I&E (3)
ECase	BScharf (10)
DEisenhut	BJones (4 or 8)
RTedesco	ACRS (16)
WGammill	
BGrimes	
LShao	
RVollmer	
ASchwencer	

Enclosure:

Order to Show Cause	DOR:ORB1	NRR	DOR:AD:ORP	DOR	NRR
SURNAME	LOlshan:ph	ASchwencer	JOlshinski	WGammill	DEisenhut
DATE	1/ /80	12/ /79	1/ /80	1/ /80	1/ /80



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

January 2, 1980

Docket No. 50-305

Mr. Eugene R. Mathews, Vice President
Power Supply and Engineering
Wisconsin Public Service Corporation
Post Office Box 1200
Green Bay, Wisconsin 54305

Dear Mr. Mathews:

The Commission has issued the enclosed Show Cause Order for the Kewaunee Nuclear Power Plant. Your submittals of October 19, 1979, November 20, 1979 and December 10, 1979 regarding implementation of the short-term lessons learned requirements indicate that you do not intend to implement some of the "Category A" requirements until after January 31, 1980. We have determined that implementation of the "Category A" requirements by January 31, 1980, is necessary to provide continued assurance of public health and safety.

The Show Cause Order requires that you implement, by January 31, 1980, the "Category A" requirements of NUREG-0578 regarding short-term lessons learned, as supplemented by our letters of September 13, and October 30, 1979; or show cause why you should not. Because this Order is immediately effective it also requires that the "Category A" requirements be implemented by January 31, 1980, or the plant be shut down. A provision regarding equipment availability problems is included.

In your submittals, you did indicate that many of the "Category A" requirements would be implemented by January 1, 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 scheduled for implementation by January 1, 1981, 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,

A handwritten signature in cursive script, appearing to read "Harold R. Denton".

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Enclosure:
Order to Show Cause

~~5002000~~

Mr. Eugene R. Mathews
Wisconsin Public Service Corporation - 2 -

January 2, 1980

cc: Steven E. Keane, Esquire
Foley and Lardner
777 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

Kewaunee Public Library
822 Juneau Street
Kewaunee, Wisconsin 54216

Stanley LaCrosse, Chairman
Town of Carlton
Route 1
Kewaunee, Wisconsin 54216

Mr. Donald L. Quistroff, Chairman
Kewaunee County Board
Kewaunee County Courthouse
Kewaunee, Wisconsin 54216

Chairman
Public Service Commission of Wisconsin
Hill Farms State Office Building
Madison, Wisconsin 53702

Mr. Patrick Walsh
Assistant Attorney General
114 East, State Capitol
Madison, Wisconsin 53702

Ms. Sandra Bast
1112 North 11th Street
Manitowoc, Wisconsin 54220

Director, Technical Assessment Division
Office of Radiation Programs (AW-459)
U. S. Environmental Protection Agency
Crystal Mall #2
Arlington, Virginia 20460

U. S. Environmental Protection Agency
Federal Activities Branch
Region V Office
ATTN: EIS COORDINATOR
230 South Dearborn Street
Chicago, Illinois 60604

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

WISCONSIN PUBLIC SERVICE CORPORATION)
(Kewaunee Nuclear Power Plant))
)
)

Docket No. 50-305

ORDER TO SHOW CAUSE

I

The Wisconsin Public Service Corporation (the Licensee) is the holder of Facility Operating License No. DPR-43 which authorizes the Licensee to operate the Kewaunee Nuclear Power Plant at power levels not in excess of 1650 megawatts thermal (rated power). The facility is a pressurized water reactor located at the Licensee's site in Kewaunee County, Wisconsin.

II

Following the Three Mile Island Unit 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

8002050 278

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

The Licensee has committed to implementation of each "Category A" requirement albeit not in all cases prior to January 31, 1980. 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 have committed to implement the "Category A" requirements by January 31, 1980 or the reactor will 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

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 show cause, in the manner hereinafter provided, why it should not:

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 shown, by appropriate and timely documentary justification to the Director, Office of NRR, to be unavailable, or in the alternative, place and maintain its facilities 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.

In view of the importance of the prompt implementation of "Category A" requirements to the health and safety of the public, I have determined that the public health, safety or interest requires that this Order be temporarily effective as of this date, pending further Order of the Commission.

V

The Licensee may file a written answer to this Order under oath or affirmation within twenty (20) days of the date of the Order. The Licensee or any other 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 temporary 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, except as indicated in Part III of this Order, in the event a hearing is requested, the issue to be considered at such hearing shall be: whether all "Category A" requirements (except the requirements of 2.1.7.a of NUREG-0578) should be implemented in accordance with the schedule prescribed by 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 2nd day of January, 1980