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WRussell
TJCarter
RCapra

Mr. Lowell E. Roe
Vice President, Facilities
Development
Toledo Edison Company
Edison Plaza
300 Madison Avenue
Toledo, Ohio 43652

Dear Mr. Roe:

The Commission has issued the enclosed Confirmatory Order for Davis-Besse Nuclear Power Station, Unit No. 1. This Order confirms your commitments, as stated in your letters dated March 12, 24, and April 16, 1980, to implement certain actions within 90 days or prior to restart after the current refueling outage.

This Order is required as a result of the experience gained from the CR-3 incident of February 26, 1980, wherein a non-nuclear instrumentation power loss resulted in a series of unexpected events. Your staff and the NRC mutually agreed on the actions provided in the Order. These actions should reduce the probability of a similar future power loss causing unexpected plant responses and allow the plant operator to better cope with losses of instrumentation and control functions. Further actions may be necessary.

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

Sincerely,

Original signed by
Darrell G. Eisenhower

Darrell G. Eisenhower, Acting Director
Division of Operating Reactors
Office of Nuclear Reactor Regulation

Enclosure:
Confirmatory Order

cc w/enclosure:
See next page

MBZ ORB#4:DOR NRR OELD
MFairtile* RPurple* KCyr*
3/28/80 3/28/80 3/27/80
4/17/80
A-AD-ORP:DOR
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*See previous yellow for concurrences

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SURNAME	RIngram*	DGarner	RReid*	DEisenhut	ECase	HDenton
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TJCarter
RCapra
J.Lieberman, OELD

Mr. Lowell E. Roe
Vice President, Facilities
Development
Toledo Edison Company
Edison Plaza
300 Madison Avenue
Toledo, Ohio 43652

Dear Mr. Roe:

The Commission has issued the enclosed Confirmatory Order for Davis-Besse Nuclear Power Station, Unit No. 1. This Order confirms your commitments, as stated in your letters dated March 12 and 24, 1980, to implement certain actions within 90 days or prior to restart after the scheduled April 10, 1980, refueling outage.

This Order is required as a result of the experience gained from the CR-3 incident of February 26, 1980, wherein a non-nuclear instrumentation power loss resulted in a series of unexpected events. Your staff and the NRC mutually agreed on the actions provided in the Order. These actions should reduce the probability of a similar future power loss causing unexpected plant responses and allow the plant operator to better cope with losses of instrumentation and control functions. Further actions may be necessary.

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

Enclosure:
Confirmatory Order

cc w/enclosure:
See next page

Handwritten: N-3/28/80

ORB#4: DOR
M. Faircliff
3/28/80

R. PURPLE
[Signature]
3/26

OELD
J. Cyr
3/27/80

DD:NRR
ECase
3/ /80

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DATE	3/28/80	3/28/80	3/28/80	3/28/80	3/ /80	3/ /80



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

DISTRIBUTION:
Docket File
ORB#4 Rdg
RIngram

April 21, 1980

Docket No. 50-346

Docketing and Service Section
Office of the Secretary of the Commission

SUBJECT: DAVIS-BESSE 1

Two signed originals of the Federal Register Notice identified below are enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies (12) of the Notice are enclosed for your use.

- ☐ Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- ☐ Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s); Time for Submission of Views on Antitrust Matters.
- ☐ Notice of Availability of Applicant's Environmental Report.
- ☐ Notice of Proposed Issuance of Amendment to Facility Operating License.
- ☐ Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- ☐ Notice of Availability of NRC Draft/Final Environmental Statement.
- ☐ Notice of Limited Work Authorization.
- ☐ Notice of Availability of Safety Evaluation Report.
- ☐ Notice of Issuance of Construction Permit(s).
- ☐ Notice of Issuance of Facility Operating License(s) or Amendment(s).

XX Other: **CONFIRMATORY ORDER**

☐ Other: **Referenced documents have been provided PDR**

Division of Operating Reactors, ORB4
Office of Nuclear Reactor Regulation

Enclosure:
As Stated

OFFICE →	ORB#4:DOR/ri					
SURNAME →	RIngram/cb					
DATE →	4/21/80					



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

April 21, 1980

Docket No. 50-346

Mr. Lowell E. Roe
Vice President, Facilities
Development
Toledo Edison Company
Edison Plaza
300 Madison Avenue
Toledo, Ohio 43652

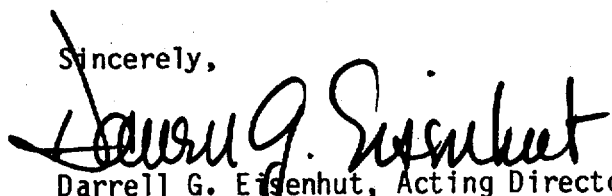
Dear Mr. Roe:

The Commission has issued the enclosed Confirmatory Order for Davis-Besse Nuclear Power Station, Unit No. 1. This Order confirms your commitments, as stated in your letters dated March 12, 24, and April 16, 1980, to implement certain actions within 90 days or prior to restart after the current refueling outage.

This Order is required as a result of the experience gained from the CR-3 incident of February 26, 1980, wherein a non-nuclear instrumentation power loss resulted in a series of unexpected events. Your staff and the NRC mutually agreed on the actions provided in the Order. These actions should reduce the probability of a similar future power loss causing unexpected plant responses and allow the plant operator to better cope with losses of instrumentation and control functions. Further actions may be necessary.

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

Sincerely,


Darrell G. Eisenhower, Acting Director
Division of Operating Reactors
Office of Nuclear Reactor Regulation

Enclosure:
Confirmatory Order

cc w/enclosure:
See next page

Toledo Edison Company

cc w/enclosure(s):

Mr. Donald H. Hauser, Esq.
The Cleveland Electric
Illuminating Company
P. O. Box 5000
Cleveland, Ohio 44101

Gerald Charnoff, Esq.
Shaw, Pittman, Potts
and Trowbridge
1800 M Street, N.W.
Washington, D.C. 20036

Leslie Henry, Esq.
Fuller, Seney, Henry and Hodge
300 Madison Avenue
Toledo, Ohio 43604

Mr. Robert B. Borsum
Babcock & Wilcox
Nuclear Power Generation Division
Suite 420, 7735 Old Georgetown Road
Bethesda, Maryland 20014

Ida Rupp Public Library
310 Madison Street
Port Clinton, Ohio 43452

President, Board of County
Commissioners of Ottawa County
Port Clinton, Ohio 43452

Attorney General
Department of Attorney General
30 East Broad Street
Columbus, Ohio 43215

Harold Kahn, Staff Scientist
Power Siting Commission
361 East Broad Street
Columbus, Ohio 43216

Mr. Rick Jagger
Industrial Commission
State of Ohio
2323 West 5th Avenue
Columbus, Ohio 43216

Mr. Ted Myers
Licensing Engineer
Toledo Edison Company
Edison Plaza
300 Madison Avenue
Toledo, Ohio 43652

U. S. Nuclear Regulatory Commission
Resident Inspector's Office
5503 N. State Route 2
Oak Harbor, Ohio 43449

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

Ohio Department of Health
ATTN: Director of Health
450 East Town Street
Columbus, Ohio 43216

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

The Toledo Edison Company and
The Cleveland Electric
Illuminating Company

(Davis-Besse Power Station,
Unit No. 1)

Docket No. 50-346

CONFIRMATORY ORDER

I

The Toledo Edison Company (TECo) and The Cleveland Electric Illuminating Company (the Licensees) are the holders of Facility Operating License No. NPF-3 which authorizes the operation the Davis-Besse Nuclear Power Station, Unit No. 1 (the facility) at power levels not in excess of 2,772 megawatts thermal. The facility is a pressurized water reactor located at the Licensees' site in Ottawa County, Ohio.

II

Following the incident of February 26, 1980, at the Crystal River facility, the NRC staff held meetings with the Licensees, other operating licensees with Babcock and Wilcox (B&W) reactor systems, and B&W. The meetings were held in Bethesda, Maryland on March 4, 17 and 18, 1980. These meetings resulted in the development of three licensee commitments.

1. Actions which will allow the operator to cope with various combinations of loss of instrumentation and control functions. This includes changes in (A) equipment and control systems to give clear indications of functions which are lost or unreliable; (B) procedures and training to assure positive and safe manual response by the operator in the event that competent instruments are unavailable.

The responses to IE Bulletin 79-27 must be submitted in order that NRC can determine whether this license should be modified to protect the health and safety of the public. TECo's letter of April 16, 1980 committed to respond to the Bulletin by May 6, 1980.

IV

In view of the importance of this matter I have determined that these commitments be formalized by order and that the public health, safety and interest require that this Order be made immediately effective. 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, EFFECTIVE IMMEDIATELY, THAT:

- (1) The Licensees, within 90 days or prior to restart after the current refueling outage will implement all three actions provided in Part II of this Order or in the alternative, place and maintain its facility in a cold shutdown or refueling mode of operation.
- (2) The Licensees shall submit by May 6, 1980 the written responses to IE Bulletin 79-27 to the NRC.

V

Any person who has an interest affected by this Order may request a hearing within twenty-five 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 submitted to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, with a copy to the Executive Legal Director at the above address. If a hearing is requested by a person who has an interest affected by this Order, the Commission will issue an Order designating the time and place of any such hearing.