

November 18, 1988

Docket No. 50-445

Mr. William G. Council
Executive Vice President
Texas Utilities Electric Company
400 North Olive Street, L.B. 81
Dallas, Texas 75201

Dear Mr. Council:

SUBJECT: ORDER EXTENDING THE LATEST CONSTRUCTION COMPLETION
DATE OF COMANCHE PEAK UNIT 1

In response to your request of June 6, 1988, the Nuclear Regulatory Commission has issued an Order extending the latest construction completion date for Comanche Peak Steam Electric Station, Unit 1. The Order extends the latest construction completion date specified in Construction Permit No. CPPR-126 to August 1, 1991.

A copy of the Order granting the extension and the staff's evaluation of the request are enclosed for your information. The Order has been forwarded to the Office of the Federal Register for publication. The Environmental Assessment and Finding of No Significant Impact was published in the Federal Register on October 25, 1988 (53 FR 43053).

Sincerely,

Original Signed by:

C. I. Grimes

Christopher I. Grimes, Director
Comanche Peak Project Division
Office of Special Projects

Enclosures:

1. Order
2. Evaluation

cc: w/enclosures:
See next page

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

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Sincerely,

A handwritten signature in cursive script, reading "C I Grimes", is positioned above the typed name.

Christopher I. Grimes, Director
Comanche Peak Project Division
Office of Special Projects

Enclosures:

1. Order
2. Evaluation

cc w/enclosures:
See next page

November 18, 1988

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November 18, 1988

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NUCLEAR REGULATORY COMMISSION
TEXAS UTILITIES ELECTRIC COMPANY, ET AL.
COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 1
DOCKET NO. 50-445
ORDER EXTENDING LATEST CONSTRUCTION COMPLETION DATE

The Texas Utilities Electric Company, Texas Municipal Power Agency, Brazos Electric Power Cooperative, Inc., and Tex-La Electric Cooperative of Texas, Inc. (Applicants) are holders of Construction Permit No. CPPR-126 issued by the Atomic Energy Commission^{1/} on December 19, 1974 for construction of the Comanche Peak Steam Electric Station, Unit No. 1, a nuclear facility utilizing a Westinghouse Electric Corporation nuclear steam supply system, at the Applicants' site in Somervell County, Texas.

By letter dated June 6, 1988, the Applicants filed a request for extension of the latest construction completion date specified in Construction Permit No. CPPR-126 to August 1, 1991. The Applicants state that an intensive program of review and reinspection was initiated in the fall of 1984 to provide evidence of the safe design and construction of Comanche Peak Units No. 1 and No. 2. The remedial program was undertaken by the Applicants to respond to issues raised by the NRC staff, the Atomic Safety and Licensing Board (ASLB), and other sources in the operating license proceeding.^{2/} The Applicants anticipate

^{1/} Effective January 20, 1975, the Atomic Energy Commission was abolished and its regulatory authority transferred to the Nuclear Regulatory Commission.

^{2/} The CPSES operating license proceeding was dismissed on July 13, 1988 by ASLB Memorandum and Order (Dismissing Proceedings).

that remedial program activities related to Unit No. 1 and its preparation for operation will not be complete before August 1, 1991.


As discussed more fully in the Staff's related Evaluation of Request dated November 18, 1988, we have concluded that good cause has been shown for the delay and that the requested extension is for a reasonable period. We have further concluded that the requested extension involves no significant hazards consideration, and therefore, no prior public notice is required.

The NRC staff has prepared an Environmental Assessment and Finding of No Significant Impact which was published in the Federal Register on October 25, 1988 (53 FR 43053). The NRC staff has concluded that this action will not have a significant impact on the quality of the human environment, and therefore, no environmental impact statement need be prepared.

The Applicants' letter dated June 6, 1988, and the staff's letter and evaluation issued in support of this Order are available for public inspection at the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C. 20555, and the local public document room at Somervell County Public Library, Glen Rose, Texas 76043.

IT IS HEREBY ORDERED that the latest construction completion date for CPPR-126 be extended to August 1, 1991.

FOR THE NUCLEAR REGULATORY COMMISSION


James G. Partlow, Director
Office of Special Projects

Dated at Rockville, Maryland
this 18th day of November 1988.



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

EVALUATION OF REQUEST FOR EXTENSION
OF THE LATEST CONSTRUCTION PERMIT COMPLETION DATE
COMANCHE PEAK STEAM ELECTRIC STATION, UNIT NO. 1
TEXAS UTILITIES ELECTRIC COMPANY, ET AL.

DOCKET NO. 50-445

INTRODUCTION

By letter dated June 6, 1988, Texas Utilities Electric Company, Texas Municipal Power Agency, Brazos Electric Power Cooperative, Inc., and Tex-La Electric Cooperative of Texas, Inc. (Applicants) requested that the latest construction completion date for Comanche Peak Steam Electric Station, Unit No. 1, specified in Construction Permit No. CPPR-126, be extended to August 1, 1991.

EVALUATION

Good Cause

In their letter of June 6, 1988, Applicants state that "good cause" exists to warrant the extension requested. The intensive program of review and reinspection with respect to the design and construction of Comanche Peak Units No. 1 and No. 2, undertaken to respond to issues raised by the NRC staff in their licensing review and by the Atomic Safety and Licensing Board (ASLB) and other sources in the operating license proceeding, arises from the need to assure that all NRC regulatory requirements for design and construction have been or will be met. Although the operating licensing proceeding was dismissed on July 13, 1988,* this remedial program is not yet completed, and its completion is essential to providing the requisite assurance for Unit No. 1 prior to licensing. In the staff's judgment, neither these matters nor their extent and complexity could have been foreseen when the Applicants requested and were granted a 3-year extension of the latest construction completion date for Unit No. 1 in February 1986. In fact, when the remedial program was first initiated in the fall of 1984, its scope and breadth was considerably narrower than the program that evolved and is being carried out today. This expansion has resulted in a complex program of design and hardware validation, design-hardware reconciliation, QA/QC activities, and third-party review. The staff believes the Applicants have been assiduous in their efforts to detect and correct

*See ASLB Memorandum and Order (Dismissing Proceedings) dated July 13, 1988. This same Order dismissed the construction permit amendment proceeding relating to the staff's 1986 granting of an extension to the CPSES Unit No. 1 construction permit following an untimely request for extension by the Applicants.

actual and potential violation of NRC regulations and complete construction of the plant. The staff, therefore, concludes that the Applicants have demonstrated that there is good cause for the delay which warrants an extension of the construction permit for Unit No. 1.

Reasonableness of the Period of Time Requested

By letter dated June 6, 1988, the Applicants requested that the latest construction completion date be extended to August 1, 1991. This date was requested at a time when the operating license proceeding was still pending. This proceeding was dismissed by the ASLB Memorandum and Order (Dismissing Proceedings) on July 13, 1988. Nevertheless, the remedial program must be completed prior to Unit No. 1 licensing for operation. The Applicants contemplate completing Unit No. 1 construction and receiving an operating license before August 1, 1991, which date allows ample margin for contingencies and for flexibility of the schedule for completing the remedial program and obtaining an operating license.

The staff has evaluated the Applicants' request and agrees that the period of time for which the extension of the latest construction completion date is requested is reasonable.

CONCLUSION

Because the request is merely for more time to complete construction already authorized under Construction Permit No. CPPR-126 and does not seek authorization for activities not previously authorized, it does not involve a significant increase in the probability or consequences of an accident previously evaluated, or create the possibility of a new or different kind of accident from any accident previously evaluated, or involve a significant reduction in a margin of safety. Accordingly, the staff has concluded that the action does not involve a significant hazards consideration and no prior notice of issuance of the extension to the latest construction completion date is necessary, in accordance with 10 CFR 50.92(a).

Based on the foregoing, the staff further concludes that, pursuant to 10 CFR 50.55(b), the Applicants have shown good cause for the delay and that the requested extension is for a reasonable period of time.

Date: November 18, 1988