

ATTACHMENT A

APPLICATION FOR AMENDMENT TO
OPERATING LICENSE

Consolidated Edison Company of New York, Inc.

Power Authority of the State of New York

Indian Point Unit No. 3

Docket No. 50-286

November 8, 1976

811060353 761109
PDR ADOCK 05000286
PDR

6.0 ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

6.1.1 The Plant Manager shall be responsible for overall facility operation and shall delegate in writing the succession to this responsibility during his absence.

6.2 ORGANIZATION

Facility Management and Technical Support

6.2.1 The organization for Facility Management and Technical Support shall be as shown on Figure 6.2-1.

Facility Staff

6.2.2 The Facility organization shall be as shown on Figure 6.2-2 and:

- a. Each on-duty shift shall be composed of at least the minimum shift crew composition shown in Table 6.2-1.
- b. At least one licensed Operator shall be in the control room when fuel is in the reactor.
- c. At least two licensed Operators shall be present in the control room during reactor startup, scheduled reactor shutdown and during recovery from reactor trips.
- d. An individual qualified in radiation protection procedures shall be on site when fuel is in the reactor.
- e. All CORE ALTERATIONS after the initial fuel loading shall be directly supervised by either a licensed Senior Reactor Operator or Senior Reactor Operator Limited to Fuel Handling. This individual shall have no other concurrent responsibilities during this operation.

6.2.3 Any change in the organizations shown on Figures 6.2-1 and 6.2-2 shall be reported in accordance with section 6.9.2.f and the implementation of any such change, which is not inconsistent with other requirements of these technical specifications, shall not be deemed a violation.

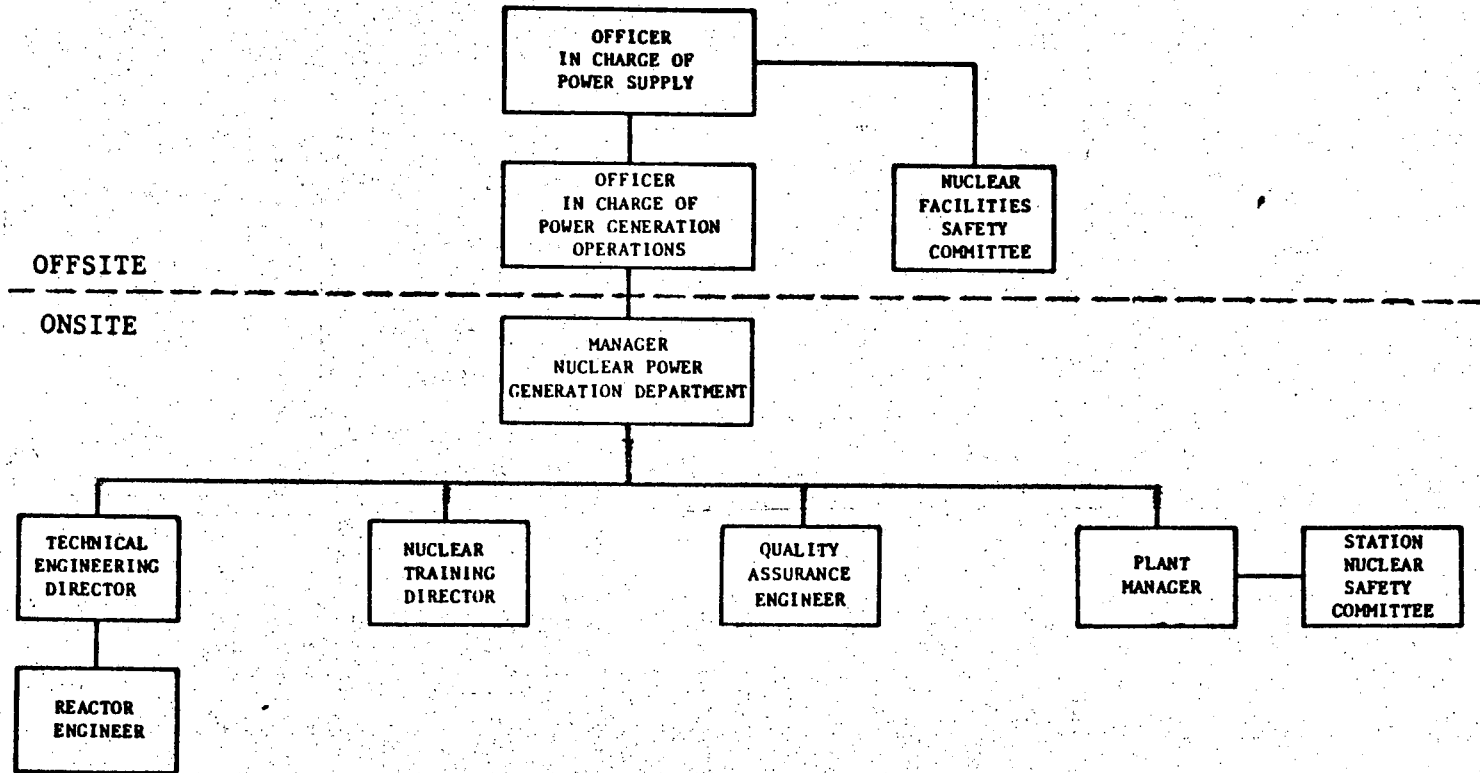


Figure 6.2-1 Facility Management and Technical Support Organization

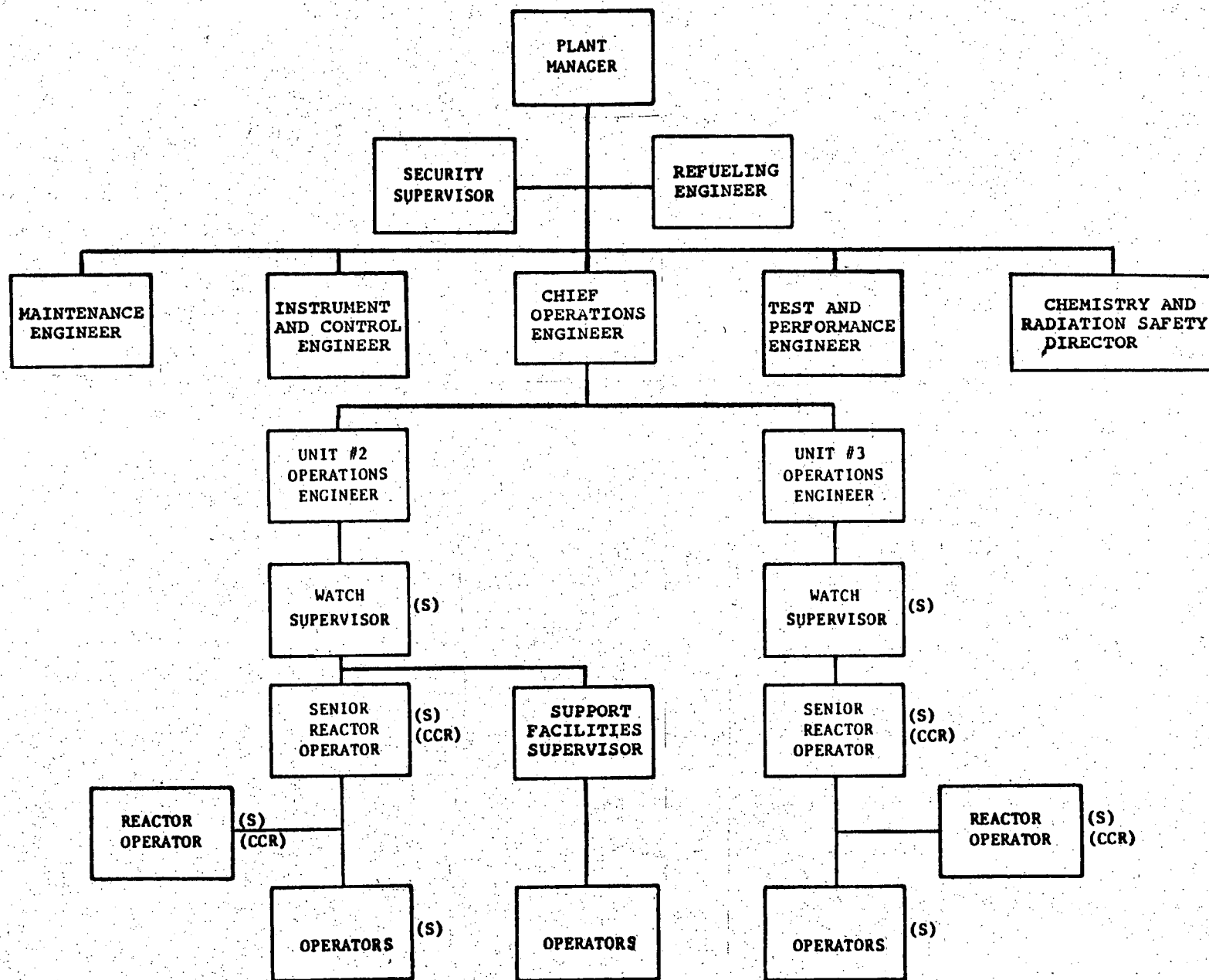


Figure 6.2-2 Facility Organization

(CCR) - Central Control Room Position
 (S) - Continuous Shift Coverage

- 6.3.1 Each member of the facility staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions.

6.4 TRAINING

- 6.4.1 A retraining and replacement training program for the facility staff shall be maintained under the direction of the Nuclear Training Director and shall meet or exceed the requirements and recommendations of Section 5.5 of ANSI N18.1-1971 and Appendix A of 10 CFR Part 55.

6.5 REVIEW AND AUDIT

6.5.1 Station Nuclear Safety Committee (SNSC)

Function

- 6.5.1.1 The Station Nuclear Safety Committee shall function to advise the Plant Manager on all matters related to nuclear safety.

- 6.5.1.2 The Station Nuclear Safety Committee shall be composed as follows:

| | |
|-----------|---|
| Chairman: | Plant Manager |
| Member: | Technical Engineering Director |
| Member: | Quality Assurance Engineer |
| Member: | Chief Operations Engineer |
| Member: | Security Supervisor |
| Member: | Test and Performance Engineer |
| Member: | Instrument and Control Engineer |
| Member: | Maintenance Engineer |
| Member: | Chemistry and Radiation Safety Director |
| Member: | Reactor Engineer |

- 6.5.1.2.1 In the event the title of any job referred to in 6.5.1.2 is changed by the licensee, a report of such change shall be made within 30 days as provided in 6.9.2.f and the implementation of such change shall not be deemed a violation of the technical specifications.

Alternates

- 6.5.1.3 Alternate members shall be appointed in writing by the SNSC Chairman to serve on a temporary basis; however, no more than two alternates shall participate in SNSC activities at any one time.

Meeting Frequency

- 6.5.1.4 The SNSC shall meet at least once per calendar month and as convened by the SNSC Chairman.

Quorum

- 6.5.1.5 A quorum of the SNSC shall consist of the Chairman or Vice Chairman and five members including alternates.

Responsibilities

- 6.5.1.6 The Station Nuclear Safety Committee shall be responsible for:

- a. Review of 1) all procedures required by Specification 6.8 and changes thereto, and 2) any other proposed procedures or changes thereto as determined by the Plant Manager to affect nuclear safety.
- b. Review of all proposed tests and experiments that affect nuclear safety.
- c. Review of all proposed changes to the Technical Specifications.
- d. Review of all proposed changes or modifications to plant systems or equipment that affect nuclear safety.
- e. Investigation of all violations of the Technical Specifications and preparation and forwarding of a report covering evaluation and recommendations to prevent recurrence to the Manager, Nuclear Power Generation Department and to the Chairman of the Nuclear Facilities Safety Committee.
- f. Review of facility operations to detect potential safety hazards.
- g. Performance of special reviews and investigations and the issuance of reports thereon as requested by the Chairman of the Nuclear Facilities Safety Committee.

- h. Review of the Plant Security Plan and implementing procedures and submission of recommended changes to the Chairman of the Nuclear Facilities Safety Committee.
- i. Review of the Emergency Plan and implementing procedures and submission of recommended changes to the Chairman of the Nuclear Facilities Safety Committee.

Authority

6.5.1.7 The Station Nuclear Safety Committee shall:

- a. Recommend to the Plant Manager, in writing, approval or disapproval of items considered under 6.5.1.6(a) through (d), above.
- b. Render determinations in writing with regard to whether or not each item considered under 6.5.1.6(a) through (e) above, constitutes an unreviewed safety question.
- c. Provide immediate written notification to the Chairman, Nuclear Facilities Safety Committee and the Manager, Nuclear Power Generation Department of disagreement between the recommendations of the SNSC and the actions contemplated by the Plant Manager. However, the course of action determined by the Plant Manager pursuant to 6.1.1 above shall be followed.

Records

6.5.1.8 The Station Nuclear Safety Committee shall maintain written minutes of each meeting and copies shall be provided to, as a minimum, the Manager, Nuclear Power Generation Department and the Chairman, Nuclear Facilities Safety Committee.

6.6 REPORTABLE OCCURENCE ACTION

6.6.1 The following actions shall be taken in the event of a REPORTABLE OCCURRENCE:

- a. The Commission shall be notified and/or a report submitted pursuant to the requirements of Specification 6.9.
- b. Each Reportable Occurrence Report submitted to the Commission shall be reviewed by the SNSC and submitted to the NFSC Chairman, and the Manager, Nuclear Power Generation Department.

6.7 SAFETY LIMIT VIOLATION

6.7.1 The following actions shall be taken in the event a Safety Limit is violated:

- a. The provisions of 10 CFR 50.36(c)(1)(i) shall be complied with immediately.
- b. The Safety Limit violation shall be reported to the Commission, the Manager, Nuclear Power Generation Department and to the NFSC Chairman immediately.
- c. A Safety Limit Violation Report shall be prepared. The report shall be reviewed by the SNSC. This report shall describe (1) applicable circumstances preceding the violation, (2) effects of the violation upon facility components, systems or structures, and (3) corrective action taken to prevent recurrence.
- d. The Safety Limit Violation Report shall be submitted to the Commission, the NFSC Chairman and the Manager, Nuclear Power Generation Department within 10 days of the violation.

- e. Primary plant activity on excess of limit (Specification 3.1.D)
- f. A written report shall be forwarded within 30 days to Director of Nuclear Reactor Regulation and to the Director of the Region 1 Office of Inspection and Enforcement following any change in the facility management and technical support organization or the facility organization, as shown on Figures 6.2-1 and 6.2-2, respectively, or any change in the job title of any member of the Station Nuclear Safety Committee as specified in 6.5.1.2.

6.10 RECORD RETENTION

6.10.1 The following records shall be retained for at least five years:

- a. Records and logs of facility operation covering time interval at each power level.
- b. Records and logs of principal maintenance activities, inspections, repair and replacement of principal items of equipment related to nuclear safety.
- c. REPORTABLE OCCURRENCE REPORTS
- d. Records of surveillance activities, inspections and calibrations required by these Technical Specifications.
- e. Records of reactor tests and experiments.
- f. Records of changes made to Operating Procedures.
- g. Records of radioactive shipments.
- h. Records of sealed source leak tests and results.
- i. Records of annual physical inventory of all source material of record.

6.10.2 The following records shall be retained for the duration of the Facility Operating License:

- a. Record any drawing changes reflecting facility design modifications made to systems and equipment described in the Final Safety Analysis Report.

ATTACHMENT B

APPLICATION FOR AMENDMENT TO
OPERATING LICENSE

SAFETY EVALUATION

Consolidated Edison Company of New York, Inc.

Power Authority of the State of New York

Indian Point Unit No. 3

Docket No. 50-286

November 8, 1976

SAFETY EVALUATION

The proposed changes to the Indian Point Unit No. 3 Technical Specifications, contained in Attachment A to this Application, would reflect pending organizational changes and add the requirement that Con Edison notify the NRC in writing within thirty (30) days of any change in the facility management and technical support organization or the facility organization, as shown on Figures 6.2-1 and 6.2-2, respectively, or any change in the job title of any member of the Station Nuclear Safety Committee as specified in 6.5.1.2. In addition the Station Nuclear Safety Committee membership would be modified in accordance with the proposed organizational changes and the Plant Manager would become chairman of the committee. The proposed organizational changes are consistent with the Standard Technical Specifications for Westinghouse Pressurized Water Reactors and the addition of the 30-day reporting requirement would assure that the NRC Regulatory Staff has the opportunity to review organizational changes to determine if they conform with regulatory requirements.

The proposed changes do not in any way alter the safety analyses performed for Indian Point Unit No. 3. The proposed changes have been reviewed by the Station Nuclear Safety Committee and the Con Edison Nuclear Facilities Safety Committee. Both committees concur that these changes do not represent a significant hazards consideration and will not cause any change in the types or increase in the amounts of effluents or any change in the authorized power level of the facility.



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

DISTRIBUTION: w/o cc
Docket File w/cc
NRC PDR w/cc ORB#4 Rdg
L PDR w/cc Gray File
SSheppard JMiller
RIngram ORB#4 PM
RReid OI&E w/cy
VStello OELD w/cy
DEisenhut ACRS w/cy
KRGoller TBAburnathy w/c
JRBuchanan w/c

F117

November 28, 1977

Dockets Nos.: 50-3
50-247
50-286 ✓

TO ALL POWER REACTOR LICENSEES
AND ALL APPLICANTS WITH APPLICATIONS
FOR A LICENSE TO OPERATE A POWER REACTOR

Gentlemen:

RE: AMENDMENT TO 10 CFR 73.55

This letter is being sent to all licensees authorized to operate a nuclear power reactor and to all applicants with applications for a license to operate a power reactor to advise you that the Nuclear Regulatory Commission has published in the FEDERAL REGISTER (Vol. 42, No. 189, September 29, 1977) an effective amendment to its regulation 10 CFR 73.55, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Industrial Sabotage." A copy of the FEDERAL REGISTER notice is enclosed. The amendment delays implementation of the physical search requirement of paragraph (d)(1) for regular employees of a licensee at the site at which the licensee is authorized to operate a nuclear power reactor until August 24, 1978 unless the Commission directs otherwise prior to that date.

In keeping with the above, the NRR staff position as to acceptable methods of implementing the attached effective rule has been changed. Guidance (dated September 30, 1977) for complying with the performance requirement of paragraph (d)(1) for searching of all individuals entering the protected area is enclosed. For any further information on the implementation of the search requirement, please contact James R. Miller, Assistant Director for Reactor Safeguards at 301-492-7014.

Sincerely,

Edson G. Case, Acting Director
Office of Nuclear Reactor Regulation

Enclosures:

1. Effective Rule
2. Position on Personnel Search Requirements

cc: See next page(s)

Consolidated Edison Company
of New York, Inc.

cc: White Plains Public Library
100 Martine Avenue
White Plains, New York 10601

Leonard M. Trosten, Esquire
LeBoeuf, Lamb, Leiby & MacRae
1757 N Street, N. W.
Washington, D. C. 20036

Anthony Z. Roisman, Esq.
Sheldon, Harmon & Roisman
1025 15th Street, N.W., 5th Floor
Washington, D.C. 20005

Paul S. Shemin, Esq.
Assistant Attorney General
State of New York
Department of Law
Two World Trade Center
New York, New York 10047

Sarah Chasis, Esq.
Natural Resources Defense Council
122 East 42nd Street
New York, New York 10017

Director, Technical Development
Programs
State of New York Energy Office
Agency Building 2
Empire State Plaza
Albany, New York 12223

Admiral Paul Early (IP-3)
Power Authority of the State
of New York
10 Columbus Circle
New York, New York 10019

[7590-01]

Title 10—Energy

CHAPTER I—NUCLEAR REGULATORY COMMISSION

PART 73—PHYSICAL PROTECTION OF PLANTS AND MATERIALS

Requirements for the Physical Protection of Nuclear Power Plants

AGENCY: U.S. Nuclear Regulatory Commission.

ACTION: Effective rule.

SUMMARY: As a result of a number of objections raised with respect primarily to pat-down searches of licensee employees prior to admittance to the protected area of a nuclear power reactor, and the Commission's further consideration of the matter, the Nuclear Regulatory Commission is amending its regulations to delay implementation of the physical search requirement for regular employees of a licensee at nuclear power reactor sites.

EFFECTIVE DATE: September 29, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. R. J. Jones, Chief, Materials Protection Standards Branch, Office of Standards Development, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 (301-443-8973).

SUPPLEMENTARY INFORMATION:

On February 24, 1977, the Nuclear Regulatory Commission published in the FEDERAL REGISTER (42 FR 10836) effective amendments to 19 regulations in 10 CFR Part 73, "Physical Protection of Plants and Materials." One requirement included in these amendments was to search individuals for firearms, explosives, and incendiary devices. The regulation specified that the search function would be conducted by a physical search or by use of equipment capable of detecting such devices. The requirements involving procedural measures were scheduled for implementation by May 25, 1977, and those involving use of equipment were scheduled for implementation by August 24, 1978, or earlier if the equipment were installed. Since equipment now available is not capable of detecting all types of explosives and incendiary devices, the search requirement calls for additional measures, such as random physical searches, to provide high assurance of protecting against industrial sabotage.

The Commission is reassessing the implications of physical "pat-down" searches of licensee employees and their value as a part of a total physical system considering their relation to other features of the security systems required by the new amendments. The issue is quite complex and involves ramifications of employee morale and the effectiveness of the search per se and in the context of the total security system. The Commission believes that the question of pat-down searches warrants more deliberate and thorough review, with extensive solicitation of public review and comments,

before the utility licensees are required to use such searches for their employees. The Commission, therefore, is amending its regulations to delay the implementation of physical searches of utility licensee employees until August 24, 1978, the date when implementation of all of the requirements of § 73.55 is required, to provide time for reexamination of the impact and value of such searches.

Public comment on the issue has been solicited in connection with a petition for rule making noticed in the FEDERAL REGISTER of September 15, 1977 (42 FR 46431; NRC docket PRM-73-2). The Commission has determined that this action is consistent with the common defense and security and protection of public health and safety. The Commission has further found that, in view of the opportunity for comment already afforded prior to publication of the rules on February 24, 1977, and the fact that the amendment set forth below serves to relieve a restriction, notice and public procedure on the amendment are unnecessary, and that the amendment may be made effective upon publication in the FEDERAL REGISTER.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552 and 553 of Title 5 of the United States Code, the following amendment to Title 10, Chapter I, Code of Federal Regulations, Part 73 is published as a document subject to codification.

1. Section 73.55 of 10 CFR Part 73 is amended by adding the following sentences to the unnumbered prefatory paragraph:

§ 73.55 Requirements for physical protection of licensed activities in nuclear power reactors against industrial sabotage.

• • • Except for individuals for whom the licensee has a well-grounded suspicion that such individuals are carrying firearms, explosives or incendiary devices, a licensee need not implement the physical search requirement of paragraph (d)(1) of this section for individuals who are regular employees of the licensee at the site at which the licensee is authorized to operate a nuclear power reactor pursuant to Part 50 of this Chapter until August 24, 1978, unless the Commission directs otherwise prior to that date. Until that date and pending its further review of this subject, the Commission has determined that the search requirement of paragraph (d)(1) of this section, implemented using only equipment capable of detecting firearms, explosives and incendiary devices, satisfies the performance requirements of this section as they apply to searches of regular employees of the licensee at the site entering the protected area of the nuclear power reactor.

Effective date: September 29, 1977.

(Sec. 1611, Pub. L. 83-703, 88 Stat. 948, Pub. L. 93-377, 88 Stat. 475; sec. 201, Pub. L. 93-438, 88 Stat. 1242-1243, Pub. L. 94-79, 89 Stat. 413 (42 U.S.C. 2201, 5841)).

Dated at Washington, D.C., this 27th day of September 1977.

For the Nuclear Regulatory Commission.

SAMUEL J. CHILK.

Secretary of the Commission.

[FR Doc. 77-28901 Filed 9-28-77; 9:10 am]

[4910-14]

Title 46—Shipping

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 77-128]

PART 25—REQUIREMENTS

PART 96—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

PART 195—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

International Regulations for Preventing Collisions at Sea, 1972; Corrections

AGENCY: Coast Guard, DOT.

ACTION: Correction to final rule.

SUMMARY: This document makes corrections to a docket which appeared in the FEDERAL REGISTER of July 11, 1977. The docket contains amendments updating existing references in Coast Guard regulations to the international rules for preventing collisions at sea and amendments interpreting section 3 of the Motor Boat Act of April 25, 1940.

EFFECTIVE DATE: September 29, 1977.

FOR FURTHER INFORMATION CONTACT:

Captain George K. Greiner, Marine Safety Council (G-CMC 81), Room 8117, Department of Transportation, Nassif Building, 400 Seventh Street SW., Washington, D.C. 20590 (202-426-1477).

SUPPLEMENTARY INFORMATION: In FR Doc. 77-19344, appearing at page 35796 in the FEDERAL REGISTER of July 11, 1977, the following corrections are made:

1. On page 35796, third column, the ninth line of the first full paragraph is corrected to read, "1948, as amended. (With respect to navigation lights, the waters subject".

2. On page 35797, the sixth line of § 25.05-1, the sixth line of § 96.20-1, and the sixth line of § 195.20-1 should each be corrected to read "and shapes, whistles, bells."

Dated: September 22, 1977.

O. W. SILER,

Admiral, U.S. Coast Guard
Commandant.

[FR Doc 77-28722 Filed 9-28-77; 8:45 am]

[4910-14]

[CGD 75-104]

PART 31—INSPECTION AND CERTIFICATION

Stability Requirements

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

NRR SUPPLEMENTAL STAFF POSITION
ON
PERSONNEL SEARCH REQUIREMENTS

September 30, 1977

The prefatory paragraph of 10 CFR 73.55 as amended September 29, 1977 states that the performance requirements of paragraph (d)(1) as they apply to searches of regular employees of the licensee at the site may be satisfied using only equipment capable of detecting firearms, explosives and incendiary devices. Acceptable metal detectors and explosive searching devices of the types currently available are deemed capable of detecting firearms, explosives and incendiary devices for regular employees of the licensee at the site. Such equipment, if not currently in operation, must be purchased and made operational as soon as possible if the licensee using this option is to be in compliance with the performance requirements of 10 CFR 73.55. A regular employee of a licensee is one who is a full time permanent employee whose permanent work station is at the site or those employees of the licensee who report regularly to the site (at least once per week) and includes employees of licensee contractors who are regularly employed at the site. All other personnel* are required by 10 CFR 73.55 (d)(1) to be searched at points of personnel access to the protected area. The following are acceptable methods for satisfying these requirements:

*All NRC employees are subject to the search requirements of 73.55 (d)(1). NRC resident inspectors will be searched in the same manner as regular employees of the licensee at the site. Other NRC personnel that have a government granted security clearance will be searched in the same manner as licensee employees who are not regularly employed at the site as long as (1) they can properly identify themselves; and (2) they have been previously identified by the Director of the Regional Office.

(a) A search program consisting of:

(1) processing all individuals through an acceptable metal detector, (2) processing all individuals through an explosives search device of the types currently available, (3) conducting a "hands-on" search of at least 5% (selected randomly) of all licensees employees who are not regularly employed at the site, (4) searching a regular employee at the site when the licensee has a well-grounded suspicion that the individual may be carrying firearms, explosives or incendiary devices, with a "hands-on" search, (5) conducting a "hands-on" search of all other individuals, and (6) subjecting all outer garments such as the coats or heavy sweaters of each individual who is not a regular employee at the site to the search requirements at the entry to the protected area. The process and procedures which select the individuals to be subjected to a "hands-on" search on a random basis must: (1) require the search to be conducted when the random selection process indicates, regardless of who the person to be searched is, and (2) ensure that an individual entering the search process area cannot know in advance if he or she will be selected for the "hands-on" search.

(b) For those facilities which have only metal detectors installed and operable, the personnel search program for non-regular employees described in (a)(3) above is acceptable provided that the percentage of individuals randomly selected for "hands-on" search is increased to at least 10%. For those facilities which have only an explosives searching system in operation the "hands-on" search requirement of (c) below applies.

- (c) For those facilities which have neither metal detectors nor explosives searching devices installed and operable the personnel search program for non-regular employees described in (a)(3) above is acceptable provided that the percentage of individuals randomly selected for "hands-on" search is increased to at least 20%.



F117

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

Docket

OCT 31 1977

Docket Nos. 50-3
50-247
50-286 ✓

Mr. William J. Cahill, Jr.
Vice President
Consolidated Edison Co.
4 Irving Place
New York, N.Y. 10003

Dear Mr. Cahill:

We have reviewed the financial information that you have submitted and conclude that it satisfies the requirements of Section 140.21 of 10 CFR Part 140 that each licensee maintain an approved guarantee of payment of deferred premiums for each operating reactor over 100 MW(e) that it owns in whole or in part.

Sincerely,

Jerome Saltzman, Chief
Antitrust & Indemnity Group
Nuclear Reactor Regulation

993
DL