

DEC 13 1974

L. Manning Muntzing, Director of Regulation  
THRU: Edson G. Case, Acting Director of Licensing

Original Signed by  
E. G. Case

STATUS REPORT ON SELECTED LICENSING CASES

Enclosed are brief status summaries for the week ending December 7, 1974, as requested for:

- Allens Creek 1 & 2
- Bailly 1
- Bellefonte 1 & 2
- Commanche Peak 1 & 2
- Indian Point 3
- Perry 1 & 2

Original signed by  
Roger S. Boyd

A. Giambusso, Deputy Director  
for Reactor Projects  
Directorate of Licensing

Enclosures:  
As stated above

Distribution:

- Docket (50-466 & 50-467)
- Docket (50-367)
- Docket (50-438 & 50-439)
- Docket (50-445 & 50-446)
- Docket (50-286)
- Docket (50-440 & 50-441)
- L Rdg. (M. Groff, Rm 188)
- LWR 1-2 File (3)
- LVGossick
- EGCase
- FSchroeder
- AGiambusso
- RSBoyd
- VMoore
- RCDeYoung
- DMuller

- DBVassallo
- ASchwencer
- WButler
- MBAYcock
- MJOestmann
- DDavis
- RPollard
- MLynch
- JOrndoff

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OFFICE	L:LWR 1-2	AD:LWR	AD:LWR 1	DD:RP	Act. DL
SURNAME	WButler	VMoore	RCDeYoung	AGiambusso	EGCase
DATE	12/9/74	12/9/74	12/9/74	12/9/74	12/ /74

STATUS REPORT FOR THE WEEK ENDING DECEMBER 7, 1974

HOUSTON LIGHTING & POWER COMPANY

ALLENS CREEK NUCLEAR GENERATING STATION, UNITS 1 AND 2

DOCKET NOS. 50-466/467

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The ACRS indicated on December 6, 1974 that they would write a letter for Allens Creek. The applicant will oppose us on three major positions. Two other staff positions are being opposed in part by the applicant. There are eight other significant open issues to be settled in addition to ECCS and ATWS.

The environmental and LWA hearing scheduled for December 10, 1974 has been delayed indefinitely as a result of the two developments outlined below.

1. The staff radiological assessment was found to be in error for gaseous releases and doses now appear not to be in conformance with ALAP.

2. ~~The staff's position on monitoring as a means of detecting the~~ onset of differential subsidence was weakened by the unexpected lack of support from the USGS. Additional substantiation will be required from the applicant to provide a better basis for our position.

The earliest date for start of the Rad/safety hearing (2/28/75) is now in jeopardy because of item 2, above. We expect to issue further questions to the applicant by December 12 on item 2, for which we will request an answer within three weeks. Assuming the applicant's response is acceptable, we would expect to have the matter resolved by January 17, 1975, and still remain on schedule for the Rad/safety hearing. The LWA hearing will have incurred about 6 weeks' delay.

With respect to item 1, above, the applicant plans to resolve the matter by agreeing to the use of additional charcoal in the filter beds.

STATUS REPORT FOR WEEK ENDING DECEMBER 7, 1974

NORTHERN INDIANA PUBLIC SERVICE CO.

BAILLY

DOCKET NO. 50-367

The staff issued a construction permit for Bailly on May 1, 1974. The Joint Intervenors appealed this decision and the Appeal Board granted a temporary stay on construction which was subsequently vacated. The Appeal Board issued, on August 29, 1974, its decision affirming the ASLB's Initial Decision of April 5, 1974. The Joint Intervenors filed motions in the U. S. Court of Appeals and the Court issued a temporary stay of construction relating to dewatering on October 16, 1974. This stay will continue until the Court of Appeals issues its decision which is anticipated to be in early January 1975. Oral arguments before the Court are scheduled for December 11, 1974.

Additionally, no significant construction activities can be conducted at the Bailly site until a favorable ruling by the Appeal Board on the issue of the slurry wall, which has been recently proposed by NIPSCO, since dewatering operations are the controlling item in the construction schedule. Further, NIPSCO has proposed the use of "short piles" bearing on the underlying sand formations to support the plant foundation. Previously, long piles bearing on bedrock or dense glacial till had been proposed and approved. The staff has concluded that this proposal by NIPSCO does not contain sufficient information to permit an evaluation of the proposed change. While NIPSCO may be able to supply additional information in a timely manner, the Joint Intervenors may force additional delay on the issue of foundation design.

STATUS REPORT FOR WEEK ENDING DECEMBER 7, 1974

TENNESSEE VALLEY AUTHORITY

BELLEFONTE NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-438 AND 439

The following is a summary of the construction and licensing status:

1. LWA-1 issued - September 17, 1974
2. LWA-1 activities proceeding at the site. TVA expects to pour concrete (safety-related work) on January 1, 1975 if they receive a CP.
3. Rad safety hearing ended - October 16, 1974
4. Proposed findings submitted to ASLB - November 13, 1974
5. ASLB initial decision had been expected by December 9, 1974 until a problem with the plant's compliance with EPA's October 8, 1974 regulations arose. The ASLB is now waiting for supplemental findings to resolve the matter.
6. If a CP is not issued prior to December 28, 1974, this plant must then show compliance with the new Appendix K ECCS evaluation models and criteria. This would delay the issuance of the CP for about six months. To minimize construction delays should this occur, TVA has indicated they will probably request an LWA-2.

In regard to item 5, OGC and Environmental Projects met with TVA on December 5, 1974 to discuss these supplemental findings and a proposed CP

Status Report - TVA

condition to resolve the issue. OGC drafted the supplemental findings on December 6, 1974. After OGC management approval (expected by December 9), a copy of the findings will be telecopied to TVA to affirm their agreement. The supplemental findings are expected to be transmitted to the ASLB by December 9 and hopefully an initial decision will be forthcoming prior to December 27, 1974.

STATUS REPORT FOR WEEK ENDING DECEMBER 7, 1974  
TEXAS UTILITIES GENERATING COMPANY  
COMANCHE PEAK STEAM ELECTRIC STATION UNITS 1 & 2  
DOCKET NOS. 50-445 & 50-446

The following is a summary of the major events in the review:

1. FES Issued - June 7, 1974
2. SER Issued - September 3, 1974
3. LWA Issued - October 17, 1974
4. SER Supplement Issued - November 15, 1974
5. ASLB Safety Hearing Completed - November 26, 1974
6. PDD expected prior to December 28, 1974 assuming a timely, favorable ASLB decision.

The schedule was advanced and thus review of compliance with the final ECCS acceptance criteria is unnecessary for the CP issuance. The staff and applicant submitted joint proposed findings of fact to the ASLB on December 2, 1974. The ASLB stated that they would expedite their decision. No problems are anticipated and PDD is expected prior to December 28, 1974. If this assumption proves to be incorrect, the delay in the PDD will be substantial because of the ECCS review.

STATUS REPORT FOR WEEK ENDING DECEMBER 7, 1974  
CONSOLIDATED EDISON COMPANY  
INDIAN POINT UNIT 3  
DOCKET NO. 50-286

Several pieces of information needed to complete the SER supplement have not been received from the applicant. We feel, however, that if the information is received promptly, which we expect, we can still issue the week of December 16, 1974. Our consultant on financial matters, has completed his evaluation of Con Ed's financial qualifications and has found them qualified to operate Units 1, 2 and 3. His report will be appended to the SER Supplement.

Staff, management and OGC review of the lab draft of the FES is continuing. The lab is revising the text to take into account the staff comments. OGC has yet to complete its review of the lab draft. Because the lab draft was received two weeks late and because of the changes resulting from the comments by the staff and management, we estimate that the FES will not be issued until January 13, 1975.

A summary of the status of major events is as follows:

1. SER Supplement and staff evaluations as needed on other pertinent safety-related issues - Scheduled for mid-December so that the safety hearing could start mid-January.
2. FES Issued - January 13, 1975
3. Fuel Loading Date - Con Ed projects - March 15 to April 1, 1975
4. PDD - May 18, 1975 - This date assumes that the hearing will start on January 14, 1975 and a two month contested hearing. The Board, however, has not set a date for the hearing as yet. If the environmental issues are settled among the parties, a decision date as early as March 15 is possible. In addition,



Con Ed has filed a motion for an interim license for fuel loading, startup testing and power ascension up to 91% power. The Board has not yet ruled on this motion. The staff would support a fuel loading and low power license if necessary to not interfere with plant startup.

STATUS REPORT FOR THE WEEK ENDING DECEMBER 9, 1974

THE CLEVELAND ELECTRIC ILLUMINATING CO. ET AL

PERRY NUCLEAR POWER PLANT, UNITS 1 & 2

DOCKET NOS. 50-440/441

The SER was issued in July 1974 and the first supplement was issued in December 1974. The ACRS indicated at the second full committee meeting in December that it is prepared to issue a letter to the Chairman. The start of the radiological safety hearing is scheduled for March 5, 1975.

The FES was issued on April 9, 1974, and the environmental hearing was started on May 29, 1974; the environmental portion of the hearing was completed on July 3, 1974 with the ASLB issuing a favorable partial initial decision on environmental matters on September 18, 1974. In this partial initial decision, the ASLB found that there was sufficient reason to deny the request for an LWA. After the LWA hearing was reopened on October 10, 1974, the ASLB subsequently made a favorable decision for the issuance of the LWA on October 20, 1974.

The staff issued an LWA-1 on October 21, 1974 and the applicants started construction activities that same day. The applicants have requested the staff and the ASLB, in letters dated December 4, 1974, to initiate and schedule proceedings leading to the issuance of an LWA-2 by March 15, 1975. These letters request that testimony relating to the issuance of the LWA-2 be filed by January 20, 1975.

There are two outstanding issues which make this filing by January 20, highly improbable. The applicants have proposed for the first time in

Amendment 22 to the PSAR (received on December 9, 1974), a permanent dewatering system. This proposal will require review by the staff, including a round of questions. TR estimates that its evaluation of this dewatering system will not be complete until February 4, 1975, at the earliest. Additionally, the applicants have not provided sufficient information to permit the staff to evaluate the potential plant flooding by the basins associated with the natural draft cooling towers. A round of questions will be issued by December 16 on this issue. The questions on the newly proposed dewatering system will be issued by about December 30. This delay results from the assignment of the principal TR reviewer to other tasks.

Additionally, the issues which the ACRS will raise in its letter to the Chairman, have not been specifically identified. Accordingly, it is improbable that the staff will be prepared to issue its testimony relating to an LWA-2 by January 20, 1975. However, we should be able to complete the LWA-2 testimony in time to satisfy the applicants requested date for issuance of LWA-2; i.e., March 15, 1975.

The issuance date of the construction permits for Perry is being controlled by the extensive anti-trust proceedings presently underway. While the Initial Decision of the ASLB on radiological safety matters is estimated to be June 30, 1975, the decision on anti-trust matters is estimated to be September 12, 1975, thereby making this the pacing item in the review.