

Charles F. Soutar
Senior Vice President

Consolidated Edison Company of New York, Inc.
4 Irving Place, New York, NY 10003
Telephone (212) 460-4696

June 17, 1982
Re: Indian Point Unit No. 2
Docket No. 50-247

Director of Nuclear Reactor Regulation
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

ATTN: Mr. Darrell G. Eisenhut, Director
Division of Licensing

Dear Mr. Eisenhut:

This is in response to your May 5, 1982 Generic Letter No. 82-10, received by this office on May 17, 1982, requesting Con Edison to establish a firm schedule for applicable TMI items scheduled after March 1, 1982 and appearing in the Enclosure provided therewith.

Attachment A to this letter provides the requested information and includes:

- 1) Applicable items that have been completed, and the dates of completion; and
- 2) A proposed firm schedule for implementation of items in the Enclosure that have not yet been completed, and an explanation for dates beyond the recommended schedules.

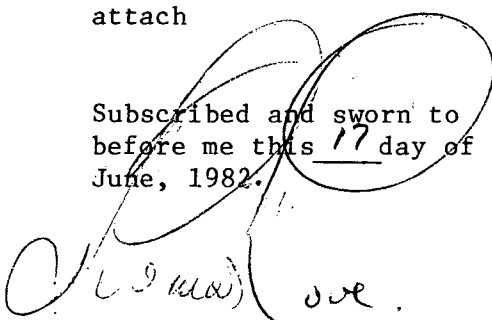
This information is being submitted pursuant to 10 CFR 50.54(f) as requested in your letter of May 5, 1982.

Should you or your staff have any questions, please contact us.

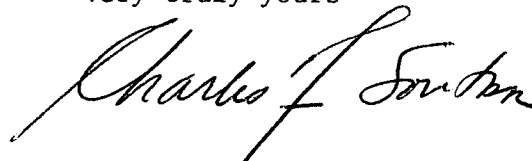
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PDR ADOCK 05000247
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attach

Subscribed and sworn to
before me this 17 day of
June, 1982.


Notary Public
THOMAS LOVE
Notary Public State of New York
No. 31-2409638
Qualified in New York County
Commission Expires March 30, 1983

Very truly yours



A046

ATTACHMENT A

RESPONSE TO GENERIC LETTER 82-10
POST TMI REQUIRMENTS

ITEM

SUBJECT/DISCUSSION

I.A.1.3.1 Limit Overtime: NRC Recommended Schedule:
October 1, 1982

Key plant operations and maintenance personnel responsible for plant safety are governed by administrative directives consistent with the overtime restrictions set forth in NUREG-0737 (See Con Edison letter dated May 12, 1981). Certain Health Physics personnel, although performing safety related functions, are not considered to be directly responsible for plant safety functions and are not governed by separate administrative directives for overtime. Their overtime is restricted by general Con Edison policies and procedures which are also consistent with the overtime restrictions set forth in NUREG-0737. Therefore, Con Edison currently complies with the policy statement appearing in Generic Letter 82-02 (2/8/82).

I.A.1.3.2 Minimum Shift Crew: NRC Recommended Schedule:
July 1, 1982

By July 1, 1982, Con Edison will meet the recommended shift staffing levels for licensed operators as described in our letter dated February 22, 1982.

I.C.1 Revised Emergency Procedure: NRC Recommended Schedule:
First Refueling after 10/1/82

Con Edison is planning to develop plant specific procedures using the generic procedural instructions prepared by the Westinghouse Owner's Group (WOG) as guidance. Work by Westinghouse and WOG on the emergency procedure guidelines is nearing completion, with virtually all work expected to be completed by the middle of 1982. A second WOG sponsored seminar for utility personnel involved in the preparation of detailed plant-specific procedures is scheduled for late September, 1982. Following the seminar, Con Edison will prepare and implement the generic procedure guidelines as applicable for Indian Point Unit 2 and provide training for its operators. We intend to complete implementation of this item by the plant start-up after the 1984 refueling outage, which is consistent with the recommended schedule.

II.D.1.2 RV & SV Test Programs: NRC Recommended Schedule:
April 1, 1982

By letter dated April 1, 1982 Con Edison documented its compliance with this item.

II.D.1.3 Plant Specific Reports for Block Valve, RV & SV, and Piping: NRC Recommended Schedule:
July 1, 1982

Con Edison expects to submit the following plant specific reports by July 1, 1982, and will be in compliance with this item:

- a) safety and relief valve qualification;
- b) piping & support evaluation; and
- c) block valve qualification.

Should additional time be required to complete the above items we will submit by July 1, 1982 any completed evaluations and apprise you of when the others may be expected.

II.K.3.30&
3.31 SB LOCA Analysis: NRC Recommended Schedule:
One year after staff approval of model

The present Westinghouse small break evaluation model and small break analyses for Indian Point Unit No. 2 are in conformance with 10 CFR Part 50, Appendix K and 10 CFR 50.46. If NRC, subsequent to their review and approval of the new Westinghouse model, determines that a reanalysis is required we will submit the new analysis in accordance with the recommended schedule.

III. A.1.2 Staffing Levels for Emergency Situations: NRC Recommended Schedule:
July 1, 1982

Con Edison's compliance with this item is documented and described in our letters dated April 7, 1981 and June 7, 1982.

III.A.1.2 Upgrade Emergency Support Facilities: NRC Recommended Schedule:
October 1, 1982

Con Edison expects to meet the October 1, 1982 recommended schedule since it will coincide with our planned Cycle 5/6 refueling outage (presently scheduled to begin in September, 1982). The upgraded emergency response facilities described in our June 1, 1981 submittal with the exception of the full SAS/SPDS will be completed and

operational upon plant start-up after the outage. Full SAS/SPDS capability will be operational at the end of the 1984 refueling outage. However, during the upcoming refueling outage, a Proteus P2500 Process Computer System will be installed and an initial SPDS display capability and data links will be provided.

Con Edison understands that the NRC Commissioners are presently considering a revised implementation schedule for this item under of SECY 82-111 "Requirements for Emergency Response Capabilities". Apparently, Commission action on this is imminent. We will respond to the results of this Commission action, review the above schedule and revise it as necessary.

III A.2.2 Meteorological Data: NRC Recommended Schedule:
October 1, 1982

It is Con Edison's understanding that the NRC is reappraising the Class B model and that it might be superseded by an extension of the Class A model. Con Edison will provide an implementation schedule once the NRC staff establishes final guidance for the Class B or modified Class A model.

III D.3.4 Control Room Habitability: NRC Recommended Schedule:
Plant Specific

As a result of the study documented in the Con Edison May 12, 1981 submittal, Control Room modifications are planned. The modifications include:

1. Additional dampers and booster fan in the CCR ventilation system,
2. Installation of chemical monitors at the CCR air intake to detect anhydrous ammonia, chlorine, and hydrogen cyanide and initiation of automatic ventilation operation in the incident mode,
3. Addition of radioactivity monitors to the CCR air intake (in addition to those already provided in the CCR itself) to automatically initiate incident mode operation, and
4. Installation of smoke detectors in the CCR air intake to alert the operators to an external smoke hazard.

The modifications are scheduled for completion by January 1, 1983.

Brent L. Brandenburg
Assistant General Counsel

Consolidated Edison Company of New York, Inc.
4 Irving Place, New York, N Y 10003
Telephone (212) 460-4333

IE HQ FILE COPY

June 9, 1982

58-247

Leonard Bickwit, Jr., Esq.
General Counsel
U. S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: United States of America and United States
Nuclear Regulatory Commission v. Consolidated
Edison Company of New York, Inc.
Docket No. 81 Civ. 4347 (GLG)

Dear Mr. Bickwit,

This letter relates to our continuing dispute over the NRC's enforcement actions growing out of the December 11, 1980 Notice of Violation and Proposed Imposition of Civil Penalties, EA 81-11. As you know, we have vigorously contested the NRC's claims of liability for civil penalties, based upon what we believe to have been erroneous applications of NRC regulations, the lack of clarity of the interim enforcement policy which formed the basis for the penalty claim, and the fact that the NRC had ratified the course of conduct at issue through its oversight activities. Moreover, the NRC's own conclusion that the events complained of lacked safety significance would preclude the imposition of a civil penalty under the Commission's own enforcement guidelines. While we do not retreat from these positions we have taken throughout this dispute, and do not acknowledge our responsibility for any civil penalties as a result of the events in question, the extensive litigation to date has led us to conclude that the costs of carrying the matter to a conclusion would far exceed the amount in dispute. Furthermore, continued litigation would create the likelihood of substantial distraction to Company management.

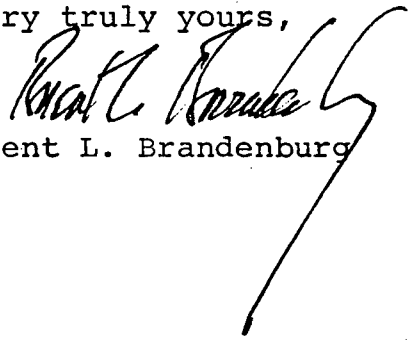
Consequently, pursuant to the understanding reached with the Office of the United States Attorney for the Southern District of New York, our payment, which is enclosed, constitutes full accord and satisfaction of all civil penalties and other NRC liabilities which have been or may be asserted against Consolidated Edison, or its officers, trustees or employees, under either the NRC's December 11, 1980 Notice of Violation and Proposed Imposition of Civil Penalties, the March 2, 1981

APP

IE-14

Order Imposing Civil Monetary Penalties, or the events occurring in or about October 1980 as referred to in the foregoing documents.

Very truly yours,



Brent L. Brandenburg

Enclosure

cc: Mr. Richard C. DeYoung
Director
Office of Inspection & Enforcement

50-235
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Con Edison

Payable At

Bank of New York
County Trust Region

004274

To the Order of

U. S. TREASURY
WASHINGTON D. C. 20555

Date

Amount

06/8/82*****\$185,000.00*****

Lawrence J. Gungor
Authorized Signature

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