



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 15, 2015

Mr. Ernest J. Harkness
Site Vice President
FirstEnergy Nuclear Operating Company
P.O. Box 97, A290
Perry, OH 44081

SUBJECT: PERRY NUCLEAR POWER PLANT, UNIT NO. 1 - RELAXATION OF THE SCHEDULE REQUIREMENTS FOR ORDER EA-12-049 "ISSUANCE OF ORDER TO MODIFY LICENSES WITH REGARD TO REQUIREMENTS FOR MITIGATION STRATEGIES FOR BEYOND-DESIGN-BASIS EXTERNAL EVENTS" (TAC NO. MF0962)

Dear Mr. Harkness:

By letter dated March 12, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12054A735), the U.S. Nuclear Regulatory Commission (NRC) ordered FirstEnergy Nuclear Operating Company (FENOC, the licensee), to take certain actions at Perry Nuclear Power Plant, Unit No. 1 (Perry), associated with the Fukushima Near-Term Task Force Recommendations. Order EA-12-049 directed that actions be taken by licensees to develop and implement strategies to maintain or restore core cooling, containment, and spent fuel pool cooling capabilities during beyond-design-basis external events (BDBEEs).

Section IV of the order states that licensees proposing to deviate from requirements contained in NRC Order EA-12-049 may request that the Director, Office of Nuclear Reactor Regulation, relax or rescind certain conditions, upon demonstration of good cause. By letter dated March 26, 2015 (ADAMS Accession No. ML15085A027), FENOC submitted its request for an extension of the Order EA-12-049 full compliance date to July 31, 2015, to complete certain plant modifications necessary to support the overall BDBEE mitigation strategy. The licensee's request dated March 26, 2015, indicated that the following equipment, facilities, and communications modifications are involved:

- 1.) A redundant diesel generator-backed power supply to the alternate decay heat removal pump and the suppression pool clean up pump.
- 2.) Missile (airborne object) barrier gates for the roll-up doors for the equipment storage facilities located in the diesel generator building and the Perry, Unit 2 auxiliary building.
- 3.) Two enhancements being made to the plant communications system. The first adds a battery to the system, and the second links the satellite phone communication system with the control room.

By letter dated February 27, 2013 (ADAMS Accession No. ML13064A243), FENOC submitted its original Overall Integrated Plan (OIP) for Perry, in response to Order EA-12-049. The NRC staff reviewed this plan and, by letter dated January 22, 2014, provided the licensee with an

interim staff evaluation (ADAMS Accession No. ML13338A460). Subsequently, by letter dated September 25, 2014 (ADAMS Accession No. ML14268A214), FENOC submitted a revised OIP for Perry. According to the licensee's relaxation request letter dated March 26, 2015, this OIP revision included several significant changes to the originally planned coping strategies and provided a more robust strategy to respond to a postulated BDBEE, as compared to the original strategy. The licensee stated that as detailed design and implementation work associated with the modifications supporting the revised OIP have proceeded, unanticipated consequences to overall project resources and schedules have occurred.

To allow the licensee to complete the necessary modifications, the licensee requests to move the Perry order implementation date from the completion of the spring 2015 refueling outage (which is scheduled in April 2015) to no later than July 31, 2015.

In light of the facts presented in the licensee's March 26, 2015, letter, the NRC staff has determined that the licensee has demonstrated good cause for relaxation of the order implementation date. In part, the modification delays stem from the licensee's decision to develop a more robust strategy than would have been provided in the original plan. Therefore, completion of the revised plan, including all of the associated modifications, will provide enhanced capabilities for responding to a BBDEE, as compared to the provisions of the original plan. The NRC staff also considered that, following the accident at Fukushima Dai-ichi, the NRC concluded that a sequence of events such as the Fukushima Dai-ichi accident is unlikely to occur in the United States based on the current regulatory requirements and existing plant capabilities. Given the plant-specific circumstances at Perry, and that completion by the proposed date is before December 2016, the ultimate implementation date established by the order, the NRC staff approves the requested relaxation.

Accordingly, based upon the authority granted to the Director, Office of Nuclear Reactor Regulation, the requirement of the order for full order implementation for Perry is relaxed until July 31, 2015, to allow the licensee sufficient time complete the necessary plant modifications needed to fully implement the required strategies.

If you have any questions, please contact Peter Bamford, at 301-415-2833.

Sincerely,



William M. Dean, Director
Office of Nuclear Reactor Regulation

Docket No. 50-440

cc: Listserv

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ADAMS Accession No.: ML15089A182

*via email

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