

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF NUCLEAR REACTOR REGULATION
HAROLD R. DENTON, DIRECTOR

MAINE YANKEE ATOMIC POWER COMPANY }
(Maine Yankee Atomic Power Station) }

Docket No. 50-309
(10 CFR 2.206)

DIRECTOR'S DECISION UNDER 10 CFR 2.206

By petition dated May 2, 1979, Nancy Crane DeWick of Woolich, Maine, and Safe Power for Maine requested that the shutdown of the Maine Yankee Power Station be continued pending an evaluation of asymmetric loads on the reactor vessel and reactor support systems caused by a loss of coolant accident (LOCA). As the basis of the request, the petition cited shutdown of the Maine Yankee facility ordered on March 13, 1979, the unresolved issue regarding asymmetric LOCA loads, the incentive that continued shutdown of the facility would provide for completion of the licensee's analysis of asymmetric LOCA loads, and the alleged lack of an appropriate evacuation plan for the facility's vicinity.

The primary issues under the Director of Nuclear Reactor Regulation's Order of March 13, 1979, 44 Fed. Reg. 16506, which directed that the Maine Yankee facility be placed in cold shutdown, concerned the incorrect use of algebraic summation in seismic design computer codes. Termination of the Order required satisfactory resolution of those issues. Once those issues were resolved, and in the absence of a safety concern which itself would warrant that the facility be kept shut down, restart of the facility would be authorized. On May 24, 1979, the Director issued a Termination of Order to Show Cause to the licensee, 44 Fed. Reg. 31756. In this action the Director concluded that the public health, safety or interest did not require continued shutdown of the facility, and thus restart of the facility was authorized. */

*/ A copy of the Termination Order is attached to the decision as Enclosure 1.

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As noted in the petition, the NRC Staff, by letter dated January 25, 1978, requested information from the licensee regarding the asymmetric LOCA loads issue.*/ In this letter the Staff defined the scope of this issue and requested that the licensee indicate its intent to proceed with an evaluation. The letter also requested a detailed schedule for providing this evaluation, consistent with the Staff's desire to resolve this issue within two years.

On February 21, 1978, the licensee committed to proceed with the evaluation. By letter dated September 8, 1978, the licensee indicated that it was unable to submit a schedule for completion of the evaluation. As noted in the petition the licensee has not yet submitted a detailed schedule for resolution of this issue.

Enclosure 1 to the Staff's letter of January 25, 1978, explains the Staff's bases for concluding that the probability of a pipe break resulting in substantial transient loads on the vessel support system or other structures is low enough that continued reactor operation is acceptable while this concern is being resolved. Furthermore, this interim period of operation was defined as two years. Since the Staff's conclusion is based primarily on the low likelihood of the event, an evaluation of the effects of the event was not necessary.

The information presented in the petition regarding asymmetric LOCA loads, including the lack of the licensee's schedule, highlights the chronology of this issue. The petition does not, however, provide any new information which was not considered in or which would affect the Staff's previous determination of an acceptable interim period of operation. The Staff is aware of the ongoing effort

*/ A copy of the Staff's January 25, 1978, letter with enclosures is attached as Enclosure 2.

by licensees on this issue and expects a schedule from Maine Yankee in the near future. Should this issue remain unresolved beyond the acceptable interim period, the Staff will review the information available at that time and take further action as appropriate.

Requiring that the facility be shut down until the asymmetric LOCA loads issue is resolved may provide an additional incentive for the licensee to complete its evaluation, but there is no indication that the licensee will not responsibly address the issue. As discussed, the safety concern associated with this issue does not in itself warrant the shutdown of operating facilities at this time. Thus, I do not find shutdown of Maine Yankee merely to improve the licensee's schedule for resolution of the issue either necessary or appropriate.

The petitioners state as a further basis for the shutdown of Maine Yankee that "[t]here is no generally disseminated, coordinated or approved inhabitant evacuation plan covering the surrounds of Maine Yankee". The Maine Yankee Emergency Plan meets the Commission's current standards for emergency planning. 10 CFR Part 50, Appendix E. The Staff reviewed the Maine Yankee Emergency Plan and found it to be satisfactory as discussed in the Safety Evaluation Report (SER) dated February 24, 1972, issued in support of facility licensing. Improvement of emergency planning is, however, of continuing concern to the Commission. Efforts are underway within the Commission to review all aspects of emergency planning, including the adequacy of present planning and the need for coordination with and participation of other agencies in developing emergency planning.

The State of Maine Radiological Incident Plan, prepared by Lt. Allan H. Weeks of the Maine State Police, is included in the table of contents of the Maine Yankee Emergency Plan. The State of Maine Radiological Incident Plan includes

individual radiological incident plans for the towns of Westport, Boothbay, Wiscasset, Edgecomb and Woolich. Local plans have a basic plan, an increased readiness plan, an emergency evacuation plan, a notification list, evacuation routes, and a statement of local police responsibilities and transportation facilities. The State of Maine is re-evaluating its current plan to improve its planning for emergencies.

The Central Maine Power Company distributes with its residential electric service bills a brochure entitled "Lamplighter." Once a year, the Lamplighter presents a summary of the Maine Yankee Emergency Plan. The summary includes a short description of public notification procedures with the call letters of local radio stations. The summary states that a copy of the Maine Yankee Emergency Plan is available in the Wiscasset Public Library, and that copies of town plans are available in the municipal offices of Westport, Boothbay, Wiscasset, Edgecomb and Woolich. The summary also gives the phone number of the responsible person to call for further information. Calls for such information have averaged a few per year.

Inasmuch as the Maine Yankee Emergency Plan meets the Commission's current standards for emergency planning and as the Commission is currently reviewing the overall need for improving emergency planning, I do not find the petitioner's allegation to be an adequate basis for suspending the operating license for Maine Yankee and thereby shutting down the facility.


Accordingly, for the foregoing reasons, the petition on behalf of Safe Power for Maine and Nancy Crance DeWick is denied.

A copy of this decision will be placed in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D. C. 20555 and the local public document

room for the Maine Yankee Atomic Power Station at the Wiscasset Public Library, High Street, Wiscasset, Maine 04578. A copy of this decision will also be filed with the Secretary of the Commission for its review in accordance with 10 CFR 2.206(c) of the Commission's regulations.

In accordance with 10 CFR 2.206(c) this decision will constitute the final action of the Commission twenty (20) days after issuance, unless the Commission on its own motion institutes review of this decision within that time.

FOR THE NUCLEAR REGULATORY COMMISSION


Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland
this 26 day of June, 1979.

Enclosures:

1. Termination of Order to Show Cause dated 5/24/79
2. NRC letter dated 1/25/78