

JUL 6 1979

Ms. Jean Deluljak
361 East 272
Euclid, Ohio

Dear Ms. Deluljak:

Your letter of June 13, 1979, to Chairman Hendrie, has been referred to me for reply. Your letter requests that Davis-Besse Nuclear Power Station, Unit No. 1 (DB-1) not be allowed to resume operation until you and other members of the general public can be assured, by means of a public hearing, that Toledo Edison Company and Cleveland Electric Illuminating Company (the licensees) can operate the facility safely.

As you are undoubtedly aware, the nuclear reactor of DB-1 was designed by the Babcock & Wilcox Company (B&W), which is the same basic design as the reactor of Three Mile Island, Unit No. 2 (TMI-2). Because of this similarity (although there are some significant differences in the detailed designs of these units), the experience at TMI-2 has raised certain questions among our technical staff as to the capability of B&W designed units to adequately respond to certain transient plant conditions. As a result of these concerns, the Commission issued an Order on May 16, 1979 to the licensees, directing them to take certain actions with respect to DB-1. Enclosure 1 is a copy of the May 16 Order. Paragraph (1) of Section IV of the Order directed the licensees to take certain immediate actions to increase the capability and reliability of DB-1 to respond to various transient events. The Order also directed the licensees to maintain DB-1 in a shutdown condition until these immediate actions were satisfactorily completed and confirmed by the Director, Office of Nuclear Reactor Regulation.

The staff of the Nuclear Regulatory Commission (NRC) has completed its review of the actions taken by the licensees to comply with paragraph (1) of Section IV of the May 16 Order and has found them to be acceptable. To document and support its review of the licensees' compliance with the Order, the staff has issued a Safety Evaluation dated July 6, 1979. A copy of this Safety Evaluation is included as Enclosure 2 to this letter.

The Director, Office of Nuclear Reactor Regulation conducted a Commission briefing on July 5, 1979, and informed the Commission that he was satisfied with the licensees' compliance with the Order and that he would authorize DB-1 to resume power operations shortly.

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Mrs. Jean Deluljak

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In addition to the immediate actions required by the Order, the licensees have also been directed to carry out promptly, certain additional long-term modifications to DB-1, to further enhance the capability and reliability of the facility to respond to various transient events. The licensees must submit to the NRC staff, within 30 days, their schedule for completion of these long-term modifications. These modifications will also be reviewed by the NRC staff for their acceptability.

With respect to your concern about a public hearing, hearings on Orders of this type are not scheduled unless the licensee or a member of the public, whose interest may be affected by the Order, requests a hearing. State Senator Tim McCormack has filed such a request with the Commission by letters dated May 3 and June 7, 1979. The Commission has directed the Chairman of the Atomic Safety and Licensing Board panel to select a board to act on Senator McCormack's petition and to conduct any hearings as a result of his petition. I must point out, however, that the filing of this petition does not, of itself, stay operation of the plant. Enclosure (3) is a copy of the Commission Order.

If I can be of further assistance, please contact me.

Sincerely,

Denwood F. Ross, Jr.
D. F. Ross

Denwood F. Ross, Jr., Deputy Director
Division of Project Management
Office of Nuclear Reactor Regulation

Enclosures:
As stated

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