

NRC POR



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

July 23, 1979

Mr. Harry H. Wrinkle  
3315 Turnbridge Drive  
Sacramento, California 95823

Dear Mr. Wrinkle:

This is in reply to your letters of June 14, 1979 to me and of June 24, 1979 to Chairman Hendrie expressing concerns about the shutdown of the Rancho Seco nuclear power plant.

Enclosed is a copy of a letter of June 27, 1979 from me to the Sacramento Municipal Utility District permitting resumption of operation of the Rancho Seco plant. Also enclosed is a copy of an Order of June 21, 1979 by the Nuclear Regulatory Commission directing the selection of a board to determine whether requesters of a hearing in this case meet the requisite personal interest test and to conduct any hearing which may be required. Resumed operation of the Rancho Seco facility is not stayed by the pendency of these proceedings.

We are mindful of the economic hardships that can occur as a result of shutdowns of nuclear power plants and work as hard as we can to avoid any unnecessary delays in the resumption of operations while giving priority to our responsibilities to ensure the continued protection of the health and safety of the public.

Sincerely,

*Harold R. Denton*  
Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Ltr of 6/27/79 from Denton to Mattimoe
- 2. Order of 6/21/79 by NRC on Docket No. 50-312

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

June 27, 1979

Docket No. 50-312

Mr. J. J. Mattimoe  
Assistant General Manager and  
Chief Engineer  
Sacramento Municipal Utility District  
6201 S Street  
P. O. Box 15836  
Sacramento, California 95813

Dear Mr. Mattimoe:

By Order of May 7, 1979, the Commission confirmed your undertaking a series of actions, both immediate and long term, to increase the capability and reliability of the Rancho Seco Nuclear Generating Station to respond to various transient events. In addition, the Order confirmed that you would shut down Rancho Seco on April 28, 1979, and maintain the plant in a shut-down condition until the following actions had been satisfactorily completed:

- (a) Upgrade the timeliness and reliability of delivery from the Auxiliary Feedwater System by carrying out actions as identified in Enclosure 1 of your letter of April 27, 1979.
- (b) Develop and implement operating procedures for initiating and controlling auxiliary feedwater independent of Integrated Control System control.
- (c) Implement a hard-wired control-grade reactor trip that would be actuated on loss of main feedwater and/or turbine trip.
- (d) Complete analyses for potential small breaks and develop and implement operating instructions to define operator action.
- (e) Provide for one Senior Licensed Operator assigned to the control room who has had Three Mile Island Unit No. 2 (TMI-2) training on the B&W simulator.

By submittal of May 14, 1979, as supplemented by seven letters dated May 22, 24, 29, 30(3) and June 6, 1979, you have documented the actions taken in response to the May 7 Order. We have reviewed this submittal, and are satisfied that, with respect to Rancho Seco, you have satisfactorily completed the actions

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prescribed in items (a) through (e) of paragraph (1) of Section IV of the Order, the specified analyses are acceptable, and the specified implementing procedures are appropriate. The bases for these conclusions are set forth in the enclosed Safety Evaluation.

As noted on page 13 of the Safety Evaluation, you will be required to conduct a test during power operation to demonstrate operator capability to assume manual control of the Auxiliary Feedwater System independent of the Integrated Control System.

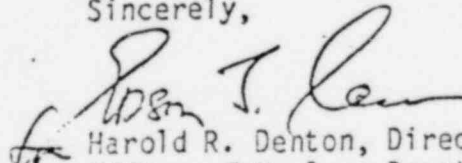
Appropriate Technical Specifications for Limiting Conditions for Operation and for surveillance requirements should be developed as soon as practicable and provided to the staff within seven days with regard to the design and procedural changes which have been completed in compliance with the provisions of the May 7, 1979 Commission Order. The revised Technical Specifications should cover:

- (1) Addition of flow indication to the Auxiliary Feedwater System;
- (2) Addition of the Anticipatory Reactor Trips; and
- (3) Changes in set points for high pressure reactor trip and PORV actuation.

Within 30 days of receipt of this letter, you should provide us with your schedule for completion of the long term modifications described in Section II of the May 7 Order, and you should submit for staff review the model used in the analysis for potential small breaks referenced in your letter of May 14, 1979.

My finding of satisfactory compliance with the requirements of items (a) through (e) of paragraph (1) of Section IV of the Order will permit resumption of operation in accordance with the terms of the Commission's Order; it in no way affects your duty to continue in effect all of the above provisions of the Order pending your submission and approval by the Commission of the Technical Specification changes necessary for each of the required modifications.

Sincerely,

  
Harold R. Denton, Director  
Office of Nuclear Reactor  
Regulation

Enclosures:

1. Safety Evaluation
2. Notice

cc w/enclosures: See next page

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NUCLEAR REGULATORY COMMISSION

COMMISSIONERS:

Joseph M. Hendrie, Chairman  
Victor Gilinsky  
Richard T. Kennedy  
Peter A. Bradford  
John F. Ahearne



In the Matter of  
SACRAMENTO MUNICIPAL UTILITY DISTRICT  
Rancho Seco Nuclear Generating Station

Docket No. 50-312

ORDER

By a confirmatory Order dated May 7, 1979 the Commission directed that the Rancho Seco facility, then in a shutdown condition, should remain shut down until certain actions specified in the Order were satisfactorily completed, as confirmed by the Director, Office of Nuclear Reactor Regulation. The Order also directed the licensee to accomplish as promptly as practicable the long-term modifications set forth in Section II of the Order. The Order stated further:

Within twenty (20) days of the date of this Order, the licensee or any person whose interest may be affected by this Order may request a hearing with respect to this Order. Any such request shall not stay the immediate effectiveness of this Order.

Requests for a hearing have been received from Friends of the Earth and from members of the Board of Directors of the Sacramento Municipal Utility District.

The Commission hereby directs that the Chairman of the Atomic Safety and Licensing Board Panel shall, pursuant to

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10 CFR 2.105(e), select a board to determine whether the requesters meet the requisite personal interest test and to conduct any hearing which may be required.

The subjects to be considered at the hearing shall include:

1. Whether the actions required by subparagraphs (a) through (e) of Section IV of the Order are necessary and sufficient to provide reasonable assurance that the facility will respond safely to feedwater transients, pending completion of the long-term modifications set forth in Section II. A contention challenging the correctness of the NRC staff's conclusion that the actions described in subparagraphs (a) through (e) have been completed satisfactorily will be considered to be within the scope of the hearing. However, the filing of such a contention shall not of itself stay operation of the plant.

2. Whether the licensee should be required to accomplish, as promptly as practicable, the long-term modifications set forth in Section II of the Order.

3. Whether these long-term modifications are sufficient to provide continued reasonable assurance that the facility will respond safely to feedwater transients.

Resumed operation of the Rancho Seco facility on terms consistent with the Order of May 7, 1979, is not stayed by the pendency of these proceedings. Contrary to the contention of the Friends of the Earth in their filing of June 8, 1979, the transcripts of the Commission proceedings of April 25 and 27 reflect no Commission intent that hearings necessarily precede restart of the facility. Nor is such a requirement compelled by law or by the factual circumstances before us. Mere speculation that the hearing might develop facts indicating the need for further

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enforcement action does not suffice to warrant a prohibition on re-start of the facility. In the event that a need for further enforcement action becomes apparent, either in the course of the hearing or at any other time, appropriate action can be taken at that time.

NRC staff has now determined that the actions set forth in subparagraphs (a) through (e) have been completed satisfactorily, and it shall provide the Commission with an informational briefing as to the basis for its conclusions prior to permitting restart of the facility. That briefing will be open to the public. In receiving this briefing, the Commission will in no manner prejudge the merits of the adjudicatory hearing authorized by this Order. Any adjudicatory determination by the Commission that may arise from that hearing will be based solely on the record developed in that proceeding.-

It is so ORDERED.

For the Commission

  
SAMUEL J. CHILK  
Secretary of the Commission

Dated at Washington, D.C.,  
this 21st day of June, 1979.

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\*/ The decision of the Licensing Board will be made on the basis of the record developed before it. Accordingly, pursuant to our rules, statements made by any person in the course of the staff's informational briefing for the Commission may not be "pleaded, cited, or relied upon" in the adjudicatory proceedings before the Licensing Board, or in subsequent appellate proceedings before the Appeal Board. 10 CFR 9.103. If and when Commission review of that adjudication takes place, any party wishing to plead, cite, or rely on the transcript of the informational briefing will be at liberty to do so. To that extent, owing to the unusual factual circumstances present here, we waive the prohibition contained in 10 CFR 9.103, in accordance with the provision of that rule authorizing such waiver by the Commission.

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No. 79-1914

Date 6/28/79

NRC SECRET-100-7

TO:  Commissioner \_\_\_\_\_ Date \_\_\_\_\_  
 Exec. Dir. Oper. \_\_\_\_\_  Gen. Counsel \_\_\_\_\_  
 Cong. Liaison \_\_\_\_\_  Solicitor \_\_\_\_\_  
 Public Affairs \_\_\_\_\_  Secretary \_\_\_\_\_  
 \_\_\_\_\_

Incoming: Harry Wrinkle  
From: 3315 Turnbridge Dr.  
8 Sacramento, Ca.  
To: Comrs. Date 6/24/79  
Subject: Expresses concerns over Rancho Seco

- Prepare reply for signature of:  
 Chairman  
 Commissioner \_\_\_\_\_  
 EDO, GC, CL, SOL, PA, SECY  
 Signature block omitted  
 \_\_\_\_\_  
 Return original of incoming with response

- For direct reply\*  
 For appropriate action  
 For information  
 For recommendation

Read by \_\_\_\_\_  
Date 7/2/79  
TIME \_\_\_\_\_

Remarks: \_\_\_\_\_  
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For the Commission: Combs

\*Send three (3) copies of reply to Sec. \_\_\_\_\_ Facility

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ACTION SLIP

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