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Docket No. 50-289



Dr. J. Carson Mark, Chairman
Advisory Committee on Reactor Safeguards
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

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Dear Dr. Mark:

During the 248th meeting, December 4-6, 1980, the Advisory Committee on Reactor Safeguards (ACRS) requested that the NRC staff prepare a concise summary of the remaining open issues which need resolution prior to the restart of TMI-1, a statement as to the status of each, the degree to which each is considered significant from the standpoint of health and safety and an indication as to which items must be resolved prior to restart.

At the time of the 248th ACRS meeting, there were a large number of open items which remained to be fully resolved between the staff and the licensee. Since that time, both the staff and the licensee have undertaken a comprehensive effort to resolve these open items and, with several exceptions all items have been resolved. The several remaining items needing resolution before restart are listed in Tables I and II of this letter. Table I lists seven TMI accident related items; Table II lists three items not related to the TMI accident.

In Table I, six of the items listed are among the post-TMI requirements for operating reactors listed in Enclosure 1 to NUREG-0737, "Clarification of TMI Action Plan Requirements" dated October 31, 1980, that are outside of the content of the Commission's August 9, 1979 Order and March 6, 1980 Order regarding TMI-1. Item II.F.2, New Instrumentation for Detection of Inadequate Core Cooling, was evaluated in Supplement 3 to NUREG-0680 among those items within the content of the Commission's Orders. Of these seven matters, only Item II.F.2 and Item III.A.2, Emergency Preparedness, are of major concern.

With regard to Item II.F.2, the licensee has not committed to the staff's position that development of a reactor vessel water level measurement system is necessary for the safe long term operation of the facility. Accordingly, the staff concluded that the licensee has not made reasonable progress for restart approval on this item as defined on page 29 of Supplement 3 to NUREG-0680.

With regard to Item III.A.2, Emergency Preparedness, the licensee is generally in compliance with the requirements for onsite emergency planning, but to date, the Federal Emergency Management Agency (FEMA) has not provided a finding on the adequacy of offsite plans. FEMA has deferred its finding until the review of the joint emergency preparedness exercise conducted June 2, 1981. These issues are still under review in the hearing proceedings.

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The remaining TMI related items do not involve hardware or procedure modifications and as such are not considered significant from the standpoint of public health and safety for the short-term. However, since these items have approved implementation dates for operating plants in Enclosure 1 to NUREG-0737 that occur prior to the licensee's assumed date of restart of October 1981, it is the staff's position that these items should be completed prior to restart.

The documentation of the staff's evaluations of the TMI accident related matters to date is provided in the following reports:

1. NUREG-0680, "TMI-1 Restart", dated June 1980; and Supplements 1, 2 & 3 dated November 1980, March 1981 and April 1981, respectively.
2. NUREG-0746, "Emergency Preparedness Evaluation for TMI-1", dated December 1980 and Supplement 1 dated May 1981.
3. NUREG-0752, "Control Room Review Report for TMI-1", dated December 1980 and Supplement 1 dated April 1981.
4. Two letters from J. F. Stolz (NRC) to H. D. Hukill (Met Ed) dated April 22, 1980 issuing Safety Evaluations on the post-TMI items outside of the content of the Commission's Orders on TMI-1, contained in NUREG-0694, "TMI-Related Requirements for New Operating Licenses", as defined in the staff's letter to the licensee dated November 25, 1980; and Enclosure 1 to NUREG-0737, "Clarification of TMI Action Plan Requirements" dated October 31, 1980.

No further evaluation of the short-term Item 7, Financial Qualifications, of the Commission's August 9, 1979 Order has been provided in accordance with the Commission's Order CLI-81-3 dated March 23, 1981, which among other things removed financial qualifications from the restart proceeding.

Table II lists three items not related to the TMI accident that among other things require staff evaluation of licensee responses. Since the licensee responses for operating reactors are required before the estimated restart date for TMI-1, these items need to be evaluated before TMI-1 restart. This list may be modified if other significant safety matters should arise affecting operating plants, including TMI-1.

In addition, the licensee would be expected to resolve significant findings from IE Inspection activities and, to successfully implement a restart test program. This restart test program is presently under review by the staff.

Sincerely,

Original signed by

Thomas M. Novak, Assistant Director
for Operating Reactors

Division of Licensing

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