

UNITED STATES OF AMERICA  
 NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 Portland General Electric Company, et al. ) Docket No. 50-344  
 (Trojan Nuclear Plant) ) (10 CFR 2.206)

DIRECTOR'S DECISION UNDER 10 CFR 2.206

By petition dated May 17, 1979, Nina Bell, pro se, and Eugene Rosolie, on behalf of the Coalition for Safe Power (the Coalition), requested that the Nuclear Regulatory Commission take immediate corrective action including shutdown of the facility to relieve serious safety problems at the Trojan Nuclear Plant. This petition was filed pursuant to 10 CFR 2.206 of the Commission's regulations.

The asserted bases for the request by the petitioners were that deficiencies existed with respect to fire protection and environmental qualification of electrical equipment. The issues raised by the petitioners were generic in nature and directly related to those raised by the Union of Concerned Scientists (UCS) in its petitions filed before the Commission in November 1977 and May 1978. Since the Commission was already considering these matters as part of its evaluation and preparation of a response to the UCS petitions, final consideration of the Coalition's petition was held in abeyance pending the Commission's decision in the UCS proceeding.\* In the interim, on September 10, 1979, I determined that no adequate basis existed for taking immediate action to shutdown the Trojan Nuclear Plant and the petitioners' request for immediate action was denied.

\*Footnote appears on p. 2

On May 23, 1980, the Commission issued its decision in the UCS proceeding (Memorandum and Order dated May 23, 1980, CLI-80-21). A copy is attached. Consequently, in accordance with the Commission's findings, I am now undertaking final consideration of the petition of Nina Bell and the Coalition.

I.

With respect to the issue of environmental qualification of electrical equipment, in accordance with the Commission's decision in CLI-80-21, the NRC staff issued a Safety Evaluation Report (SER) on this subject for the Trojan Nuclear Plant on May 27, 1981. A copy of the SER is attached and hereby incorporated by reference. The SER sets forth the status of environmental qualification of electrical equipment for Trojan, and notes that corrective action is required for many items. The licensee, Portland General Electric Company (PGE), is expected to respond to the discrepant items identified in the SER within 90 days. In addition, also pursuant to the Commission's CLI-80-21 Order, the licensee has been ordered to have all safety-related electrical equipment in the facility environmentally qualified in accordance with the provision of Division of Operating Reactors "Guidelines for Evaluating Environmental Qualification of Class 1E Electrical Equipment in Operating Reactors" (DOR Guidelines),

(Footnote from p. 1)

This is in accordance with the Secretary of the Commission's July 31, 1979 memorandum to the Director which stated: "The Commission requests that you determine if this petition contains any information indicating that immediate action is needed at the Trojan plant, as distinguished from generic actions which may result from the Commission's final determination in the UCS proceeding. The petitioner should be informed of the results of this inquiry. If it is found that no immediate action is warranted, petitioner should be informed that further consideration of its petition will be held in abeyance pending the Commission's decision in the UCS proceeding."

or NUREG-0588, "Interim Staff Position on Environmental Qualification of Safety-Related Electrical Equipment", December 1979.

The NRC staff's SER of May 27, 1981, while finding deficiencies with the existing environmental qualification for some equipment, nevertheless concluded that there is reasonable assurance of continued safe operation of this facility pending completion of necessary corrective actions (SER at pp. 9-10).

## II.

With respect to fire protection issues, the Commission's Order of May 23, 1980 led to the issuance of new fire protection requirements now codified in 10 CFR 50.48 and a new Appendix R to 10 CFR Part 50 (45 FR 76602, November 19, 1980). This rule became effective on February 17, 1981. Except for an exemption request for two items (discussed below), there are no outstanding or unresolved fire protection issues at Trojan. All fire protection upgrading has been completed with the exception of the oil collection system for the reactor coolant pumps. The licensee has indicated this item, if not totally completed during the current refueling outage, will be completed within the time required by the rule.

The licensee has requested an exemption from items III.G.2 and III.J of 10 CFR 50, Appendix R, for the Trojan Nuclear Plant. These items concern (1) means of ensuring that one of the redundant trains of systems necessary to achieve and maintain hot shutdown conditions located in the same fire area remains free from fire damage, and (2) emergency lighting provisions in areas needed for operation of safe shutdown equipment.

With respect to item (1) above, the licensee has stated that, although all of the requirements of Appendix R are not literally met in five specified fire areas, the actions it has taken as described in prior submittals for these specific fire areas will ensure that one of the redundant trains required for safe shutdown will be free from fire damage in the event of a fire. The licensee therefore asserts that the intent of Appendix R has been satisfied, and that additional modifications would not significantly improve fire protection safety.

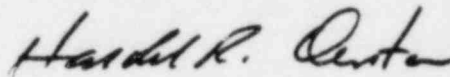
As for item (2) above, the licensee has identified seven areas requiring manual safe shutdown operations which have emergency lighting powered by either of two emergency diesel generators instead of by an 8-hour battery supply as required by Appendix R. PGE asserts that the intent of Appendix R is satisfied, and that replacement of these lights with battery-powered lights would not enhance fire protection safety at Trojan Nuclear Plant.

Both of these exemption requests are currently under review. Based on the protections in place at the Trojan facility, I have concluded that there is reasonable assurance of continued safe operation of the Trojan facility pending resolution of the exemption requests. Both of these items will be resolved in a reasonable period of time.

On the basis of the foregoing, I have determined that no adequate basis exists for ordering the shutdown of the Trojan Nuclear Plant. Consequently, the petitioners' request is denied.

A copy of this determination 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 Trojan Nuclear Plant located at the Multnomah County Library, Social Science and Science Department, 801 S.W. 10th Avenue, Portland, Oregon 97205. A copy of this document will also be filed with the Secretary of the Commission for review in accordance with 10 CFR §2.206(c) of the Commission's regulations.

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



Harold R. Denton, Director  
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland  
this 13th day of July, 1981.

Attachments:

1. Memorandum and Order of the Commission, CLI-80-21, May 23, 1980.
2. Safety Evaluation Report, May 27, 1981.