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SEPTEMBER 29 1981

Docket Nos. 50-295
50-304

Ms. Catherine Quigg, Member
Illinois Safe Energy Alliance
P. O. Box 469
Antioch, Illinois 60002

Dear Ms. Quigg:

In a letter dated July 29, 1981, you requested that I institute a proceeding, pursuant to 10 CFR 2.202 of the Code of Federal Regulations to show cause why the Zion Nuclear Station, Units 1 and 2 should not cease operation until Commonwealth Edison is able to comply with the NRC's emergency planning requirements. For the reasons set forth in the enclosed "Director's Decision Under 10 CFR 2.206", your request has been denied.

Copies of this decision will be filed in the Commission's Public Document Room at 1717 H Street, N.W., Washington, D. C. 20555, and in the Local Public Document Room for the Zion facility, located at the Zion-Benton Public Library, 2600 Emmaus Avenue, Zion, Illinois 60099.

Sincerely,

Original signed by
Victor Stello

Victor Stello, Director
Office of Inspection and Enforcement

Enclosure: As stated



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subject to
correction
to Director's
decision

Handwritten initials and date: 9/24

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DATE	09/15/81	09/18/81	09/15/81	09/22/81	09/17/81	09/27/81

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSIONOffice of Inspection and Enforcement
Victor Stello, Director

In the Matter of)	Docket Nos. 50-295 and 50-304
)	(10 CFR 2.206)
COMMONWEALTH EDISON COMPANY)	
(Zion Nuclear Plant, Units 1 and 2))	

DIRECTOR'S DECISION UNDER 10 CFR 2.206

By petition dated July 29, 1981, the Illinois Safe Energy Alliance (petitioner) requested the Director of the Office of Inspection and Enforcement to institute a proceeding pursuant to 10 CFR 2.202 to require Commonwealth Edison Company (the licensee) to show cause why the Zion Nuclear Station Units 1 and 2 should not cease operation until the licensee complies with the Commission's emergency planning requirements. This request has been considered under the provisions of 10 CFR 2.206 of the Commission's regulations.

The basis for the petitioner's request is its assertion that Commonwealth Edison Company has failed to comply with the requirement set forth in 10 CFR Part 50, Appendix E, IV.D.3. which requires that:

By July 1, 1981, the nuclear power reactor licensee shall demonstrate that administrative and physical means have been established for alerting and providing prompt instruction to the public within the plume exposure pathway emergency planning zone. The design objective shall be to have the capability to essentially complete the initial notification of the public within 15 minutes.

The petitioner contends there is a special urgency to implement the 15 minute notification system for the Zion facilities because the Zion reactors have a type of pressure vessel which may be vulnerable to undetectable cracks which could cause a rupture in the pressure vessel around the reactor core.

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Certain pressure vessel ruptures, petitioner contends, could result in accidents with significant offsite releases. Thus, the Zion facility should be held to "exacting application of emergency preparedness standards."

The staff has evaluated the Illinois Safe Energy Alliance request. For the reasons set forth below, I have determined that no proceeding should be instituted to require Commonwealth Edison Company to show cause why its Zion facilities should not be shut down until they meet Commission emergency planning requirements.

While this licensee's compliance with the prompt notification requirement has been delayed (as is the case with most other similarly affected licensees),^{*/} the NRC considers that emergency plans and preparedness have significantly improved within the last year at and around Zion and every nuclear power plant site. This significant improvement has been confirmed by NRC teams who have visited a representative number of plant sites to evaluate the licensees' compliance with the upgraded emergency planning regulations of August 1980. In addition, the Federal Emergency Management Agency (FEMA) and the NRC have monitored numerous nuclear emergency exercises involving State and local governments and the licensees, and again have witnessed a significant general improvement in onsite and offsite emergency preparedness.

In response to the NRC's request for information dated July 1, 1981, the licensee described the existing notification systems in place for the Zion station. The current alerting capability relies on existing sirens where they are available to alert the public. Siren systems are available in North Chicago, Waukegan, Winthrop Harbor, and Zion, Illinois and Kenosha, Wisconsin. State, county, and

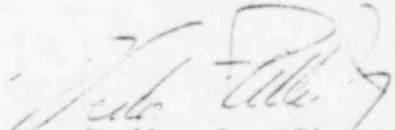
^{*/} The Commission has published a notice of proposed rulemaking to amend 10 CFR Part 50, Appendix E, IV.D.3. to extend the date to February 1, 1982, by which prompt notification systems must be operational around all nuclear power plants. 46 FR 46587 (September 21, 1981). The comment period on the proposed amendment expires October 21, 1981.

local emergency vehicles will be used to notify the remainder of the population not covered by the installed sirens. The licensee reports that State vehicles would be used to supplement coverage in areas where county and local coverage is inadequate. County and local procedures are in place for vehicle routing by emergency dispatchers.

With regard to the possible generation of cracks in the Zion pressure vessel, on the basis of our review of the PWR Owners Group's responses and the PWR licensees' responses to our letter of April 20, 1981, and on the basis of our independent analysis, the staff has determined that all operating plants could withstand a severe overcooling event for at least another year of full power operation. Further action will be taken to resolve the long term problems, but in this case Zion does not present a unique urgency related to the implementation of emergency planning.

Based on the above information and on a recognition that there exists a customary warning system (police, radio, telephone), which is viewed as sufficiently effective in many postulated accident scenarios, the Commission is proposing to defer the implementation date of the prompt notification capability requirement from July 1, 1981, to February 1, 1982. In view of the above, I find that there exists sufficient reason to believe that appropriate protective measures can and will be taken for the protection of the health and safety of the public near the Zion facilities in the event of a radiological emergency during the proposed extended time period for full compliance with Appendix E. The Zion site does not pose unique circumstances that should be the subject of Commission action apart from consideration of the generic rule change.

A copy of this decision will be filed with the Secretary for the Commission's review in accordance with 10 CFR 2.206(c) of the Commission's regulations. As provided in 10 CFR 2.206(c), this decision will constitute the final action of the Commission twenty-five (25) days after the date of issuance, unless the Commission on its own motion institutes the review of this decision within that time.



Victor Stello, Jr., Director
Office of Inspection and Enforcement

Dated at Bethesda, Maryland,
this 29th day of September 1981.