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NSIC
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JAN 04 1982



Docket No. 50-219

Jersey Central Power & Light Company
ATTN: Mr. Philip R. Clark
Vice President
P. O. Box 288
Forked River, New Jersey 08731

Gentlemen:

This acknowledges receipt of your letter dated October 23, 1981, responding to the Notice of Violation dated September 22, 1981.

The corrective steps described in your letter are acceptable. If there are any deviations from this plan, you must notify us promptly. As you are aware, the rule change, as approved by the Commission December 17, 1981, which changed the implementation deadline to February 1, 1982, also provides that the four-month period for correction of deficiencies does not apply to the initial installation of the systems. The periodic updates you have offered to supply will greatly assist my staff in maintaining an up-to-date status of your progress.

Sincerely,

"Original Signed By
R. C. DeYoung"

Richard C. DeYoung, Director
Office of Inspection and Enforcement

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*See previous ORC for concurrences

OFFICE	EPDB:DEP	C-EPDB:DEP	C-EPLB:DEP	C-EB:EIS	DEP	O:OIE
SURNAME	JHickman:kb*	SLRamos*	FGPagano*	DWessman*	BKGrimes	RCDeYoung
DATE	12/09/81	12/11/81	12/15/81	12/21/81	12/30/81	01/20/82

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 SECY OPE
 CA RDeFayette
 VStello RPriebe
 RDeYoung, IE

Docket No. 50-219

Jersey Central Power & Light Company
 ATTN: Mr. Philip R. Clark
 Vice President
 P. O. Box 388
 Forked River, New Jersey 08731

Gentlemen:

This acknowledges receipt of your letter dated October 23, 1981, responding to the Notice of Violation dated September 22, 1981.

The corrective steps described in your letter are acceptable. If there are any deviations from this plan, you must notify us promptly. As you are aware, the proposed rule change which proposes to change the deadline for implementation of a Prompt Notification System to February 1, 1982, also proposes that the four-month period for correction of deficiencies will not apply to the initial installation. The periodic updates you have offered to supply will greatly assist my staff in maintaining an up-to-date status of your progress.

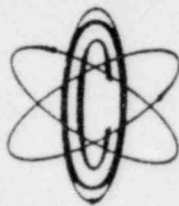
Sincerely,

Brian K. Grimes, Director
 Division of Emergency Preparedness
 Office of Inspection and Enforcement

*See previous ORC for concurrences

OFFICE ▶	EPDB:DEP	C-EPDB:DEP	C-EPLB:DEP	C-EB:EIS	D:DEP	
SURNAME ▶	JHickman*:kb	SLRamos*	FGPagano*	DWessman	BKGrimes	
DATE ▶	12/09/81	12/11/81	12/15/81	12/21/81	12/21/81	

OYSTER CREEK



NUCLEAR GENERATING STATION

JCP&L GPU

Jersey Central Power & Light
Company is a Member of the
General Public Utilities System

(609)693-6000 P O BOX 388 • FORKED RIVER • NEW JERSEY • 08731

October 23, 1981

Mr. Victor Stello, Jr., Director
Office of Inspection and Enforcement
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555



Dear Mr. Stello:

Subject: Oyster Creek Nuclear Generating Station
Docket No. 50-219
Notice of Violation "Prompt Public Notification
System"

In accordance with the provisions of 10 CFR 2.201, this letter presents our response to the Notice of Violation transmitted in your letter of September 22, 1981.

As stated in your letter, we did not notify the NRC of our inability to meet the July 1, 1981 date. Prior to that date, information had been received in our offices that since many utilities had been unable to meet the July 1, 1981 date, the NRC staff was in the process of initiating an extension of the completion date. Although we were aware of our inability to meet the completion date, we had expected to complete the system installation within the four month period specified in 10 CFR 50.54(s)(2) for the correction of deficiencies. Based on this projected completion and the information indicating an anticipated extension of the completion date, it was decided not to submit an exemption request.

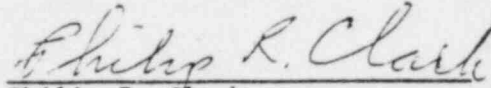
It was never the intent to mislead the staff concerning the status of this project. Our company policy has always been, and will continue to be, open and truthful communications concerning regulatory actions. In order to reinforce this policy, each member of the management staff has been provided with a personal letter signed by the Chief Operating Executive reiterating this position.

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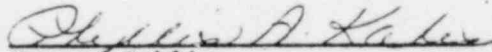
Should you have any questions, please contact Mr. Michael Laggart at (609) 693-6932.

Very truly yours,



Philip R. Clark
Vice President - Nuclear
Jersey Central Power & Light
Executive Vice President -
GPU Nuclear

Signed and sworn to before me this 23rd day
of October 1981.


Notary Public

PHYLLIS A. KABIS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Aug. 16, 1984

PRC:GWB:lse

attachment

cc: Director
Office of Inspection and Enforcement
U.S. Nuclear Regulatory Commission
Region I
631 Park Avenue
King of Prussia, PA 19406

NRC Resident Inspector
Oyster Creek Nuclear Generating Station
Forked River, NJ 08731

Response to Notice of Violation
Prompt Public Notification System

Violation:

10 CFR 50.54(s)(2) and Section IV.D.3 of Appendix E, require that by July 1, 1981, each nuclear power reactor licensee demonstrate that administrative and physical means have been established for alerting and providing prompt instructions to the public within the plume exposure pathway of the Emergency Planning Zone within about 15 minutes.

Contrary to the above, Jersey Central Power & Light Company was unable to demonstrate that means had been established for alerting and promptly providing public instruction within the plume exposure pathway of the Emergency Planning Zone within about 15 minutes.

This is a Severity Level IV violation (Supplement I).

Response:

The Notice of Violation is correct as stated in that the Prompt Public Notification System for the Oyster Creek Station Plume Exposure Emergency Planning Zone (EPZ) was not completed by July 1, 1981.

Reasons for the item of noncompliance:

Following publication of the Emergency Planning Rule, an engineering study was undertaken to determine the most appropriate means of providing the required prompt notification capability. The results of this evaluation indicated that this capability could best be provided by a system of stationary sirens and a proposed engineering design was developed. This design was then verified by an independent source in order to assure the accuracy and completeness of the design. This verification resulted in some changes relating to siren locations and the type of sirens to be installed.

Unfortunately, due to the time involved in completing the original proposal and the subsequent verification of the design, procurement was delayed to a point that precluded completing the installation by the July 1, 1981 date. Additionally, during this period, many problems were encountered in working with governmental agencies to resolve questions relating to operation, maintenance, and ownership of the installed system. This also contributed to the inability to meet the required installation date.

Corrective steps which have been taken and results achieved:

Upon finalization of the engineering proposal, procurement of the system hardware was initiated and it is now being received. Additionally, the system design engineering and supporting acoustical engineering programs have been completed.

In the August 3, 1981 letter from Mr. J. T. Carroll, Jr. to Mr. Boyce H. Grier, it was indicated that the targeted date for system installation was October 15, 1981, contingent on obtaining the necessary right of way. Since then, in a meeting with the Ocean County Board of Chosen Freeholders, it was decided that the county would accept operational responsibility for the system; however, they declined to accept ownership based on advice of Counsel. Previously, discussions with county officials indicated that the county would accept ownership, significantly minimizing zoning considerations and allowing installation of sirens on county property; therefore, an installation date of October 15, 1981, was achievable. Attachment 1 presents a chronology of the events during the planning phase of the siren installation proposal. In view of the Board's decision to not accept ownership, it will be necessary to petition the Board of Public Utilities (BPU), State of New Jersey, for a blanket variance for system installation. Consequently, it was not possible to meet the October 15, 1981 date. While petitioning of the BPU has been initiated, the time for review and action by the Board is beyond our control.

Currently, system installation is being accomplished as expeditiously as possible with primary emphasis on that portion of the EPZ within five miles of the station. This includes obtaining individual right-of-way agreements and making all preparations necessary to begin installation as soon as the zoning issue is resolved.

Corrective steps which will be taken to avoid further items of noncompliance:

All measures, within the control of the company, to avoid further items of noncompliance have been taken as discussed above. Since this project involves participation by organizations beyond company control, it is not possible to initiate actions pertaining to the performance of such organizations.

Date by which full compliance will be achieved:

As mentioned earlier, it has not been possible to meet the October 15, 1981 date specified in the August 3, 1981 letter. Presently, the company is pursuing the installation of the siren system as expeditiously as possible in an attempt to meet the February 1, 1982 date; however, much of this work is contingent on obtaining the necessary rights-of-way and a settlement of the zoning issue. The timing of these actions is beyond the control of the company; therefore, it is not possible to commit to a definite date. As this work progresses, the NRC will be periodically advised of the status of this project and will be notified by December 31, 1981 as to whether or not the February 1, 1982 date can be met.

Pending installation and testing of the Public Notification System, alerting of the public will be accomplished through the Ocean County Civil Defense network using the existing alerting system; a combination of sirens, sound trucks and broadcast media.

ATTACHMENT 1

Chronology of Events Concerning Siren Installation

In late February 1981, the Jersey Central Power & Light Company Legal Department was requested to render assistance to the Real Estate Department with respect to the acquisition of easement sites for the public alert system. An analysis of the various state and local regulatory restraints recommended that the County of Ocean own and operate the siren system to avoid the necessity for zoning approvals on either local, municipal or state levels.

This recommendation was discussed at a meeting at Oyster Creek on March 9, 1981, and a recommendation made to Jersey Central's Board of Directors to donate the siren system to the County on March 20, 1981. During the next two months, discussions were held with the County's Civil Defense Committee, which includes a Freeholder representative. Presentations were made to this group and the reaction appeared positive since the County could use the system for other purposes related to civil defense.

In June, a formal agreement with the County was drafted and forwarded to the County Counsel for review. The form of that agreement was approved on July 1, 1981. In late July, we were advised that the County Freeholders requested certain changes in the agreement. On August 11, 1981, Jersey Central Power & Light Company attorneys and representatives met with the Assistant County Counsel and representatives of the County to ascertain what changes were required. A revised draft was immediately prepared and forwarded. Constant contact through the County Counsel's office was maintained. Comments on the revised agreement were received on September 2, 1981.

On September 10, 1981, Jersey Central Power & Light Company was advised that the County Freeholders had decided not to accept ownership of the siren system even though all indications to that time had been to the contrary. Immediately, steps were taken to implement an alternate plan whereby Jersey Central Power & Light Company would own the sirens and the County would operate the system. This will require New Jersey Board of Public Utilities exemption from all local zoning regulations and requirements. Such an alternative could not have been implemented sooner without undermining the preferred County ownership plan.