

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges

John F. Wolf, Chairman
Oscar H. Paris
Frederick J. Shon

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In the Matter of)	Docket No. 50-320 OLA
)	
METROPOLITAN EDISON COMPANY, ET AL.)	
)	
(Three Mile Island Nuclear Station,)	
Unit 2))	July 27, 1982

MEMORANDUM AND ORDER
IN RESPONSE TO NRC STAFF NOTICE OF ISSUANCE
OF AMENDMENT AND ORDER AND MOTION TO CONFORM
TECHNICAL SPECIFICATION IN ACCORDANCE THEREWITH

The Director of the Office of Nuclear Reactor Regulation (Director) issued an Amendment of Order, pursuant to 10 CFR § 2.717(b) dated June 16, 1982. This amendment permits supervisory authority over the training of Radiological Control Technicians to be shifted from the Supervisor, Station Training to the Vice-President for Radiological and Environmental Control.

The Director's Amendment of Order, the Staff Safety Evaluation Report, and the proposed Technical Specification are attached, hereto.

The Safety Evaluation by the Office of Nuclear Reactor Regulation concludes:

"(1) Because the Amendment of Order does not involve a significant increase in the probability or consequences of accidents previously considered and does not involve a significant reduction in a margin of safety, it does not involve a significant hazard consideration.

(2) There is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner.

(3) Such activities will be conducted in compliance with the Commission's regulations and the issuance of this Amendment of Order ~~will not~~ be inimical to the common defense and security or to the health and safety of the public.

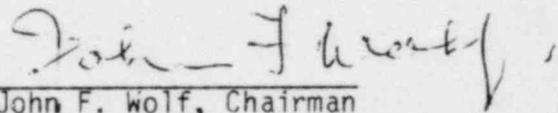
Accordingly, the Staff finds this Amendment of Order to be acceptable."

The NRC Staff has moved that the proposed Technical Specifications be formally modified to conform to the Amendment of Order dated June 16, 1982, subject to the authority which 10 CFR § 2.717(b) explicitly preserves in the Presiding Officer for the purposes of this proceeding.

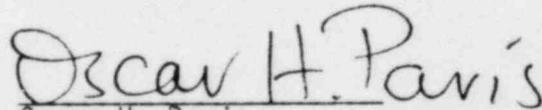
A formal amendment, incorporating the Specifications as amended, will await the outcome of the present proceedings.

For the reasons set forth by the Staff and absent any objection thereto, the motion is granted. Accordingly, it is so ORDERED.

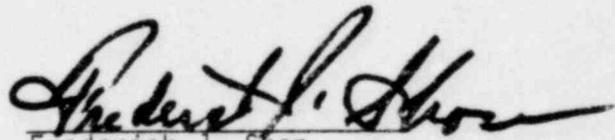
THE ATOMIC SAFETY AND
LICENSING BOARD



John F. Wolf, Chairman
ADMINISTRATIVE JUDGE



Oscar H. Paris
ADMINISTRATIVE JUDGE



Frederick J. Shon
ADMINISTRATIVE JUDGE

Dated at Bethesda, Maryland
this 27th day of July 1982

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	}	
METROPOLITAN EDISON COMPANY, <u>ET AL.</u>		Docket No. 50-320
(Three Mile Island Nuclear Station, Unit 2)		

NRC STAFF NOTICE OF ISSUANCE OF AMENDMENT
OF ORDER AND MOTION TO CONFORM PROPOSED
TECHNICAL SPECIFICATION IN ACCORDANCE HERewith

The Director of the NRC Office of Nuclear Reactor Regulation (Director) has issued the attached Amendment of Order, pursuant to his authority under 10 C.F.R § 2.717(b). This amendment permits supervisory authority over the training of Radiological Control Technicians to be shifted from the Supervisor, Station Training to the Vice-President for Radiological and Environmental Control. The revised Technical Specification and Staff's Safety Evaluation Report are attached.

Pursuant to an Order of the Commission, dated May 12, 1980, this Licensing Board has been designated to conduct the proceeding with respect to the proposed formal license amendment incorporating the Technical Specifications proposed in the February 11, 1980 Order. In order to conform the proposed Technical Specifications with the actions taken by the Director, the NRC Staff hereby moves that the proposed Technical Specifications be formally modified to conform to the Amendment of Order dated May 17, 1982, subject to the authority which 10 C.F.R § 2.717(b) explicitly preserves in the ~~Licensing Board~~ ^{Proceeding officer} for purposes of

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this proceeding. Formal amendment of the license will, of course, await the outcome of the prospective hearing.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael N. Wilcove".

Michael N. Wilcove
Counsel for NRC Staff

Dated at Bethesda, Maryland
this 13th day of July 1982

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

METROPOLITAN EDISON COMPANY, et. al.)

(Three Mile Island Nuclear Station,)
Unit 2))

Docket No. 50-320 OLA

AMENDMENT OF ORDER

I.

GPU Nuclear Corporation, Metropolitan Edison Company, Jersey Central Power and Light Company and Pennsylvania Electric Company (collectively, the Licensee) are the holders of Facility Operating License No. DPR-73, which had authorized operation of the Three Mile Island Nuclear Station, Unit 2 (TMI-2) at power levels up to 2772 megawatts thermal. The facility, which is located in Londonderry Township, Dauphin County, Pennsylvania, is a pressurized water reactor previously used for the commercial generation of electricity.

By Order for Modification of License, dated July 20, 1979, the Licensee's authority to operate the facility was suspended and the Licensee's authority was limited to maintenance of the facility in the present shutdown cooling mode (44 Fed. Reg. 45271). By further Order of the Director, Office of Nuclear Reactor Regulation, dated February 11, 1980, a new set of formal license requirements was imposed to reflect the post-accident condition of the facility and to assure the continued maintenance of the current safe, stable, long-term cooling condition of the facility (45 Fed. Reg. 11282).

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Although these requirements were imposed on the licensee by an Order of the Director of Nuclear Reactor Regulation, dated February 11, 1980, the TMI-2 license has not been formally amended. The requirements are reflected in the proposed Recovery Mode Technical Specifications presently pending before the Atomic Safety and Licensing Board. Hereafter in this Amendment of Order, the requirements in question are identified by the applicable proposed Technical Specification.

II.

By letter dated March 5, 1982, the licensee proposed changes to the supervisory authority under which TMI-2 Radiological Control Technicians (Rad. Con Tech.) training currently falls.

The licensee has requested that Rad. Con. Tech. training be removed from the cognizance of the Supervisor-Station Training, as presently required in TMI-2 Appendix A Technical Specification 6.4.1 and placed instead under the authority of the Vice-President for Radiological and Environmental Control. Actual implementation of on-site training will be carried out under the direction of the Radiological Controls Department. The staff has found this change to be acceptable.

The staff's safety assessment of this matter is set forth in the concurrently issued Safety Evaluation. This evaluation concluded, in material part, that the modification does not involve a significant hazards consideration and that there is reasonable assurance that the health and safety of the public will not be endangered by operation in the modified manner. Prior public notice of this Amendment of Order is therefore not required and the action is effective upon issuance.

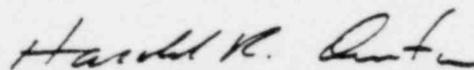
It was further determined that the modification does not authorize a change in effluent types or total amounts nor an increase in power level and will not result in any significant environmental impact. In light of this determination, it was concluded that the instant action is insignificant from the standpoint of environmental impact and, pursuant to 10 CFR §51.5 (d)(4), that an environmental impact statement or environmental impact appraisal and negative declaration need not be prepared herewith.

III.

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, the Director's Order of February 11, 1980, is hereby revised to incorporate the deletions, additions, and modifications set forth in Attachment A hereto. For further details with respect to this action, see (1) Letter to B. Snyder, USNRC, from R. Arnold, GPU Nuclear, Technical Specification Change Request No. 28 dated March 5, 1982 and (2) The Director's Order of February 11, 1980.

All of the above documents are available for inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., and at the Commission's Local Public Document Room at the State Library of Pennsylvania, Government Publications Section, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania 17126.

FOR THE NUCLEAR REGULATORY COMMISSION



Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Effective Date: June 16, 1982
Dated at Bethesda, Maryland

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

GENERAL PUBLIC UTILITIES NUCLEAR CORPORATION

DOCKET NO. 50-320

THREE MILE ISLAND NUCLEAR STATION, UNIT NO. 2

Introduction

By letter dated March 5, 1982 (4400-82-L-0030) the General Public Utilities Nuclear Corporation proposed changes to Technical Specification 6.4.1 of Appendix A to Operating License No. DPR-73 for the Three Mile Island Nuclear Station, Unit No. 2 (TMI-2). The licensee requested changes to Appendix A of Operating License No. DPR-73 with regard to the supervisory authority under which the TMI-2 Radiological Controls Technicians (Rad. Con. Tech.) training program currently falls.

Discussion and Evaluation

In accordance with the TMI-2 Appendix A Technical Specification 6.4.1 Rad. Con. Tech. training has been under the cognizance of the Supervisor - Station Training. This Technical Specification Change Request proposes placing Rad. Con. Tech. training under the authority of the Vice President for Radiological and Environmental Control. However, the responsibility for actual day-to-day, on-site implementation of the training program will be delegated to the Director of the Radiological Controls Department.

In order to improve the qualifications of the TMI-2 Radiological Controls Technicians, a Rad. Con. Tech. Training/Qualification program was established under the direction of the newly formed Unit 2 Radiological Control Training Department in November 1979. This was in response to both company and NRC concerns and also to recommendations by an independent consultant in November 1979.

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Section 6.4.1 of the TMI Technical Specifications has required a training and replacement training program under the direction of the Supervisor-Station Training to meet or exceed the requirements and recommendations of Section 5.5 of ANSI N.18.1-1971 and Appendix "A" to 10 CFR 55. Since it was not clear that Rad. Con. Tech. training was within the scope of the referenced ANSI standard, the discrepancy with the Technical Specification was not recognized. Section 6.4.1 could not be met as long as Rad. Con. Tech. training was under the direction of the Supervisor-Station training. This was brought to the Licensee's attention via Inspection Report 50-320/80-17 issued by the NRC on March 20, 1981. This change request was submitted to correct this situation.

The proposed change of jurisdiction will also afford the Rad. Con. Tech. training program the benefit of Supervisory and Management expertise in the radiological area, thereby further assuring an adequate training program. In addition, this concept of having the training program under the direction of the Radiological Controls Department was endorsed by the Report of the Special Panel in December 1979 (NUREG 0640).

Environmental Consideration

We have determined that the amendment does not authorize a change in effluent types or total amounts nor an increase in power level and will not result in any significant environmental impact. Having made this determination, we have further concluded that the amendment involves an action which is insignificant from the standpoint of environmental impact, and, pursuant to 10 CFR 51.5 (d)(4), that an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of this amendment.

Conclusion

Based on the considerations discussed above, we have concluded that:

- (1) Because the Amendment of Order does not involve a significant increase in the probability or consequences of accidents previously considered and does not involve a significant reduction in a margin of safety, it does not involve a significant hazards consideration.
- (2) There is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner.
- (3) Such activities will be conducted in compliance with the Commission's regulations and the issuance of this Amendment of Order will not be inimical to the common defense and security or to the health and safety of the public.

Accordingly, the staff finds this Amendment of Order to be acceptable.

ADMINISTRATION CONTROLS

6.3 UNIT STAFF QUALIFICATIONS

6.3.1 Each member of the unit staff shall meet or exceed the minimum qualifications of ANSI-N 18.1 of 1971 for comparable positions unless otherwise noted in the Technical Specifications.

6.3.2 The Manager-Radiological Controls shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975. Each Radiological Controls Technician in responsible positions/Foreman shall meet or exceed the qualifications of ANSI 18.1-1971, paragraph 4.5.2/4.3.2, or be formally qualified through an NRC approved TMI-2 Radiation Controls training program. Individuals who do not meet ANSI 18.1-1971 Section 4.5.2 are not considered technicians for purposes of determining qualifications but are permitted to perform work for which qualification has been demonstrated. All Radiological Controls Technicians will be qualified through training and examination in each area or specific task related to their radiological controls functions prior to their performance of those tasks.

6.4 TRAINING

6.4.1 A retraining and replacement training program for the unit staff shall be maintained under the direction of the Plant Training Manager - TMI-2 and shall meet or exceed the requirements and recommendations of Regulatory Guide 1.8 of 1977 and Appendix "A" of 10 CFR Part 55 except that Radiological Controls training may be under the direction of Vice President - Radiological and Environmental Controls.

6.4.2 A training program for the Fire Brigade shall be maintained under the direction of the Plant Training Manager - TMI-2 and shall meet or exceed the requirements of Section 27 of the NFPA Code - 1976.

6.5 REVIEW AND AUDIT

6.5.1 PLANT OPERATIONS REVIEW COMMITTEE (PORC)

FUNCTION

6.5.1.1 The Plant Operations Review Committee (PORC) shall function to advise the Director Site Operations on all matters related to nuclear safety and radioactive waste safety.

COMPOSITION

6.5.1.2 The Plant Operations Review Committee shall be composed of the:

- a. Chairman - who shall have an academic degree in engineering or physical science field and a minimum of five years of applicable experience.
- b. 1 Member - who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975.

ADMINISTRATIVE CONTROLS

- c. 7 Members - who shall meet or exceed the qualification requirements of Section 4.7.2 of ANSI/ANS-3.1-1978

The Director Site Operations shall designate the Chairman and the Vice Chairman from among the members of the Plant Operations Review Committee.