



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

ENCLOSURE 1

EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT REQUEST TO FACILITY OPERATING LICENSE

DPR-77 AND DPR-79

TENNESSEE VALLEY AUTHORITY

SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-327 AND 50-328

1.0 INTRODUCTION

By application dated November 19, 1993, the Tennessee Valley Authority (TVA or the licensee) proposed amendments to the license conditions for the Sequoyah Nuclear Plant Units 1 and 2 to delete License Condition 2.H. This license condition requires that the licensee report any violations of the requirements contained in Sections 2.C.(3) through 2.C.(24), 2.E, 2.F, and 2.G of the Operating License within 24 hours by telephone. Further, this modification is to be confirmed by telegram, mailgram, or facsimile transmission. The report is to be directed to the Director of the Regional Office, or his designatee, no later than the first working day following the violation with a written followup report within 14 days.

2.0 EVALUATION

License Conditions 2.C.(3) through 2.C.(24), 2.E, 2.F, and 2.G of the Operating License address (a) special plant conditions that were in effect for the post fuel loading initial test program; (b) analysis reports that were required in 1980, 1981, 1982; (c) design modifications that were necessary during the initial startup program; (d) special inspections, tests and instrumentation/controls that were needed during the early operating and refueling cycles of the plant; (e) procedures that must be completed prior to initial startup; (f) implementation of an emergency plan; (g) the establishment of Three Mile Island Action Plan items; (h) the Physical Security Program provisions; and (i) preparation of environmental evaluations for additional construction or operational activities.

Deleting License Condition 2.H would delete the requirement to report violations of these license provisions. The licensee has indicated that such reports are an administrative burden and are unnecessary because the requirements for items deemed appropriate for reporting to the NRC are contained in 10 CFR 50.72 and 50.73. In addition, many of the license conditions were intended for initial plant operating periods that have been completed and are no longer relevant.

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3.0 SUMMARY

The staff has reviewed the requirement of License Condition 2.H and determined that insufficient technical justification has been supplied by TVA to justify removal of the license condition. NUREG-1022, Supplement 1, "Licensee Event Report System," was published in February 1984, and summarized the results of NRC staff regional meetings that had been held with utility and NRC regional representatives to discuss the scope and content of the License Event Report (LER) rule. In response to Question 2.6 of the NUREG that asked if the LER Rule addressed reporting violations of license conditions, the staff indicated that "Violations of a license condition that are contained in locations other than the Technical Specifications, are not superseded by the LER rule and should be reported separately." In addition, in response to Question 7.15, the staff indicated that "The LER rule only supercedes [sic] the reporting section of Technical Specifications (normally section 6.9.1.8 and 6.9.1.9). All other reporting requirements remain in effect."

4.0 CONCLUSION

Therefore, basing the justification for removal of the reporting requirements for events contained in the license conditions solely on the reporting requirements that are specified in the LER rule (10 CFR 50.72 and 10 CFR 50.73), is not an adequate basis for the proposed amendment. The licensee needs to specify a more detailed technical justification for each reporting requirement that it proposes for deletion.

Principal Contributor: D. LaBarge

Date: March 3, 1994