



ADJUDICATORY ISSUE

January 5, 1983

(Notation Vote)

SECY-83-7

DISTRIBUTION LIMITED TO
COMMISSION LEVEL OFFICES

To: The Commissioners

From: Martin G. Malsch
Deputy General Counsel

John E. Zerbe
Director, OPE

Subject: TMI-1 IMMEDIATE EFFECTIVENESS DECISION IN
LIGHT OF ALAB-708

Discussion: On December 29, 1982 the Appeal Board issued ALAB-708. The Appeal Board in that decision reopened the record in the TMI-1 Restart proceeding. The following paper outlines the Commission's options with regard to its immediate effectiveness decision in light of ALAB-708.

A. The Appeal Board's Decision

The Appeal Board in ALAB-708 found that the record was unclear on whether there would be adequate core decay heat removal for TMI-1 in the event of a loss of main feedwater or a small break loss of coolant accident. The Appeal Board was unable to determine on the basis of the existing record that the reliability of the emergency feed water (EFW) system was sufficient to protect the public.

CONTACTS:
Rick Levi, OGC
4-3224
John Montgomery, OPE
4-3295

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 5
FOIA- 92-436

9404010042 930608
PDR FOIA
GILINSK92-436 PDR

a/3

The Appeal Board therefore examined "feed-and-bleed" to determine whether it provided an adequate back-up system of decay heat removal. The Appeal Board found that there was inadequate evidence to find that feed-and-bleed was reliable. The Appeal Board therefore reopened the record to clarify the matter. 1/

B. Options

x.5

1/ The Appeal Board directed that all supplemental written testimony be submitted by January 26, 1983, the hearing commence on February 8, and proposed findings of fact and conclusions of law be submitted by February 28, 1983. The Appeal Board has informed OGC that it currently anticipates issuing a decision on hardware/design issues, including those matters heard in the reopened hearing, in early April, 1983.

┌

Martin G. Malsch
Deputy General Counsel

John E. Zerbe
Director, OPE

Commissioners' comments or consent should be provided directly to the Office of the Secretary ASAP.

DISTRIBUTION:
Commissioners
OGC
OPE
SECY