



Portland General Electric Company

Bart D. Withers Vice President

November 5, 1982

Trojan Nuclear Plant  
Docket 50-344  
License NPF-1

Mr. Darrell G. Eisenhut, Director  
Division of Licensing  
Office of Nuclear Reactor Regulation  
U. S. Nuclear Regulatory Commission  
Washington, DC 20555

Dear Sir:

TROJAN NUCLEAR PLANT  
IAEA Safeguards Program

By letter dated September 24, 1982, the NRC requested that PGE indicate its desires on withholding of IAEA information from public disclosure. It is PGE's position that any information in the license condition, Facility Attachment and the IAEA inspection reports which the NRC deems as not being safeguards information pursuant to 10 CFR 73.21, need not be withheld from public disclosure.

The same NRC letter also requested agreement with the issuance of a license amendment incorporating the license condition requiring IAEA Safeguards. PGE does not believe that such a license condition is warranted for the Trojan Nuclear Plant at this time for the following reasons:

1. The Interpretation of Facility Attachment, which is included in the license condition, does not adequately resolve all of PGE's comments as discussed in Attachment 1 to this letter.
2. Compliance with the major aspects regarding IAEA Safeguards activities is already required by 10 CFR 75.
3. The recent development between the U. S. and IAEA shed some doubt over the extent of U. S. involvement with the IAEA in the future. We understand that the U. S. government has instructed its resident representative to cease conducting business with the IAEA as a result of the denial of Israel's credentials at the conclusion of the IAEA General Conference in September 1982. Incorporation of a license condition at Trojan for an activity which may cease to exist in the near future is not reasonable.

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4. During initial discussions regarding IAEA inspections, we were led to believe that the program will last only 2 to 3 years. This cutoff date has not been incorporated into the facility attachment or in the proposed license condition. Since we are already into the second year of this program, the incorporation of a licensed condition at this late point in time does not appear to be warranted for Trojan.
5. The Facility Attachment does not discuss NRC/IAEA liability for any fuel damage that occurs as a result of IAEA examinations and measurements.

The above comments must be adequately addressed before PGE agrees to a license condition at Trojan.

With regards to a separate IAEA matter, the radiation protection program at Trojan requires that personnel working in radiation areas present a certified record of their radiation exposure for the current calendar quarter prior to being allowed to work in radiation environments at Trojan. In the past, this information was not required for the IAEA inspectors since exposures involved were expected to be less than 10 mrem. However, during the last inspection, one IAEA inspector received in excess of 9 mrem. In order to avoid delays and problems during future inspections and to assure that dose limitations are not exceeded for IAEA personnel, please inform the IAEA that this information will be required for future inspections.

Sincerely,



Bart D. Withers  
Vice President  
Nuclear

### Attachment

c: Mr. Lynn Frank, Director  
State of Oregon  
Department of Energy

Mr. Robert A. Clark, Chief  
Operating Reactors Branch No. 3  
Division of Licensing

Mr. R. H. Engelken, Regional  
Administrator  
U. S. Nuclear Regulatory Commission  
Region V

PGE COMMENTS OF IAEA SAFEGUARDS LICENSE CONDITIONS

<u>Item</u>	<u>Reference - Section</u>
1	General - The license condition incorporates by reference all of Codes 2 through 7 of the Facility Attachment. A license amendment is not required for many of the paragraphs under these codes since they i) contain no requirements, ii) are already covered under 10 CFR 75, or iii) are not applicable to power reactors. Only the actual requirements that are being applied to Trojan should be included in a license condition. All extraneous material should be deleted.
2	Item 3 of the PGE-to-NRC letter dated August 19, 1981 - This comment has not been adequately addressed in the Interpretation of Facility Attachment. Code 4.1 of the Facility Attachment requires the accounting of small quantities of nuclear material (less than .01 effective kilogram) whereas 10 CFR 75.3.(b).1 exempts special nuclear material in gram quantities or less as in sensing component instruments. This conflict needs to be resolved in the Interpretation of Facility Attachment.
3	Item 15 of the PGE-to-NRC letter dated August 19, 1981 - PGE's original comment requested that it be specified that use of IAEA equipment be arranged for when it would not impact Plant operations or refueling schedules. By letter dated October 30, 1981, the NRC responded to this comment stating that "The licensee is party to any specific arrangement for the use of such equipment and can assure that any such arrangement will not unduly interfere with plant operations or schedules". This response needs to be included in the Interpretation of Facility Attachment.
4	Item 16 of the PGE-to-NRC letter dated August 19, 1981, regarding Facility Attachment Codes 7.9.1 and 7.9.2 - Additional clarification is necessary as to the extent of services which must be provided by PGE free of charge to the IAEA. For example, Code 7.9.1 requires PGE to provide, at no charge to the IAEA, personnel and available equipment for handling the fuel assemblies during their measurements. The requirement to provide these services free of charge may be judged reasonable only in the event that the information obtained is 1) required to be provided by PGE per NRC regulations and 2) is not obtainable through other sources such as documentation from a supplier. The costs associated with any measurement falling outside of these two requirements should be reimbursed to PGE. This will relieve PGE of the burden of absorbing the costs of extraneous measurements, including those associated with research and development programs. For example, we have been informed of IAEA plans to physically measure new fuel assemblies to check the enrichment of new fuel assemblies.

Item

Reference - Section

In order to perform this measurement at Trojan, PGE will have to 1) develop and approve procedures for this operation, 2) provide labor for moving IAEA equipment and radiation source into the Fuel Building and setting it up on the 93-foot elevation, 3) provide a crane hoist and operator for the lifting operations, 4) remove the plug in the new fuel storage area, 5) lift new fuel assemblies out of the storage stand, 6) position the fuel assemblies for measurement, 7) relocate new fuel assemblies back into the racks, 8) reinstall plugs, 9) remove IAEA equipment, and 10) analyze the resulting data. PGE will also have to provide supervisory personnel, radiation and health physics protection, and quality assurance coverage for all of the above tasks. Also involved here is the question as to who would be liable should any fuel damage occur during the test. The enrichment information obtained from this measurement is readily available from records supplied by the fuel fabricator without any of the additional costs and burdens associated with the above operation. Therefore, an additional interpretation of the Facility Attachment should be included to allow PGE to recover the costs associated with unnecessary operations.

- 5 Article 4 of the License Condition - We were informed that IAEA inspection activities at Trojan will last for the duration of 2 to 3 years. This termination date needs to be specified in the license condition.