



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

February 4, 1991

Docket No. 50-458

Gulf States Utilities Company
ATTN: Mr. James C. Deddens
Senior Vice President (RBNG)
Post Office Box 220
St. Francisville, Louisiana 70775

Dear Mr. Deddens:

SUBJECT: TEMPORARY SUSPENSION OF LICENSE CONDITION 2.C(14), ATTACHMENT 5,
ITEM 3 - RIVER BEND STATION, UNIT 1 (TAC NO. 79129)

By letter dated November 19, 1990, Gulf States Utilities Company (GSU) requested that License Condition 2.C(14) of Attachment 5, Item 3, to Facility Operating License NPF-47 for the River Bend Station be suspended until the Boiling Water Reactor Owners Group (BWROG) appeal of the staff's position regarding Regulatory Guide (R.G.) 1.97 guidelines for neutron flux monitoring systems (NFMS) is resolved.

At the time of licensing, GSU committed to install a NFMS prior to startup from the first refueling outage. In 1987, GSU requested a license amendment to extend installation of a NFMS to startup from the second refueling outage. The request was granted in License Amendment Number 14 because development of a NFMS, procurement and installation was not possible during the first refueling outage. In April 1988, the BWROG transmitted a topical report to the NRC staff for review which evaluated currently installed systems and their capability to meet guidelines of R.G. 1.97. In May 1988, GSU requested an extension of the license condition to allow installation of the NFMS to be completed during the first refueling outage following the issuance of the staff's Safety Evaluation (SE) of the BWROG topical report, but no later than January 1, 1991. The request was granted in License Amendment Number 28 because procurement of a NFMS before issuance of the SE could impose unnecessary hardships and costs. In 1989, GSU again requested that an extension to the license condition be given to require installation of a NFMS no later than startup from the fourth refueling outage. This was granted in License Amendment Number 39 because procurement and installation could not be completed in the ten months prior to the upcoming outage. The License Condition currently states that GSU will implement modifications for a NFMS consistent with the guidance of R.G. 1.97 or the staff's SE, and that modifications shall be completed before restart from the next refueling outage starting 18 months after the date of receipt of the SE, but no later than startup from the fourth refueling outage, unless otherwise notified in writing by the NRC staff. In January 1990, the NRC staff issued the SE which restated the staff's position on NFMS and rejected the BWROG position. In August 1990, the BWROG filed an appeal which requested the staff's position in the SE be reversed.

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Currently, the appeal is under review by the Director of the Office of Nuclear Reactor Regulation. Based on the indefinite time frame for resolution of this issue and the variance in actions to be taken and resources invested by licensees depending on the outcome of the appeal, the NRC staff feels that another license amendment to extend the date of installation and any further work by the licensee, including the submittal of quarterly procurement and implementation progress reports, on a NFMS before resolution of the appeal is unwarranted.

Pursuant to the terms of License Condition 2.C(14) of Attachment 5, Item 3, for the River Bend Station, pending resolution of the BWROG appeal, you are hereby notified the modification schedule is held in abeyance. Within 60 days after the appeal is resolved, GSU is required to request an amendment to the license condition in accordance with the resolution of the appeal.

Sincerely,

(ORIGINAL SIGNED BY)

Christopher I. Grimes, Director
Project Directorate IV-2
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

cc: See next page

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