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POLICY ISSUE
(Information)

February 28, 1994

SECY-94-052

FOR: The Commissioners
FROM: James M. Taylor
Executive Director for Operations
SUBJECT: SEMIANNUAL REPORT ON THE STATUS OF PREMATURELY
SHUT DOWN PLANTS

PURPOSE:

To inform the Commission of the status of open issues and the progress of specific facilities toward decommissioning.

BACKGROUND:

In COMJC-92-002 of March 3, 1992, the Commission directed the staff to submit quarterly reports on the status of pending licensing and regulatory actions for prematurely shut down plants. In the most recent report of August 23, 1993, I stated the intention of the staff to reduce the frequency of this report to a semiannual basis unless otherwise directed by the Commission.

DISCUSSION:

I. Price-Anderson Exemptions

Between November 1990 and the report of August 23, 1993, the NRC received Price-Anderson exemption requests from the licensees of Shoreham, Rancho Seco, Yankee Rowe, Fort St. Vrain, and San Onofre-1. The staff deferred processing these requests until NRR and Office of the General Counsel recommendations regarding generic resolution of indemnity requirements were approved by the Commission. On July 13, 1993, the Commission approved the staff recommendations for issuing Price-Anderson exemptions and for initiation of

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rulemaking to codify offsite indemnity requirements. The Price-Anderson exemption for Rancho Seco was issued in November 1993. Exemptions for Fort St. Vrain, Yankee Rowe, and San Onofre-1 are in the concurrence process. During this reporting period, a revised request for exemption was received for Shoreham which included a reduction in the primary level protection (in response to the Commission decision) in addition to the originally requested reduction in secondary coverage. A request for exemption was received for Three Mile Island-2.

II. Training Rule Exemptions

The staff issued the training rule (10 CFR 50.120) in final form in the Federal Register on April 26, 1993. The implementation date of the rule was November 22, 1993. When issuing the rule, the supplemental information in the Federal Register notice indicated that if changes in the condition of a plant as a result of decommissioning made some or all of the existing training programs unnecessary, licensees could use the exemption process to obtain relief from the training rule requirements. Subsequently, the staff issued exemptions to all 14 plants affected by decommissioning.

III. Part 50 Rulemaking Activities

In response to staff requirements memorandums (SRMs) of June 30, and July 13, 1993, the staff is developing a proposed rulemaking to begin revising Part 50 regulations to clarify their applicability to permanently shut down reactors. Since August 1993, the staffs of the Offices of Nuclear Reactor Regulation, Nuclear Regulatory Research, Nuclear Material Safety and Safeguards, and General Counsel have been meeting monthly to address decommissioning policy and other related policy issues.

IV. Current Plant Status

A. Rancho Seco

1. Decommissioning Plan

Sacramento Municipal Utility District (SMUD) submitted the Rancho Seco decommissioning plan in May 1991. The Environmental Conservation and Resources Organization (ECO) actively intervened in the decommissioning process. In its Order CLI-93-03 of March 3, 1993, the Commission remanded three issues raised by ECO (i.e., loss of offsite power, decommissioning funding plan, and decommissioning environmental assessment) to the Atomic Safety and Licensing Board (ASLB) for further consideration.

On June 16, 1993, the staff issued its decommissioning environmental assessment and associated safety evaluation. On July 12, 1993, ECO submitted its contentions as allowed by CLI-93-03. On August 2, 1993, the NRC staff responded to the ECO contentions. This matter went before the ASLB; on November 30, 1993, the ASLB denied ECO contentions for loss of offsite power and the decommissioning environmental assessment. The ASLB admitted for litigation certain decommissioning funding issues. On December 15, 1993, the licensee petitioned the Commission for directed certification of the funding issues admitted for litigation.

2. Actions in Progress

The staff is processing three requests for licensing actions: (a) a license amendment request to modify the plant organization to reflect proposed changes to the decommissioning organization, (b) a license amendment request to incorporate 10 CFR Part 20 revisions, and (c) an exemption request to extend current security program exemptions to a Part 72 independent spent fuel storage installation (ISFSI) application.

B. Yankee Rowe

1. Decommissioning Plan

The decommissioning plan for Yankee Rowe was required by 10 CFR Part 50.82(a) to be submitted by February 1994; the licensee submitted the plan on December 20, 1993. The staff estimates that it will take approximately one year to review the decommissioning plan; this year includes the time required to complete the safety evaluation and an environmental assessment.

2. Completed Actions

In this reporting period, the staff approved an exemption to the training rule, 10 CFR 50.120, and also completed other minor miscellaneous licensing actions.

3. Removal of Large Components Under 10 CFR 50.59

By letter dated November 25, 1992, the licensee described its proposed program to remove the four steam generators, the pressurizer, and certain reactor vessel internals from the site for shipment to Barnwell before receiving NRC approval of the Yankee decommissioning plan. The NRC reviewed this proposed program against existing Commission guidance and issued a letter on July 15, 1993, stating that the staff has no objection to the proposed component removal program. An earlier NRC letter to the licensee (April 16, 1993) stated that the staff had no objection to withdrawals from the decommissioning trust fund for these activities. The steam generators and pressurizer were shipped to Barnwell during November and December 1993. Shipment of vessel internals began in late 1993 and is expected to be completed by the spring of 1994.

4. Actions in Progress

The staff is processing two requests for licensing actions: (a) an exemption from the indemnity requirements of 10 CFR Part 140 (Price-Anderson) and (b) a request to make further use of the decommissioning fund to remove and dispose of additional components and contaminated asbestos.

5. Public Interest

In late 1992, the NRC received two letters from the Citizens Awareness Network (CAN), a public-interest group based in the Rowe community, expressing concern that local residents had no voice in the decision making process for issuing the license amendments and exemptions. The NRC responded to both letters and held two public meetings near the site on June 9, 1993. At one of the meetings, several members of the public objected to the component removal activities planned at Yankee. During a subsequent conference call held between the NRC staff and CAN representatives on August 4, 1993, a CAN spokesperson requested that the NRC order Yankee to halt early component removal activities until a public hearing could be held to resolve the concerns raised by CAN. The NRC staff informed CAN that the concerns raised and information submitted by CAN did not warrant the issuance of an NRC order. However, the staff committed to review and formally respond to CAN on each of the issues raised. The staff hopes to thoroughly review the issues and reply to CAN prior to the end of March 1994.

By letter dated September 8, 1993, CAN continued to pursue a hearing from the Commission by requesting a discretionary hearing. The Commission denied the CAN request in a letter dated November 18, 1993. CAN has continued to write to the Commission requesting a hearing, as have other potential intervenor groups that have recently become associated with CAN. One of these requests for a hearing, dated November 15, 1993, from Environmentalists, Inc., a group located near the Barnwell site, is currently before the Commission.

The Inspector General (IG) has initiated an audit of the NRC decommissioning process, and of the Yankee Rowe decommissioning process in particular. The IG staff has interviewed Division of Operating Reactor Support staff, Region I personnel, the licensee, and CAN representatives. The audit was initiated in mid-November 1993 and NRC staff was advised that it will take about six months to complete.

C. San Onofre, Unit 1

1. Decommissioning Plan

The San Onofre decommissioning plan is required by 10 CFR Part 50.82(a) to be submitted by November 1994. The licensee has informed the staff that its proposed decommissioning plan will be submitted in November 1994.

2. Actions in Progress

The staff is processing one request for licensing action: an exemption from the indemnity requirements of 10 CFR Part 140 (Price-Anderson).

3. Completed Actions

The staff issued an exemption to the training rule, 10 CFR 50.120, and on December 28, 1993, issued the Permanently Defueled Technical Specifications (PDTs). The PDTs replace the existing Technical Specifications in their entirety. The PDTs reflect the reduced number of postulated accidents against which the defueled plant must be protected while ensuring the safe, long-term storage of irradiated fuel in the spent fuel pool.

D. Trojan

1. Decommissioning Plan

The Trojan decommissioning plan is required by 10 CFR Part 50.82(a) to be submitted by January 1995. The licensee has scheduled submittal of the plan for May 1994. The licensee is evaluating SAFSTOR and DECON decommissioning alternatives, including possible early removal of steam generators and other large components.

2. Completed Actions

The staff issued amendments to the license that modified fire protection, emergency preparedness, and radiation monitoring requirements. The staff granted exemptions to the regulations in the areas of physical security, training, and onsite property damage liability insurance.

3. Actions in Progress

The staff is reviewing the proposed Permanently Defueled Technical Specifications (PDTs) for the Trojan facility. This amendment significantly modifies the current Appendix A Technical Specifications for the facility by removing all requirements associated with facility operation. The licensee used NUREG-1431, "Standard Technical Specifications, Westinghouse Plants," as the basis for the scope and format of the remaining requirements in the proposed PDTs. The staff is also processing a license amendment request regarding physical security.

Potential NRC age-related degradation studies of Trojan are being pursued by RES. Before undertaking these studies, the licensee wants relief from potential enforcement and reporting requirements should deficiencies be discovered during research activities. RES is preparing a Commission Paper to present this program.

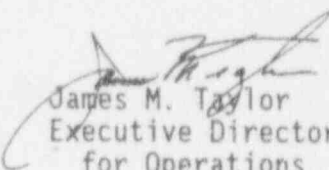
E. Dresden 1

The staff has completed its review of the Dresden 1 SAFSTOR decommissioning plan. The order approving SAFSTOR and amendment of the technical specifications was issued on September 3, 1993. The possession only license was renewed to April 10, 2029.

On January 25, 1994, during a routine monthly inspection, Commonwealth Edison personnel discovered that a significant amount of water had entered the Dresden 1 containment building. The source of the estimated 68,000 gallons of water was a break in a frozen service water line that was located within the unheated Dresden 1 containment building. Commonwealth Edison has determined that the water is contaminated with about 5.8 millicuries of cobalt-60 and 28 millicuries of cesium-137. As of Monday, January 31, 1994, all but about 5000 gallons of the water had been pumped from the Dresden 1 containment building to the Dresden 1 liquid waste storage tank for storage while awaiting processing in the radwaste system. The NRC responded to this event by initiating a Special Team Inspection which began on February 7, 1994.

F. Indian Point 1

The order approving the SAFSTOR decommissioning plan and the technical specifications amendment are scheduled to be issued in the spring of 1994. These will be forwarded to the Commission prior to issuance.


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