

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)

TOLEDO EDISON COMPANY AND THE)
CLEVELAND ELECTRIC ILLUMINATING)
COMPANY)
(Davis-Besse Nuclear Power Station,)
Unit No. 1))

Docket No. 50-346

ORDER CONFIRMING LICENSEE COMMITMENTS
ON POST-TMI RELATED ISSUES

I.

Toledo Edison Company and Cleveland Electric Illuminating Company (the licensees) are holders of Facility Operating License No. NPF-3 which authorizes the operation of the Davis-Besse Nuclear Power Station, Unit 1 (the facility) at steady-state power levels not in excess of 2772 megawatts thermal. The facility is a Babcock and Wilcox (B&W) designed pressurized water reactor (PWR) located at the licensee's site in Ottawa County, Ohio.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements include Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial

additional protection in the operation of nuclear facilities based on the experience from the accident at TMI-2 and the official studies and investigations of the accident. The staff's proposed requirements and schedule for implementation are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements". Among these requirements are a number of items, consisting of hardware modifications, administrative procedure implementation and specific information to be submitted by the licensees, scheduled to be completed after June 30, 1981. Generic Letters 82-05 and 82-10 dated March 17, 1982 and May 5, 1982 are hereby incorporated by reference. In these letters each licensee was requested to furnish within 30 days pursuant to 10 CFR 50.54(f) the following information for items which the staff had proposed for completion after June 30, 1981:

- (1) For applicable items that have been completed, confirmation of completion and the date of completion,
- (2) For items that have not been completed, a specific schedule for implementation, which the licensee committed to meet, and
- (3) Justification for delay, demonstration of need for the proposed schedule, and a description of the interim compensatory measures being taken.

III.

Toledo Edison Company responded to Generic Letter 82-05 by letters dated May 8, 1982, June 10, 1982, September 17, 1982, November 30, 1982, January 6, 1983, and February 3, 1983 and to Generic Letter 82-10 by letter dated June 30, 1982. In these submittals, Toledo Edison Company confirmed that some of the items identified in the Generic Letters have been completed and made firm commitments to complete the remainder. The attached Tables

summarizing the licensees' schedular commitments or status were developed by the staff from the Generic Letters and the licensee-provided information. We have reviewed the incompleted items and provide below a discussion on each item. We encourage the licensees to make every attempt to complete these items before the revised scheduled dates.

There are six items from Generic Letter 82-10 that, as noted in Attachment 2, have licensee schedules which are yet to be determined. These items are, therefore, not included in this Order. The licensees consider some of the items addressed in this Order to be completed or to require no modifications. These items are so noted in Attachments 1 and 2. The staff's evaluation of the licensees' delays for implementation of the remaining items is provided herein.

Item II.B.3 Post-Accident Sampling

The licensees have completed all work requiring an outage for the Reactor Coolant Sampling System. However, the licensees have experienced extensive delays for the operator's panel. This panel has undergone substantial redesign because of human factors considerations and the current estimated supplier delivery date for the panel is late May 1983. No firm delivery date will be available until January 1983. Using the estimated delivery date and the estimated construction time and startup testing and system checkout time required, the licensees commit to completing this item by December 31, 1983.

The Containment Air Sampling System will also be completed by December 1983. Equipment for this system was delivered in March 1982 but the grab sample station must be relocated to permit this function to proceed during the recirculation phase after a LOCA and to obtain a representative sample. The licensees, however, have experienced delays in delivery of valves required for this modification. Current estimated delivery date for the valves is the end of May 1983. Based on the estimated delivery date, construction time and system testing and checkout the licensees commit to completing this item by December 31, 1983. All equipment required within containment has been installed. The on-line feature of the Containment Air Sampling System is now operational.

The licensees will maintain interim systems operational until the new systems are totally completed and are operational. The NRC has found these interim measures acceptable.

Item II.F.1.1 and II.F.1.2 Post-Accident Monitoring

The licensees will complete these items by December 1983. All system components have been delivered and accepted and all outage related work is completed. However, substantial system preoperational testing must be completed before the system can be declared operational. It is also necessary to redesign a portion of the system to resolve a system design deficiency. These efforts are presently in progress. The licensees were unable to complete this item during the last refueling outage because of the priority workload needed for other items. Until these new systems are operational, the licensees will maintain existing effluent monitors operational. Although these existing monitors do not

have the range required of the new system, there is only a small likelihood that the extended range will be necessary in the short period before the new system is operational.

Item II.F.1.5 Post-Accident Monitoring

Both narrow and wide range level indications have been installed and are operating. The licensee has been informed that the environmental and seismic equipment qualification testing has been completed but that documentation will not be available until late April 1983. The licensee will complete this item by June 15, 1983.

We find, based on the above evaluation, that: 1) the licensees have taken corrective actions regarding the delays and have made a responsible effort to implement the NUREG-0737 requirements noted; 2) there is good cause for the several delays (unexpected design complexity, interface problems, and equipment delays); and 3) as noted above, interim compensatory measures have been provided.

In view of the foregoing, I have determined that these modifications and actions are required in the interest of public health and safety and, therefore, the licensees' commitments should be confirmed by Order.

IV.

Accordingly, pursuant to Sections 103, 161i, and 161o of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT the licensees shall:

Implement and maintain the specific items described in the Attachments to this Order in the manner described in the licensees' submittals noted in Section III herein no later than the dates in the Attachments.

V.

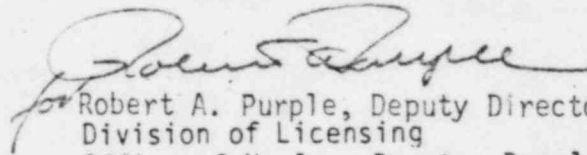
The licensees may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. A request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555. A copy of the request should also be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is requested by the licensees, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensees should comply with the requirements set forth in Section IV of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert A. Purple, Deputy Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 14th day of March
1983.

Attachments:

1. Licensee's Commitments on Applicable
NUREG-0737 Requirements from Generic
Letter 82-05
2. Licensee's Commitments on Applicable
NUREG-0737 Requirements from Generic
Letter 82-10

LICENSEES' COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-05

Attachment 1

Item	Title	NUREG-0737 Schedule	Requirement	Licenses' Completion Schedule (or status)
I.A.3.1	Simulator Exams	10/1/81	Include simulator exams in licensing examinations	Completed
II.B.2	Plant Shielding	1/1/82	Modify facility to provide access to vital areas under accident conditions	Complete; licensee has determined that plant is in compliance without any modifications.
II.B.3	Post-Accident Sampling	1/1/82	Install upgrade post-accident sampling capability	Reactor Coolant Sampling System- December 31, 1983 Containment Air Monitoring System -On line sampling/analysis- completed -Grab sampling-December 31, 1983
II.B.4	Training for Mitigating Core Damage	10/1/81	Complete training program	Completed
II.E.1.2	Aux. Feedwater Initiation & Flow Indication	7/1/81	Modify instrumentation to level of safety grade	Completed
II.E.4.2	Containment Isolation Dependability	7/1/81	Part 5-lower containment pressure setpoint to level compatible w/normal operation	Completed
		7/1/81	Part 7-isolate purge & vent valves on radiation signal	Completed

<u>Item</u>	<u>Title</u>	<u>NUREG-0737 Schedule</u>	<u>Requirement</u>	<u>Licenses' Completion Schedule (or status)</u>
II.F.1	Accident Monitoring	1/1/82	(1) Install noble gas effluent monitors	December 31, 1983
		1/1/82	(2) Provide capability for effluent monitoring of iodine	December 31, 1983
		1/1/82	(3) Install in-containment radiation-level monitors	Completed
		1/1/82	(4) Provide continuous indication of containment pressure	Completed
		1/1/82	(5) Provide continuous indication of containment water level	June 15, 1983
		1/1/82	(6) Provide continuous indication of hydrogen concentration in containment	Completed
II.K.2.10	Safety Grade Trips	7/1/81	Install anticipatory reactor trips	Completed

LICENSEES' COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-10

Item	Title	NUREG-0737 Schedule	Requirement	Licensees' Completion Schedule (or status)
I.A.1.3.1	Limit Overtime	10/1/82 per Gen. Ltr. 82-12 dtd. 6/15/82	Revise administrative procedures to limit overtime in accordance w/NRC Policy Statement issued by Generic Ltr. No. 82-12, dtd. June 15, 1982	Completed
I.A.1.3.2	** Minimum Shift Crew	To be superseded by Proposed Rule	To be addressed in the Final Rule on Licensed Operator Staffing at Nuclear Power Units.	To be addressed when Final Rule is issued.
I.C.1	** Revise Emergency Procedures	Superseded by SECY 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability	To be determined
II.D.1.2	RV and SV Test Programs	4/1/82	Submit plant specific reports on relief & safety valve program	Completed
II.D.1.3	Block Valve Test Program	7/1/82	Submit report of results of test program	Completed
II.K.3.30 & 31	** SBLOCA Analysis	1 yr. after staff approval of model	Submit plant specific analyses	To be determined following staff approval of model
III.A.1.2	** Staffing Levels for Emergency Situations	Superseded by SECY 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability	To be Determined
III.A.1.2	** Upgrade Emergency Support Facilities	" " " "	" " " "	" " " "
III.A.2.2	** Meteorological Data	" " " "	" " " "	" " " "
III.D.3.4	Control Room Habitability	To be determined by licensee	Modify facility as identified by licensee study.	Completed

**Not Part of Confirmatory Order