

UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter)	Docket Nos. 50-277; 50-278
)	License Nos. DPR-44; DPR-56
PHILADELPHIA ELECTRIC COMPANY)	EA 84-39
Peach Bottom Atomic Power Station,)	
Units 2 and 3)	

ORDER MODIFYING LICENSE EFFECTIVE IMMEDIATELY

I

Philadelphia Electric Company (the "licensee") is the holder of Facility Operating License Nos. DPR-44 and DPR-56, issued October 25, 1973 and July 2, 1974 respectively, which authorize the licensee to operate the Peach Bottom Atomic Power Station, Units 2 and 3 (the "facility") located in Delta, Pennsylvania.

II

In November 1983, the NRC became aware of the licensee's practice of individually scrambling control rods to effect a normal reactor shutdown. The practice was further reviewed during an NRC inspection conducted January 5-20, 1984, and a violation of NRC requirements was identified. The violation involved changes to the facility and facility procedures allowing individual scrambling of control rods without an adequate safety review, as required by 10 CFR 50.59, to determine if the changes involved a modification to technical specifications or an unreviewed safety question. Specifically, in 1977, plant operating procedure GP-3 used for normal plant shutdowns was changed, and in 1978, plant operating procedure GP-9 was written such that the safety functions of two systems required to be operable by facility technical specifications during plant shutdowns, namely the Rod Worth Minimizer (RWM) and the Rod Sequence Control System (RSCS), were effectively bypassed during plant

shutdowns. This operating mode was different than described in the Final Safety Analysis Report (FSAR) and inconsistent with technical specification operability requirements, and was implemented without prior NRC approval, without a change to the technical specification, and without a documented safety evaluation to indicate that the change did not involve an unreviewed safety question. This change was reviewed by the licensee's Plant Operations Review Committee (PORC), but the implications of the change apparently were not recognized by the PORC. Further, in 1979, a separate shutdown sequence was programmed into the RWM, that differed substantially from the startup sequence, without evaluating the change to determine if it involved an unreviewed safety question with respect to the FSAR. Consequently, from 1977 through 1983, the licensee failed to recognize that the method used in shutting down the reactors was contrary to the plant technical specifications and the FSAR.

The RWM and RSCS function to avoid control rod patterns that could result in unacceptable consequences in the event of a control rod drop accident. The licensee's practice of individually scrambling control rods effectively bypassed the RWM and RSCS controls and reduced the margin of safety in the event of a rod drop accident.

III

This violation demonstrates the need for an assessment at the Peach Bottom Atomic Power Station to determine (1) whether adequate safety reviews have been and are currently being performed when plant and procedure changes are made; and (2) whether inconsistencies exist in other procedures with regard

to the FSAR and technical specification requirements, as a result of procedure changes not receiving adequate safety review. Since such inconsistencies, if any exist, could reduce the level of safety at the facility, I have determined that the actions set forth below are required for the public health, safety, and interest, and therefore, should be imposed by an immediately effective Order.

IV

In view of the foregoing, pursuant to Sections 103, 161(i), 161(o), and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Part 2 and 10 CFR Part 50, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT:

Within 60 days of the effective date of this Order, the licensee shall submit to the Regional Administrator, Region I, for review and approval, a plan for an appraisal of: (1) the licensee's process for performing safety evaluations and reviews of procedures pursuant to 10 CFR 50.59 to determine if the process is currently effective, or if improvements are needed; (2) plant and system operating procedures to verify that existing procedures are consistent with technical specifications, technical specification bases, and those sections of the FSAR concerning systems necessary to mitigate Design Basis Accidents, and do not involve unreviewed safety questions; and (3) the licensee's program for ensuring that employees involved in the review and approval of operating procedures remain cognizant of the licensing bases.

The NRC expects that this appraisal will involve a process of screening numerous facility procedures to identify those warranting a detailed review. The appraisal shall be conducted, coordinated, and reviewed, by individuals who are familiar with the application of the Boiling Water Reactor technical specifications. In addition, the appraisal shall be performed in a manner that shall not detract from safe plant operation.

The appraisal plan shall describe:

- (1) the qualifications of the appraisal team members, and a discussion of their degree of independence, regarding areas reviewed;
- (2) the methods of performing the appraisal and documenting the results;
- (3) the schedule for completion of appropriate milestones; and
- (4) the methods for resolving appraisal findings in a timely manner.

Upon approval of the appraisal plan by the Regional Administrator, Region I, the appraisal plan shall be implemented. Scheduled milestone completion dates may not be extended without good cause and the concurrence of the Regional Administrator, Region I.

The licensee shall direct the appraisal team to submit to the Regional Administrator, Region I, at the time it is submitted to the licensee management, a copy of any report of the appraisal and recommendations resulting from the appraisal. The licensee shall direct the appraisal team to report immediately, upon identification, to the licensee management and the NRC any inconsistencies which could affect the safe operation of the facilities. In addition, the licensee shall consider the recommendations resulting from the appraisal and provide to the Regional Administrator, Region I, an analysis of each such recommendation and the action to be taken in response to the recommendation. The licensee shall also provide a schedule for accomplishing these actions.

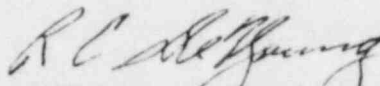
The Regional Administrator, Region I, may relax or terminate in writing any of the preceding requirements for good cause.

V

The licensee may request a hearing on this Order. A request for hearing shall be submitted to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 within 30 days of the date of this Order. A copy of the request shall also be sent to the Executive Legal Director at the same address and to the Regional Administrator, Region I, 631 Park Avenue, King of Prussia, PA 19406. ANY REQUEST FOR A HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is to be held concerning this Order, the Commission will issue an Order designating the time and place of hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order shall be sustained.

FOR THE NUCLEAR REGULATORY COMMISSION



Richard C. DeYoung, Director
Office of Inspection and Enforcement

Dated at Bethesda, Maryland
this 18th day of June 1984