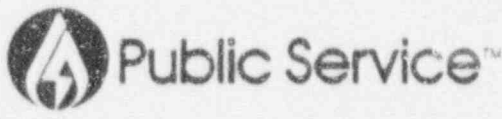


AA38-2
PDR

DOCKET NUMBER
PROPOSED RULE PR-19, 20, 30 et al.
(50 FR 51992) 205

mit
Public Service
Company of Colorado



2420 W. 26th Avenue, Suite 100D, Denver, Colorado 80211



May 7, 1986
Fort St. Vrain
Unit No. 1
P-86290

Secretary
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Attn: Docketing and Service Branch

- Docket No. 50-267
- SUBJECT: John F. Doherty; Petition for Rulemaking, Docket No. PRM-50-40
- REFERENCES:
 - 1) Generic Letter 83-28 (G-83256) dated July 8, 1983
 - 2) PSC Letter (P-83359) Lee to Eisenhut, dated November 4, 1983
 - 3) Procedure SMAP-7

Gentlemen:

Mr. Doherty, in his petition for rulemaking PRM-50-40, indicates that "the licensee, if unable to determine the cause of the reactor trip in eight hours, be required to place the reactor in cold shutdown pending further study of the event". He thinks such a rule would lessen any of a number of possible accidents that may occur if a reactor is restarted after a reactor trip before ascertaining what caused the trip. He cites NUREG-1000, Vol. 1, "Generic Implications of ATWS Events at the Salem Nuclear Power Plant", April 1983 as the source of his concern.

It is the position of Public Service Company of Colorado (PSC) that the NRC and licensees have already taken adequate and appropriate action to resolve the concerns addressed in PRM-50-40 and that Mr. Doherty's term "cold shutdown" is not universally used at nuclear plants.

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Acknowledged by card MAY 13 1986

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The NRC expressed a desire that the post trip review or restart of the reactor issue be addressed in Generic Letter 83-28, "Required Actions Based on Generic Implications of Salem ATWS Event", dated July 8, 1983. In Generic Letter 83-28 the NRC stated, "accordingly, pursuant to 10CFR 50.54 (f), operating reactor licensees ----- are requested to furnish under oath and affirmation, ----- the status of current conformance with the positions contained herein, and plans and schedules for any needed improvements for conformance with the positions". Generic Letter 83-28 listed four actions requested of each licensee and operating license applicant based on information contained in NUREG-1000. Action 1 is stated as follows:

- "1. Post Trip Review - This action addresses the program, procedures and data collection capability to assure that the causes of unscheduled reactor shutdowns, as well as the response of safety related equipment, are fully understood prior to plant restart."

Included in PSC's response to Generic Letter 83-28 was Procedure "SMAP-7". This procedure requires the Fort St. Vrain station manager to evaluate the recommendation made by the personnel performing a trip investigation and, if necessary, the investigation review. The station manager's decision to restart the reactor shall include, among other considerations, a determination that the cause of the trip is known and corrected.

Therefore, the concerns addressed by Mr. Doherty in Docket No. PRM-50-40 have already been resolved, the actions recognize the special nature of each reactor, and any further action is unnecessary and unproductive.

Very truly yours,

H.L. Brey, by Milt McBride

H.L. Brey, Manager
Licensing and Fuels Division

HLB:JW:jw

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SOURCE

REFERENCE III

AA38-2

Interoffice Memo



Public Service™

Public Service Company of Colorado

Williams - Please handle this.
PPC-86-1430
Yes

DATE: April 1, 1986
TO: Mr. Michael H. Holmes, Nuclear Licensing Manager, Diamond Hill
FROM: Charles H. Fuller, Station Manager, FSV
ATTN:
SUBJ: RESPONSE TO FEDERAL REGISTER NOTICE

On page 5086 of the Federal Register of February 11, 1986, can be found a Petition for Rulemaking regarding placing the reactor in a cold shutdown condition subsequent to a reactor trip. The considerations for cold shutdown are not the same for Fort St. Vrain as they are for an LWR. We need to respond to this Notice. Please submit a response by the April 11, 1986 required date.

If I can be of assistance, let me know.

Charles H. Fuller
Charles H. Fuller

CHF/rlo

cc: Gahm
Novachek
Evans
Burchfield

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proposed § 1138.73 to read as follows:

§ 1138.73 Value of producer milk.

(a) The partial payment for milk received during the first 15 days of the month shall be not less than the Minnesota-Wisconsin price for the preceding month times the quantity of milk received.

*Proposed by the Dairy Division,
Agricultural Marketing Service;
Proposal No. 8*

Make such changes as may be necessary to make the entire marketing agreements and the orders conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the orders may be procured from the Market Administrator, W. Joe Albright, P.O. Box 440860, Aurora, Colorado 80044, or from the Hearing Clerk, Room 1078, South Building, United States Department of Agriculture, Washington, D.C. 20250, or may be inspected there.

Copies of the transcript of testimony taken at the hearing will not be available for distribution through the Hearing Clerk's Office. If you wish to purchase a copy, arrangements may be made with the reporter at the hearing.

From the time that a hearing notice is issued and until the issuance of a final decision in a proceeding, Department employees involved in the decisional process are prohibited from discussing the merits of the hearing issues on an ex parte basis with any person having an interest in the proceeding. For this particular proceeding, the prohibition applies to employees in the following organizational units:

Office of the Secretary of Agriculture
Office of the Administrator, Agricultural Marketing Service
Office of the General Counsel
Dairy Division, Agricultural Marketing Service (Washington Office only)
Office of the Market Administrator, Great Basin and Lake Mead Marketing Areas

Procedural matters are not subject to the above prohibition and may be discussed at any time.

Signed at Washington, D.C., on: February 6, 1986.

James C. Handley,
Administrator.

[FR Doc. 86-2931 Filed 2-10-86; 8:45 am]

BILLING CODE 3410-05-01

**NUCLEAR REGULATORY
COMMISSION**

10 CFR Part 50

(Docket No. PRM-80-40)

John F. Doherty, Petitioner for Rulemaking

AGENCY: Nuclear Regulatory Commission.

ACTION: Receipt of petition for rulemaking.

SUMMARY: The Nuclear Regulatory Commission requests public comments on this notice of receipt of a petition for rulemaking dated November 27, 1985, that was filed by John F. Doherty. The petition was docketed by the Commission on December 2, 1985, and assigned Docket No. PRM-80-40. The petitioner requests that the Commission amend its regulations to require that, following a power reactor trip, the licensee, if unable to determine the cause of the reactor trip in eight hours, be required to place the reactor in cold shutdown pending further study of the event.

DATE: Submit comments by April 14, 1986. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before this date.

ADDRESSES: Send comments to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

Obtain a copy of the petition by writing to the Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

A copy of the petition and of comments on the petition are available for inspection or copying for a fee at the Public Document Room at 1717 H Street, N.W., Washington, DC.

FOR FURTHER INFORMATION CONTACT: John Philips, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: 301-492-7088 or Toll Free: 800-368-5642.

SUPPLEMENTARY INFORMATION:

Petitioner's Proposal

The petitioner urges the Commission to adopt a rule that would state: Following a power reactor trip, the licensee, if unable to determine the cause of the reactor [trip] in eight hours, shall be required to place the reactor in

cold shutdown pending further study of the event.

The petitioner states that this proposal could logically be included in 10 CFR 50.72, "Immediate Notification Requirements for Operating Nuclear Power Reactors," or in some other appropriate section of the regulations that could require the proposed licensee action.

Basis of the Proposal

The petitioner bases this proposal on a finding on page 2-8 of NUREG-1000, Vol. 1, "Genetic Implications of ATWS Events at the Salem Nuclear Power Plant," April 1983. This document states that at one utility "... [i]f the cause for the reactor trip cannot be determined within eight hours, the plant is required by company policy to be placed in cold shutdown pending further study of the event." The petitioner contends that the Office of Nuclear Reactor Regulation cites this utility's policy favorably by continuing in the document with, "This operational philosophy exhibits the intuitively questioning attitude that NRC encourages in its licensees."

Reason for the Proposal

The petitioner contends that the 1983 Salem ATWS event is a prototype of the kind of incident that his proposal is designed to prevent. He further states that on the day preceding this event at Salem there was a "partial failure to SCRAM" that the utility thought had been caused by an operator manually tripping the reactor. The petitioner states that Salem operated under a rule that allowed higher management to authorize restart of the reactor if the cause for a trip could not be identified.

He further cites NUREG-1000 as indicating that in a study of a case such as Salem, a study of process recorders would have shown that a "SCRAM failure" had occurred and that restart would probably lead to a more serious "SCRAM failure," which is what occurred at Salem.

Conclusion

The petitioner concludes from the information cited from NUREG-1000, Vol. 1, and the seriousness of the 1983 Salem ATWS event, that the NRC should adopt a rule such as he proposes. He thinks that such a rule would lessen any of a number of possible accidents that may occur if a reactor is restarted after a reactor trip before ascertaining what caused the trip.

Dated at Washington, DC, this 5th day of February 1986.



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b) CONDITION III EVENT

The Shift Supervisor shall inform the Station Manager when an event is classified Condition III or when the classification cannot be agreed upon. The TRC shall recommend to the Station Manager the required actions and conditions necessary to perform a reactor restart.

c) Station Manager Evaluation and Decision

~~The Station Manager shall evaluate the recommendation made by the personnel performing the trip investigation and, if necessary, the investigation review. His decision to restart the reactor shall include the following considerations:~~

- (1) The cause of the trip is known and corrected.
- (2) Major safety-related and other important equipment functioned properly during the transient, or corrective maintenance and satisfactory testing has been performed or will be completed when plant conditions permit.
- (3) The plant response during the trip has been analyzed and the plant responded as anticipated, or all significant abnormalities are understood and corrected as necessary to ensure compliance with the Technical Specifications.

If the cause of the trip has not been positively identified, the Station Manager shall determine if the cause and the circumstances surrounding the cause have been analyzed adequately. The recommendations of the TRC shall be considered in the decision for reactor restart.



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

July 8, 1983

AA38-2
Warrington

G-83256

rec'd

7-14-83

TO ALL LICENSEES OF OPERATING REACTORS, APPLICANTS FOR OPERATING
LICENSE, AND HOLDERS OF CONSTRUCTION PERMITS

Gentlemen:

SUBJECT: REQUIRED ACTIONS BASED ON GENERIC IMPLICATIONS OF SALEM
ATWS EVENTS (Generic Letter 83-28)

The Commission has recently reviewed intermediate-term actions to be taken by licensees and applicants as a result of the Salem anticipated transient without scram (ATWS) events. These actions have been developed by the staff based on information contained in NUREG-1000, "Generic Implications of ATWS Events at the Salem Nuclear Power Plant." These actions address issues related to reactor trip system reliability and general management capability.

The actions covered by this letter fall into the following four areas:

1. Post-Trip Review - This action addresses the program, procedures and data collection capability to assure that the causes for unscheduled reactor shutdowns, as well as the response of safety-related equipment, are fully understood prior to plant restart.
2. Equipment Classification and Vendor Interface - This action addresses the programs for assuring that all components necessary for accomplishing required safety-related functions are properly identified in documents, procedures, and information handling systems that are used to control safety-related plant activities. In addition, this action addresses the establishment and maintenance of a program to ensure that vendor information for safety-related components is complete.
3. Post-Maintenance Testing - This action addresses post-maintenance operability testing of safety-related components.
4. Reactor Trip System Reliability Improvements - This action is aimed at assuring that vendor-recommended reactor trip breaker modifications and associated reactor protection system changes are completed in PWRs, that a comprehensive program of preventive maintenance and surveillance testing is implemented for the reactor trip breakers in PWRs, that the shunt trip attachment activates automatically in all PWRs that use circuit breakers in their reactor trip system, and to ensure that on-line functional testing of the reactor trip system is performed on all LWRs.

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The enclosure to this letter breaks down these actions into several components. You will find that all actions, except four (Action 1.2, 4.1, 4.3, and 4.5), require software (procedures, training, etc.) changes and/or modifications and do not affect equipment changes or require reactor shutdown to complete. Action 1.2 may result in some changes to the sequence of events recorder or existing plant computers, but will not result in a plant shutdown to implement. Actions 4.1, 4.3 and 4.5.2, if applicable, would require the plant to be shutdown in order to implement.

The reactor trip system is fundamental to reactor safety for all nuclear power plant designs. All transient and accident analyses are predicated on its successful operation to assure acceptable consequences. Therefore, the actions listed below, which relate directly to the reactor trip system, are of the highest priority and should be integrated into existing plant schedules first.

- 1.1 Post-Trip Review (Program Description and Procedure)
- 2.1 Equipment Classification and Vendor Interface (Reactor Trip System Components)
- 3.1 Post-Maintenance Testing (Reactor Trip System Components)
- 4.1 Reactor Trip System Reliability (Vendor-Related Modifications)
- 4.2.1 and 4.2.2 Reactor Trip System Reliability (Preventive Maintenance and Surveillance Program for Reactor Trip Breakers)
- 4.3 Reactor Trip System Reliability (Automatic Actuation of Shunt-trip Attachment for Westinghouse and B&W plants)

Most of the remaining intermediate-term actions concern all other safety-related systems. These systems, while not sharing the same relative importance to safety as the reactor trip system, are essential in mitigating the consequences of transients and accidents. Therefore, these actions should be integrated into existing plant schedules over the longer-term on a medium priority basis. Some of the actions discussed in the enclosure will best be served by Owners' Group participation, and this is encouraged to the extent practical.

Accordingly, pursuant to 10 CFR 50.54(f), operating reactor licensees and applicants for an operating license (this letter is for information only for those utilities that have not applied for an operating license) are requested to furnish, under oath and affirmation, no later than 120 days from the date of this letter, the status of current conformance with the positions contained herein, and plans and schedules for any needed improvements for conformance with the positions. The schedule for the implementation of these improvements is to be negotiated with the Project Manager.

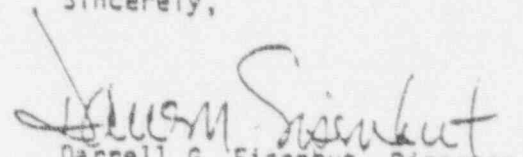
Licenses and applicants may request an extension of time for submittals of the required information. Such a request must set forth a proposed schedule and justification for the delay. Such a request shall be directed to the Director, Division of Licensing, NRR. Any such request must be submitted no later than 60 days from the date of this letter. If a licensee or applicant does not intend to implement any of the enclosed items, the response should so indicate and a safety basis should be provided for each item not intended to be implemented. Value-impact analysis can be used to support such responses or to argue in favor of alternative positions that licensees might propose.

For Operating Reactors, the schedules for implementation of these actions shall be developed consistent with the staff's goal of integrating new requirements, considering the unique status of each plant and the relative safety importance of the improvements, combined with all other existing plant programs. Therefore, schedules for implementation of these actions will be negotiated between the NRC Project Manager and licensees.

For plants undergoing operating license review at this time, plant-specific schedules for the implementation of these requirements shall be developed in a manner similar to that being used for operating reactors, taking into consideration the degree of completion of the power plant. For construction permit holders not under OL review and for construction permit applicants, the requirements of this letter shall be implemented prior to the issuance of an operating license.

This request for information was approved by the Office of Management and Budget under clearance number 3150-0011 which expires April 30, 1985. Comments on burden and duplication may be directed to the Office of Management and Budget, Reports Management Room 3208, New Executive Office Building, Washington, D. C. 20503.

Sincerely,


Darrell G. Eisenhut, Director
Division of Licensing

Enclosure:
Required Actions Based on Generic
Implications of Salem ATWS Events

ENCLOSURE

REQUIRED ACTIONS BASED ON GENERIC IMPLICATIONS OF SALEM ATWS EVENTS

1.1 POST-TRIP REVIEW (PROGRAM DESCRIPTION AND PROCEDURE)

Position

Licensees and applicants shall describe their program for ensuring that unscheduled reactor shutdowns are analyzed and that a determination is made that the plant can be restarted safely. A report describing the program for review and analysis of such unscheduled reactor shutdowns should include, as a minimum:

1. The criteria for determining the acceptability of restart.
2. The responsibilities and authorities of personnel who will perform the review and analysis of these events.
3. The necessary qualifications and training for the responsible personnel.
4. The sources of plant information necessary to conduct the review and analysis. The sources of information should include the measures and equipment that provide the necessary detail and type of information to reconstruct the event accurately and in sufficient detail for proper understanding. (See Action 1.2)
5. The methods and criteria for comparing the event information with known or expected plant behavior (e.g., that safety-related equipment operates as required by the Technical Specifications or other performance specifications related to the safety function).
6. The criteria for determining the need for independent assessment of an event (e.g., a case in which the cause of the event cannot be positively identified, a competent group such as the Plant Operations Review Committee, will be consulted prior to authorizing restart) and guidelines on the preservation of physical evidence (both hardware and software) to support independent analysis of the event.
7. Items 1 through 6 above are considered to be the basis for the establishment of a systematic method to assess unscheduled reactor shutdowns. The systematic safety assessment procedures compiled from the above items, which are to be used in conducting the evaluation, should be in the report.

Applicability

This position applies to all licensees and OL applicants.

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Type of Review

For licensees, a post-implementation review of the program and procedures will be conducted or the staff will perform a pre-implementation review if desired by the licensee. NRR will perform the review and issue Safety Evaluations.

For OL applicants, the NRR review will be performed consistent with the licensing schedule.

Documentation Required

Licensees and applicants shall submit a report describing their program addressing all the items in the position.

Technical Specification Changes Required

No changes to Technical Specifications are required.

References

- Section 2.2 of NUREG-1000
- Regulatory Guide 1.33
- ANSI N18.7-1976/ANS-3.2
- Item I.C.5 of NUREG-0660
- 10 CFR 50 - 50.72