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Note to: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

From: Guy H. Cunningham, III
Executive Legal Director

SUBJECT: TMI-1: INITIAL DECISION ON STEAM GENERATOR REPAIR

On October 31, 1984 the Atomic Safety and Licensing Board issued an initial decision on GPU's application for an amendment to its operating license for TMI-1 to permit revision of its technical specifications to recognize steam generator tube repair techniques, other than plugging, and to permit operation using the repaired steam generators. The Board concluded that the license conditions proposed by the Staff, two additional conditions imposed by the Board, and Licensee's post repair and plant performance testing and analysis provide reasonable assurance that the leak tight integrity of the repaired steam generator tube joints will be maintained, that the uncertainties leading to the Board's request to hear evidence on specific issues have been resolved, and that reasonable assurance exists that the repair process has not increased the probability of simultaneous tube ruptures.

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The Staff had proposed several license conditions in its SER. In addition to those conditions, the Board imposed two other conditions, one requiring shutdown for eddy current testing (ECT) in the event of prolonged operation at less than 50% power (Opinion, pp. 8-9), and the other requiring a redundancy to the RM-A5 (monitor of radioactive gas) or, alternatively, a technical specification requiring that the RM-A5 system be operable at all times during reactor operation (Opinion, pp. 6-7).

The provision relating to special shutdown for ECT in the event of extended plant operation at less than 50% power was not contained in the Staff's proposed license condition on ECT because, the Staff testified, the possibility of such extended operation had not been anticipated. However, the Staff's witness stated at the hearing that, if such extended operation were to occur, he would be inclined to request of licensee that the plant be shut down for ECT after a specified period of time, such as 180-200 days. The time specified by the Board is 180 days.

As for the condition requiring redundancy of the RM-A5 system, the Staff had considered, but rejected, a possible license condition that would require operability of the RM-A5 system at all times. The Board's condition only imposes such a restriction if Licensee does not wish to install a redundant system. If such a system is installed, the technical specifications would

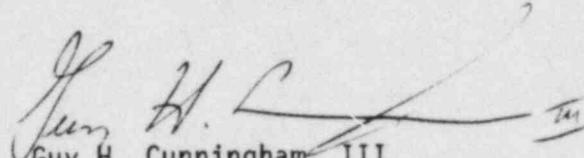
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be modified to permit plant operation for a maximum of 28 days with one of the systems inoperable. The current technical specifications permit plant operation for 28 days with the RM-A5 inoperable, provided grab samples are being taken.

OELD staff has consulted with your staff on the Licensing Board's decision, but has identified no need or basis for an NRC Staff appeal of the decision.


Guy H. Cunningham, III
Executive Legal Director

cc: W. Dircks
T. Murley