

April 22, 1976

NOTE TO: STUART TREBY

RE: TMI, UNIT NO. 1 - APPENDIX H EXEMPTION

The attached package grants Metropolitan Edison Company a §50.12 exemption from 10 CFR Part 50, Appendix H (dealing with vessel wall fracture toughness surveillance) to allow operation of TMI, Unit No. 1 during Cycle 2 with all six of the require surveillance capsules removed. This exemption request was elicited by the recent discovery of damage to the surveillance capsule holding tubes. The licensee has removed the surveillance capsules and holding tubes and anticipates replacement of the holding tubes and reinstallation of the six surveillance capsules prior to Cycle 3 operation.

In addition, this package amends the facility license technical specifications dealing with vessel wall fracture toughness surveillance to conform with Appendix II (which was issued after the TMI, Unit No. 1 Technical Specifications were developed).

I have discussed this package at length with Bill Ross, LPM, and he has agreed to make the changes indicated in pencil. I still have two concerns.

1. Concern Regarding the Safety Evaluation Discussion of Thermal Surveillance

It is clear that the purpose of Appendix H is to require monitoring of changes in the fracture toughness properties of ferritic materials in the reactor vessel wall caused by (a) neutron irradiation and (b) the thermal environment. The Staff's safety evaluation addresses item (a) only. The Staff's evaluation indicates that the surveillance capsules have, in essence, experienced neutron irradiation more than the vessel wall will experience in the first three cycles of operation. The Staff's safety evaluation does not, however, address item (b), the thermal environment. I recommend that OELD not concur in this package until the Staff's safety evaluation addresses the following issue: Whether during Cycle 2 operation the vessel wall might experience some thermal change (due possibly to some transient) that could exceed the thermal exposure experienced by the surveillance capsules.

2. Concern Regarding the Staff's Finding Supporting the § 50.12 Exemption

In addition, I believe that the Staff has not made the finding necessary to support the granting of a § 50.12 exemption. It is clear from the language of

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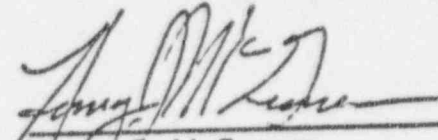
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this section that the Staff must find that operation of TMI, Unit No. 1 with the reactor vessel surveillance capsules removed is in the public interest and will not endanger life or property or the common defense and security.

Until these concerns are satisfied, I recommend that OELD not concur in this package.


Henry J. McGurran