April 23, 1976

NOTE TO: BILL ROSS

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

In accordance with our discussions you have agreed to make the changes indicated in pancil. In addition, I 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 irradiction 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. OELD cannot 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 coul i 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 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, OELD cannot concur in this package.

denry J. McGurren

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