



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATING TO THE REQUEST FOR EXTENSION

OF CONSTRUCTION PERMIT NO. CPPR-107

LIMERICK GENERATING STATION, UNIT NO. 2

DOCKET NO. 50-353

1.0 INTRODUCTION

Two construction permits were issued to Philadelphia Electric Company (PECo or permittee) on June 19, 1974. These permits authorized construction of the Limerick Generating Station, Units 1 and 2 (the facilities) at the Company's site on the Schuylkill River, near Pottstown, in Limerick Township, Montgomery County, Pennsylvania.

On February 23, 1981, Philadelphia Electric Company filed a request pursuant to the Code of Federal Regulations, Title 10, Part 50, Section 50.55(b) for an extension of the construction completion dates for these units. This request was granted by Order issued April 24, 1981, extending the latest completion dates for Units 1 and 2 to October 1, 1985 and October 1, 1987, respectively. Construction of Unit 1 was completed in conformity to Commission regulations; low power and full power operating licenses were issued to PECo authorizing operation of Unit 1 on October 26, 1984 and August 8, 1985, respectively. For reasons discussed below, construction of Unit 2 has not been completed. By letter dated August 13, 1987, PECo requested an extension of the earliest and latest completion dates specified in Construction Permit No. CPPR-107 for Limerick Unit 2. The extension request was filed in a timely manner as specified in Section 2.109 of 10 CFR Part 2.

2.0 EVALUATION

The change in the schedule for completion of the construction of Unit 2 results from suspension of construction by the Applicant in accordance with the terms of an order issued by the Pennsylvania Public Utility Commission (PaPUC) on December 23, 1983. Such order directed the Applicant to: (1) suspend construction of Unit 2 pending operation of Unit 1; or (2) cancel Unit 2 or (3) continue construction of Unit 2 solely with internally generated funding. Applicant advised the PaPUC on January 24, 1984 that of the choices available, it had suspended construction of Unit 2 pending operation of Unit 1. As a result of this action all activities at the Unit 2 construction site were suspended during the period from January 1, 1984 to February 1, 1986 except essential activities required to protect the site, the public and workers and actions required to allow a prompt resumption of construction.

The PaPUC's order of December 23, 1983 and the subsequent suspension of construction of Unit 2 resulted from an order entered by the PaPUC on October 10, 1980, which initiated an investigation into the need for and the economy of the Limerick facility. At the conclusion of this investigation, the PaPUC issued an Opinion and Order on August 27, 1982 that concluded that

either cancellation or suspension of construction at Limerick Unit 2 would be in the public interest. Applicant appealed such Opinion and Order. After the affirmation of the August 27, 1982 order by the Pennsylvania Supreme Court, the PaPUC entered a further order on June 10, 1983 which required Applicant to comply with its Order of August 27, 1982.

On July 21, 1983 Applicant filed a response to the PaPUC Order which resulted in a series of replies in opposition by several parties, following which the PaPUC entered its December 23, 1983 Opinion and Order discussed above. On January 24, 1984 Applicant filed its response to the PaPUC Order dated December 23, 1983 in which it advised the PaPUC that Applicant had suspended construction of Limerick Unit 2 pending operation of Limerick Unit 1. Thus, by January 1984, essentially all construction activity at Limerick Unit 2 had been suspended. In an Order entered February 22, 1984 the PaPUC accepted the Applicant's response as being in compliance with the PaPUC Orders of August 27, 1982, June 10, 1983 and December 23, 1983.

On August 7, 1984, with construction of Unit 2 still suspended, the PaPUC commenced a further investigation of Limerick by issuing an Order to Show Cause why the completion of Limerick Nuclear Generating Station Unit 2 would be in the public interest. Following this investigation, the PaPUC entered an Opinion and Order dated December 5, 1985 finding that completion of Limerick Unit 2 is in the public interest if the Applicant accepted certain cost-containment and operation incentive plans set forth in the PaPUC's Opinion and Order. On December 23, 1985, Applicant notified the PaPUC of its plan to complete Limerick Unit 2 and its acceptance of the PaPUC's cost containment and operation incentive programs. On January 2, and 6, 1986 two parties to the PaPUC proceeding filed petitions for review with the Pennsylvania Commonwealth Court challenging the PaPUC Order. On January 17, 1986, the Applicant filed its own petition for review in the nature of a cross-appeal seeking certain modifications of the PaPUC's Order in the event that one or more of the positions of the opposing parties should prevail. On February 18, 1986, the Commonwealth court affirmed the December 5, 1985 Opinion and Order of the PaPUC in all respects.

On February 1, 1986 Limerick Unit 1 was declared to be in commercial operation and construction of Limerick Unit 2 was resumed later in that month and is continuing. At the time of suspension of construction activities in January, 1984 Unit 2 construction was approximately 30 percent completed and engineering activity was approximately 82.5 percent complete. Since the resumption of work on Unit 2, engineering has progressed to the point where it is, as of March 1988 approximately 94 percent complete and construction activities are approximately 85 percent complete.

The events described above relating to suspension of construction have resulted from conditions which were beyond the control of Applicant and could not have been predicted at the time the construction schedule upon which the present construction completion date of CPPR-107 was established. The completion dates proposed by Applicant are considered reasonable based upon Applicant's present schedule of engineering and construction activities,

progress in these areas since resumption of work on Unit 2, and taking into account the uncertainties involved in a major construction effort of this type.

### 3.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.32, the Commission has determined that extending the construction completion dates will have no significant impact on the environment (January 14, 1988, 53 FR 970).

### 4.0 CONCLUSIONS

The NRC staff has reviewed the information provided by PECO's submittal. Based on that review, the staff concurs with the permittee that the time estimated for the delay is reasonable. In accordance with 10 CFR 50.55(b), the staff concludes that the factors discussed above constitute good cause for granting the requested extension and the extension is for a reasonable period of time.

As a result of our review of the Limerick Final Safety Analysis Report to date and considering the nature of the delays, the staff has identified no area of significant safety considerations resulting directly from the extension of the construction completion dates. In addition, we find that the only modification proposed by the permittee to the existing construction permit is an extension of the completion dates. This extension does not allow any work to be performed of the type not previously authorized by the existing construction permit. Therefore, we find that (1) this action does not involve any significant increase in the probability or consequences of an accident previously evaluated, does not create the possibility of a new or different kind of accident from any previously evaluated and does not involve a significant reduction in a margin of safety; (2) there is reasonable assurance that the health and safety of the public will not be endangered by extension of the construction completion date, and (3) good cause exists for issuance of an order extending the completion date. Accordingly, the NRC staff has concluded that the action does not involve a significant hazards consideration and that based upon the foregoing evaluation, issuance of an order extending the latest completion date for construction of the Limerick Generating Station, Unit No. 2 is reasonable and should be authorized. The latest completion date for Unit 2 should be extended to January 1, 1992.

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Dated: May 3, 1988