

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION



Before the Atomic Safety and Licensing Board

In the Matter of)	
)	
Philadelphia Electric Company)	Docket No. 50-352-OLA
)	(Check Valve)
(Limerick Generating Station,)	
Unit 1))	March 11, 1986

LICENSEE'S ANSWER IN OPPOSITION TO LATE-FILED
PETITION FOR LEAVE TO INTERVENE AND REQUEST
FOR HEARING BY FRANK R. ROMANO

Preliminary Statement

On February 24, 1986, petitioner Frank R. Romano filed a late petition for leave to intervene and request for a hearing with respect to an amendment to Facility Operating License No. NPF-39, which authorizes Philadelphia Electric Company ("Licensee") to operate its Limerick Generating Station, Unit 1 ("Limerick"). Following publication of its proposed grant of the amendment in the Federal Register on December 26, 1985, no timely petition was filed. The Nuclear Regulatory Commission ("NRC" or "Commission") granted Licensee's application by issuing Amendment No. 1 for the Limerick facility on February 6, 1986.

Although the time within which to request a hearing on Amendment No. 1 has long since expired, Mr. Romano now seeks leave to intervene without any discussion of his lateness or the other factors necessary to qualify for late intervention under the regulations. Nor has Mr. Romano stated any

8603170363 860311
PDR ADOCK 05000352
G PDR

0502

cognizable interest in the issuance of Amendment No. 1 or described how the outcome of this proceeding would affect any putative interest. Thus, his petition should be denied.

Argument

I. Mr. Romano Has Failed to Meet the Five Factors for Admitting a Late-Filed Petition to Intervene.

The operating license amendment at issue, which is temporary and schedular in nature, permits an extension of the allowable interval for testing certain reactor instrumentation line excess flow check valves.^{1/} Licensee requested the amendment by application dated December 18, 1985 to the NRC.^{2/} As shown on the certificate of service attached to the Application for Amendment, Mr. Romano and other parties to the NRC operating license proceeding for Limerick were duly served.^{3/}

1/ The NRC granted the proposed amendment as attached to a letter dated February 6, 1986, authorizing the testing to be performed during a scheduled outage to begin on or before May 26, 1986. See letter from Walter R. Butler, Division of BWR Licensing, NRC to Edward G. Bauer, Jr., Vice President and General Counsel, Philadelphia Electric Company (February 6, 1986). The license amendment was supported by the NRC Staff's written safety evaluation which was also attached.

2/ For further details of the application, see letter from Eugene J. Bradley, Associate General Counsel, Philadelphia Electric Company to Harold R. Denton, Director, Office of Nuclear Reactor Regulation, NRC (December 18, 1985) (enclosing Application for Amendment of Facility Operating License NPF-39).

3/ Air and Water Pollution Patrol ("AWPP") is a party to
(Footnote Continued)

On December 26, 1985, the NRC published notice in the Federal Register of its proposed determination that the amendment request involves no significant hazards consideration and noted that the NRC was seeking public comments on its proposed determination. That notice is expressly required by regulation.^{4/} The notice further provided that, by January 26, 1986, "any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene."^{5/} Following Commission custom, the notice also stated that nontimely petitions to intervene would not be entertained, absent a favorable determination based upon a balancing of the factors for admitting late contentions.

(Footnote Continued)

the operating license proceeding for Limerick. Mr. Romano is its designated representative. See Philadelphia Electric Company (Limerick Generating Station, Units 1 and 2), LBP-82-43A, 15 NRC 1423, 1438 (1982). In the instant matter, however, AWPP has made no attempt to meet the requirements under the Commission's rules and precedents for participation by organizations. Licensee agrees with the NRC Staff's position that prior participation by an organizational intervenor in an earlier proceeding does not establish its interest with regard to a separate, subsequent proceeding for the same facility. See Response of NRC Staff in Opposition to Petition to Intervene and Request for a Hearing by Anthony/FOE Regarding Licensee's Amendment Request at 6 n.5 (February 25, 1986).

4/ 10 C.F.R. §50.91(a)(2).

5/ 50 Fed. Reg. 52874, 52875 (December 26, 1985).

Under the NRC's regulations^{6/} and the Federal Register notice, January 26, 1986 was the final date for filing any petition seeking leave to intervene and a hearing with regard to the proposed amendment at issue. The petition filed by Mr. Romano on February 24, 1986 is therefore untimely by four weeks without "good cause."^{7/} There is no merit to Mr. Romano's purported justification for lateness, i.e., that he received an NRC monthly summary of operating license applications and amendments from Mr. Robert Anthony on February 21, 1986. Mr. Romano had actual notice of the Application for Amendment by virtue of the copy served by Licensee on December 18, 1985.

To allow intervention on the basis of the Staff's summary of applications, particularly one dated after the expiration of the 30-day notice under 10 C.F.R. §50.91 in the Federal Register, would make a mockery of the Federal Register Act and is highly prejudicial to the rights of applicants. The law is clear that publication in the Federal Register gives full notice to all persons who might later seek to intervene:

The law required that the Nuclear Regulatory Commission publish once in the Federal Register notice of its intention to act on an application for an amendment to an operating license (The Atomic Energy Act of 1954, as

^{6/} See 10 C.F.R. §2.105(d).

^{7/} See 10 C.F.R. §2.714(a)(1)(i).

amended, Sec. 189). The Appeal Board noted, in Jamesport, that "The Federal Register Act expressly provides that such publication constitutes notice to 'all persons residing within the States of the Union.' 44 U.S.C. 1508." Long Island Lighting Company (Jamesport Nuclear Power Station, Units 1 and 2)[,] ALAB-292, 2 NRC 631 (1975). Moreover, many years ago the U.S. Supreme Court ruled that publication in the Federal Register gives legal notice to all citizens (Federal Crop Insurance Corp. v Merrill, 332 US 380-388, 1947).^{8/}

As the Licensing Board aptly stated in the Seabrook proceeding, publication in the Federal Register to parties wishing to intervene in hearings before the NRC "is a notice to all the world."^{9/}

The Appeal Board recently reiterated this very point in a case on all fours with Mr. Romano's petition, which involved an amendment to the operating license for the Pilgrim reactor. Like Mr. Romano, who participated at great length as an intervenor in the Limerick proceeding, the petitioner in Pilgrim was a long-time intervenor in NRC cases. Nonetheless, he ignored the deadline for timely

^{8/} Florida Power and Light Company (Turkey Point Nuclear Generating Station, Units 3 and 4), LBP-79-21, 10 NRC 183, 192 (1979). See also Maine Yankee Atomic Power Company (Maine Yankee Atomic Power Station), LBP-82-4, 15 NRC 199, 201 (1982); New England Power & Light Company (NEP, Units 1 and 2), LBP-78-18, 7 NRC 932, 933-34 (1978).

^{9/} Public Service Company of New Hampshire (Seabrook Station, Units 1 and 2), LBP-82-76, 16 NRC 1029, 1085 (1982).

intervention given in a Federal Register notice. The petitioner there did not contest the finding that his petition, filed eight days late, was untimely.^{10/} The Appeal Board affirmed, rejecting petitioner's claim that he should have been granted a second opportunity to explain his lateness after the issue had been raised by the Licensee's and NRC Staff's answers to his petition.^{11/}

Equally important, the Appeal Board held that "given [petitioner's] failure even to address the section 2.714(a) lateness factors, his intervention petition was correctly denied because it was untimely."^{12/} It ruled that "the burden of persuasion on the lateness factors is on the tardy petitioner and that, in order to discharge that burden, the petitioner must come to grips with those factors in the petition itself."^{13/} Like Mr. Romano in the instant proceeding, the petitioner in Pilgrim was "by no means a newcomer to NRC licensing proceedings"^{14/} and, given his experience, "fully apprehended the reach of the affirmative obligation imposed upon the petitioner who appears on the

^{10/} Boston Edison Company (Pilgrim Nuclear Power Station), LBP-85-24, 22 NRC 97 (1985), aff'd, ALAB-816, 22 NRC 461 (1985).

^{11/} Pilgrim, supra, ALAB-816, 22 NRC at 466-68.

^{12/} Id. at 465-66.

^{13/} Id. at 466.

^{14/} Id. at 467.

scene after the prescribed deadline has passed."^{15/} As recently as in ALAB-819, the Appeal Board had occasion to remind Mr. Romano of that obligation,^{16/} but he has nonetheless failed to address the lateness criteria here.

Also on point is the holding in Seabrook dismissing a late-filed petition by a knowledgeable intervenor in the operating license proceeding. Citing an argument by petitioner which "betrayed his understanding of such legal requirement as notice [in the Federal Register],"^{17/} the Licensing Board held:

This appears to be the statement of one well versed in nuclear matters appearing in the Federal Register. Thus, Petitioner apparently was well qualified to locate notice of hearings in the Federal Register The Board has elected to address this argument to make it clear to others in this proceeding who do not understand that ignorance of Federal Register notice is no justification for permitting late intervention or justification for ignoring the matters set forth in Federal Register notices pertaining to this proceeding.^{18/}

Accordingly, Mr. Romano's petition is four weeks late without "good cause" for lateness. Mr. Romano has

^{15/} Id. at 468.

^{16/} Limerick, supra, ALAB-819, 22 NRC 681, 725 (1985).

^{17/} Public Service Company of New Hampshire (Seabrook Station, Units 1 and 2), Docket Nos. 50-443-OL and 50-444-OL, "Order" (November 15, 1983) (slip op. at 4-5).

^{18/} Id. at 5.

previously filed late requests which have been denied, inter alia, for lateness.^{19/} He must be held accountable for knowing that filing deadlines must be met and is more than familiar with the requirement that he address the five lateness factors where the deadline has passed.

Mr. Romano has also failed to address, much less satisfy, the remaining four factors for considering late-filed petitions under 10 C.F.R. §2.714(a)(1). Failure to discuss the five factors itself justifies denial of his petition.^{20/} On the second factor, other means exist to protect Mr. Romano's interest. As the Appeal Board recently

^{19/} Limerick, supra, "Memorandum and Order Rejecting Late-Filed Contentions from FOE and AWPP, Denying AWPP's Second Request for Reconsideration of Asbestos Contention, Denying AWPP's Motion to Add a PVC Contention and Commenting on an Invalid Inference in Del-Aware's May 17, 1984 Filing" (August 24, 1984); Limerick, supra, "Memorandum and Order (Ruling on Air and Water Pollution Patrol Pleading Entitled 'As it Relates to Sheltering, Air and Water Pollution Patrol (Romano) Contends that Applicant and Staff Neither Conscientiously [sic] Concerned Themselves, Nor Made Public Plans For, Nor Tested the Adequacy of Such Plans, or Otherwise Insured Against Health Effects from Massive Ionizing Radiation Releases as Gases or Particulate Entities, in Case of a Serious Accident at Limerick Under Conditions Which Would Prevent Evacuation" (February 19, 1985); Limerick, supra, "Memorandum and Order on Frank R. Romano/Air Water Pollution Patrol Request to Reopen Record" (June 17, 1985).

^{20/} Duke Power Company (Perkins Nuclear Station, Units 1, 2 and 3), ALAB-615, 12 NRC 350, 352-53 (1980). See also Metropolitan Edison Company (Three Mile Island Nuclear Station, Unit No. 1), CLI-83-25, 18 NRC 327, 331 (1983).

ruled in the Limerick case, reliance upon the NRC Staff may constitute sufficient "other means," depending upon the issues sought to be raised, the relief requested and the stage of the proceeding.^{21/} Inasmuch as the Staff has already prepared a detailed, written safety evaluation on Amendment No. 1, it is clear that it has acted and will continue to act in protection of any interest asserted by Mr. Romano.

On the third factor, requiring a demonstration that petitioner can assist the Board in developing a sound record, Mr. Romano has not demonstrated any particular knowledge or expertise on reactor safety. In an earlier aspect of the Limerick case, the Licensing Board found that, as a witness, Mr. Romano "displayed insufficient knowledge and expertise to be relied upon."^{22/} Mr. Romano makes no personal claim of expertise in analyzing the potential for significant safety hazards associated with the subject operating license amendment, nor has he provided the names of any prospective expert witnesses and a summary of their proposed testimony.^{23/}

^{21/} Limerick, supra, ALAB-828, 23 NRC ____ (January 16, 1986) (slip op. at 12).

^{22/} Limerick, supra, LBP-84-31, 20 NRC 446, 455 (1984).

^{23/} Accordingly, Mr. Romano has not complied with the requirement of Grand Gulf that "[w]hen a petitioner addresses this criterion it should set out with as much
(Footnote Continued)

On the fourth factor, representation of Mr. Romano's interests by existing parties, the NRC Staff is a party to every proceeding. For the reasons discussed above, it would adequately represent Mr. Romano's interests if there were a hearing on the challenged amendment. In any event, the second and fourth factors are entitled to substantially less consideration.^{24/}

Fifth, regarding the potential for delaying the proceeding and broadening the issues, it is axiomatic that granting Mr. Romano's late petition will result in delay because, unless at least one of the two pending late petitions is granted, there would be no hearing at all.^{25/} Allowing late intervention without good cause is highly prejudicial

(Footnote Continued)

particularity as possible the precise issues it plans to cover, identify its prospective witnesses, and summarize their proposed testimony." Mississippi Power & Light Company (Grand Gulf Nuclear Station, Units 1 and 2), ALAB-704, 16 NRC 1725, 1730 (1982). See also Washington Public Power Supply System (WPPSS Nuclear Project No. 3), ALAB-747, 18 NRC 1167, 1177 (1983); Long Island Lighting Company (Shoreham Nuclear Power Station, Unit 1), ALAB-743, 18 NRC 387, 399 (1983).

24/ South Carolina Electric and Gas Company (Virgil C. Summer Nuclear Station, Unit 1), ALAB-642, 13 NRC 881, 894-95 (1981).

25/ See Licensee's Motion to Defer Answers to Petitioner's Proposed Contentions Until a Ruling Upon His Motion for Leave to Intervene at 2 (February 25, 1986). It is noted that delay in completing the proceeding, not delay in issuing the license amendment or plant operation, is the controlling factor. Limerick, supra, ALAB-828, 23 NRC ____ (January 16, 1986) (slip op. at 15).

to the Licensee, which would be put to the time and expense of defending yet another attack on Limerick by petitioners. Further, it is clear that Mr. Romano wishes to litigate certain matters not raised by Mr. Anthony, albeit those matters are beyond the scope of this proceeding, such as previous Licensee Event Reports and IE Report 50-352/86-02.^{26/} Accordingly, Mr. Romano has failed to discuss the five criteria for considering late petitions and has also failed to satisfy those criteria on balance.

II. Mr. Romano Has Not Satisfied the Requirements of 10 C.F.R. §2.714(a)(2) and (d) and Lacks Standing to Intervene.

Under the Commission's Rules of Practice, a petition to intervene in a licensing proceeding may be granted only if the requirements of 10 C.F.R. §§2.714(a)(2) and (d) have been satisfied. These prerequisites are set forth below:

(a)(2) The petition shall set forth with particularity the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, including the reasons why petitioner should be permitted to intervene, with particular reference to the factors in paragraph (d) of this section, and the specific aspect or aspects of the subject matter of the

^{26/} IE Report 50-352/86-02 (February 4, 1986) (copy attached) involved a routine safety inspection of the Limerick Unit 1 radiation protection program. The NRC found no violations and required no reply to the report. There is no basis for Mr. Romano's assertion that the report shows "welding and improperly proportioned concrete." Romano Petition at 2 (February 24, 1986). Moreover, his allegation is totally unconnected to any aspect of Amendment No. 1.

proceeding as to which petitioner wishes to intervene.

. . . .

(d) The Commission, the presiding officer or the atomic safety and licensing board designated to rule on petitions to intervene and/or requests for hearing shall, in ruling on a petition for leave to intervene, consider the following factors, among other things:

(1) The nature of the petitioner's right under the Act to be made a party to the proceeding.

(2) The nature and extent of the petitioner's property, financial, or other interest in the proceeding.

(3) The possible effect of any order which may be entered in the proceeding on the petitioner's interest.

However liberally these requirements might be interpreted in a plenary operating license case, a much more specific showing must be made in a case involving only a temporary schedular change for compliance with plant Technical Specifications. In the Pilgrim operating license amendment proceeding, the Licensing Board denied a late petition for leave to intervene because the petitioner lacked standing under the stricter standard applicable to amendment proceedings. The Board held:

This case concerns a request for a license amendment and it is not controlled by the same standing considerations that govern standing when an operating license is sought. Whatever the risk to the surrounding community from a reactor and its associated fuel pool, the risk from the fuel pool alone is less and the distance of residence from the pool for which standing would be appropriate would, accordingly, be

less. Consequently, we do not consider residence 43 miles from this plant to be adequate for standing. We need not decide how close residence might be before standing would be established.^{27/}

In affirming that decision in Pilgrim, the Appeal Board expressly left open the question of "whether either [petitioner's] place of residence or his consumption of food products originating in the vicinity of the facility serves to clothe [petitioner] with the requisite mantle of standing to challenge the proposed amendment to the Pilgrim operating license."^{28/}

In our view, the same principles require denial of Mr. Romano's petition. Mr. Romano resides in Ambler, Pennsylvania, which lies some 19 miles southeast of the Limerick plant. Like Mr. Anthony, Mr. Romano makes

^{27/} Pilgrim, supra, LBP-85-24, 22 NRC at 99 (emphasis in original). The Board added that it knew of "no scenario under which radiation attributable to the fuel pool would affect a residence 43 miles distant from the fuel pool; and petitioner has not informed us of any such scenario." Id.

^{28/} Pilgrim, supra, ALAB-816, 22 NRC at 465. Although it noted one particular precedent on standing which it deemed relevant, the Appeal Board in Pilgrim did not cite its prior holding in Virginia Electric and Power Company (North Anna Nuclear Power Station, Units 1 and 2), ALAB-522, 9 NRC 54 (1979). In that case, the Appeal Board reversed the denial of standing to petitioners in a license amendment proceeding to enable expansion of the spent fuel pool capacity for Units 1 and 2 of the North Anna plant. It is uncertain whether the Appeal Board in Pilgrim believed that its earlier North Anna holding was distinguishable or should be reconsidered when its opinion would not constitute dictum.

conclusionary assertions that a brief, temporary extension of the time for testing certain instrumentation line excess flow check valves "would pose risks to the health and safety."^{29/} But nowhere does Mr. Romano identify any particularized interest, as required by the regulations, that might be affected by the brief, one-time extension granted by the amendment.

Put differently, nothing alleged by Mr. Romano shows any personalized grievance which gives him standing under the Commission's regulations and precedents. As the Commission has stated, some "injury in fact" to the petitioner himself, and not a generalized grievance or interest shared by a large class of the public, is necessary for standing. In Transnuclear, Inc., CLI-77-24, 6 NRC 525 (1977), the Commission held as follows in deciding that petitioners lacked standing to request a hearing:

Any right the Petitioner may have to demand a hearing in the present proceeding must be based upon Section 189 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2239. That section provides that a hearing must be granted, on the request of persons who can demonstrate an "interest [which] may be affected by the proceeding." Under the most recent Supreme Court decisions on standing, a party seeking relief must "allege some threatened or actual injury resulting from the putatively illegal action before a federal court may assume jurisdiction." Linda R.S. v. Richard D., 410 U.S. 614, 617 (1973), Warth v.

^{29/} Romano Petition at 1 (February 24, 1986).

Seldin, 422 U.S. 490, 499 (1975); see Simon v. Eastern Kentucky Welfare Rights Organization, 426 U.S. 26 (1976). One focus of the "injury in fact" test is the concept that a claim will not normally be entertained if the "asserted harm is a 'generalized grievance' shared in substantially equal measure by all or a large class of citizens" Warth v. Seldin, 422 U.S. at 499. Thus, even if there is a generalized asserted harm, the Petitioners must still show a distinct and palpable harm to them. Id. at 501. See United States v. Students Challenging Regulatory Action Procedures (SCRAP), 412 U.S. 669 (1973).30/

The Commission reviewed and reaffirmed these requirements for standing in rejecting intervention petitions in Westinghouse Electric Corp. (Export to South Korea), CLI-80-30, 12 NRC 253 (1980). It again emphasized the importance of stating some "injury in fact" to the petitioner himself as a basis for establishing the requisite personal interest in the proceeding. The Commission held:

In developing the "injury in fact" requirement, the Court has held that an organization's mere interest in a problem, "no matter how long-standing the interest and no matter how qualified the organization is in evaluating the problem," is not sufficient for standing to obtain judicial review. Sierra Club v. Morton, 405 US 727, 739 (1972). The organization seeking relief must allege that it will suffer some threatened or actual injury resulting from the agency action. Linda R.S. v. Richard D., 410

30/ 6 NRC at 530-31 (emphasis added). While the cited proceeding was for consideration of export license applications, the Commission did not distinguish the standing requirements from those applications in other proceedings, including reactor applications.

US 614, 617 (1973); Warth v. Seldin, 422 US 490, 499 (1975). Simon v. Eastern Kentucky Welfare Rights Organization, 426 US 26, 40 (1976), made clear that "an organization's abstract concern with a subject that could be affected by an adjudication does not substitute for the concrete injury, required by article III."^{31/}

Thus, Mr. Romano's desire to litigate alleged safety implications of various Licensee Event Reports filed by Licensee and IE Report 50-352/86-02 wholly fails to establish any cognizable interest under the regulations. No meaningful connection between those reports and Amendment No. 1 is even asserted. Indeed, those matters clearly lie beyond the scope of this proceeding and constitute safety issues which have been or could have been litigated in earlier requests for enforcement action^{32/} or in the

^{31/} 12 NRC at 258. See also Nuclear Engineering Company, Inc. (Sheffield, Illinois, Low-Level Radioactive Waste Disposal Site), ALAB-473, 7 NRC 737, 739-43 (1978); Allied-General Nuclear Services (Barnwell Fuel Receiving and Storage Station), ALAB-328, 3 NRC 420 (1976).

^{32/} For the Board's information, the same LERs were the basis of an earlier petition under 10 C.F.R. §2.206 filed by Mr. Anthony, joined by Mr. Romano, which the NRC Staff denied as lacking in any safety significance. Limerick, supra, DD-85-11, 22 NRC 149, 152, 165-67 (1985). Both Mr. Romano and Mr. Anthony rely upon certain excerpts from a study prepared by Torrey Pines Technology in connection with the Licensee's Independent Design Verification Program. It is noted that the particular matters raised by petitioners were reviewed by the Staff and satisfactorily resolved as stated in the Limerick Safety Evaluation Report §3.6.2 (Supp. No. 4) (May 1985) (copy attached). Similar
(Footnote Continued)

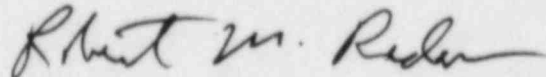
operating license proceeding.^{33/} None of this establishes any legal interest in the temporary amendment of the operating license for Limerick Unit 1 at issue here.^{34/}

Conclusion

For the reasons discussed above, Mr. Romano's petition for leave to intervene and for a hearing should be denied.

Respectfully submitted,

CONNER & WETTERHAHN, P.C.



Troy B. Conner, Jr.
Robert M. Rader

Counsel for Licensee

March 11, 1986

(Footnote Continued)

allegations were reviewed and rejected by the NRC Staff in deciding the petitions under 10 C.F.R. §2.206. See Limerick, supra, DD-85-11, 22 NRC at 168-69.

33/ Mr. Romano refers to "welding and improperly proportioned concrete which AWPP warned of in Contention VI-I." Romano Petition at 2 (February 24, 1986). As he acknowledges, this contention was raised in the operating license proceeding. See Limerick, supra, ALAB-819, 22 NRC at 722-30.

34/ Additionally, Licensee concurs in the discussion by the NRC Staff on this issue in urging denial of the petition by Mr. Anthony for lack of an adequate interest, which is likewise applicable here. See Response of NRC Staff in Opposition to Petition to Intervene and Request for a Hearing by Anthony/FOE Regarding Licensee's Amendment Request (February 25, 1986).



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
Philadelphia Electric Company) Docket No. 50-352-OLA
) (Check Valve)
(Limerick Generating Station,)
Unit 1))

CERTIFICATE OF SERVICE

I hereby certify that copies of "Licensee's Answer in Opposition to Late-Filed Petition for Leave to Intervene and Request for Hearing by Frank R. Romano" and Notices of Appearance of Robert M. Rader and Nils N. Nichols, dated March 11, 1986 in the captioned matter have been served upon the following by deposit in the United States mail this 11th day of March, 1986:

Mr. Ivan W. Smith, Chairman
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Atomic Safety and
Licensing Appeal Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Dr. Richard F. Cole
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Docketing and Service
Section
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Mr. Gustave A. Linenberger, Jr.
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

Ann P. Hodgdon, Esq.
Counsel for NRC Staff
Office of the Executive
Legal Director
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

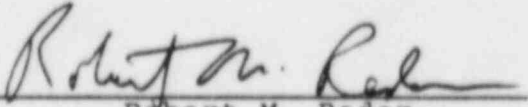
Atomic Safety and Licensing
Board Panel
U.S. Nuclear Regulatory
Commission
Washington, D.C. 20555

James Wiggins
Senior Resident Inspector
U.S. Nuclear Regulatory
Commission
P.O. Box 47
Sanatoga, PA 19464

Philadelphia Electric Company
ATTN: Edward G. Bauer, Jr.
Vice President &
General Counsel
2301 Market Street
Philadelphia, PA 19101

Mr. Robert L. Anthony
Friends of the Earth in
the Delaware Valley
106 Vernon Lane, Box 186
Moylan, PA 19065

Jay M. Gutierrez, Esq.
U.S. Nuclear Regulatory
Commission
631 Park Avenue
King of Prussia, PA 19406


Robert M. Rader



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

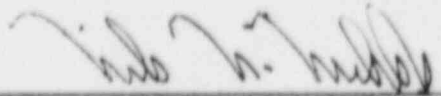
Before the Atomic Safety and Licensing Board

In the Matter of)
)
Philadelphia Electric Company) Docket No. 50-352-OLA
)
(Limerick Generating Station,)
Unit 1))

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney herewith enters an appearance on behalf of the Licensee in the captioned matter. In accordance with §2.713, 10 C.F.R. Part 2, the following information is provided:

- Name - Nils N. Nichols
- Address - Conner & Wetterhahn, P.C.
Suite 1050
1747 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
- Telephone Number - 202/833-3500
- Admission - West Virginia Supreme
Court of Appeals
- Name of Party - Philadelphia Electric Company



Nils N. Nichols

Dated at Washington, D.C.,
this 11th day of March, 1986.



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

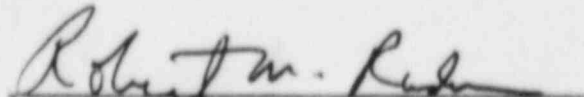
Before the Atomic Safety and Licensing Board

In the Matter of)
)
Philadelphia Electric Company) Docket No. 50-352-OLA
)
(Limerick Generating Station,)
Unit 1))

NOTICE OF APPEARANCE

Notice is hereby given that the undersigned attorney herewith enters an appearance on behalf of the Licensee in the captioned matter. In accordance with §2.713, 10 C.F.R. Part 2, the following information is provided:

Name - Robert M. Rader
Address - Conner & Wetterhahn, P.C.
Suite 1050
1747 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
Telephone Number - 202/833-3500
Admission - Supreme Court of the United States
United States Court of Appeals
District of Columbia Circuit
Name of Party - Philadelphia Electric Company


Robert M. Rader

Dated at Washington, D.C.,
this 11th day of March, 1986.

NUREG-0991
Supplement No. 4

Safety Evaluation Report

related to the operation of
Limerick Generating Station,
Units 1 and 2

Docket Nos. 50-352 and 50-353

Philadelphia Electric Company

**U.S. Nuclear Regulatory
Commission**

Office of Nuclear Reactor Regulation

May 1985



3 DESIGN CRITERIA FOR STRUCTURES, SYSTEMS AND COMPONENTS

3.6 Protection Against Dynamic Effects Associated With the Postulated Rupture of Piping

3.6.2 Determination of Rupture Locations and Dynamic Effects Associated with the Rupture of Piping

As a part of the Independent Design Verification Program (IDVP) conducted by Torrey Pines Technology (TPT) for the Limerick Generating Station, Unit 1, Potential Finding Report (PFR) 019 was identified. As discussed in Section 17.5.4 of this report PFR-019 was resolved for the purposes of the IDVP and the disposition of specific jet loadings on ASME Class 1, 2, and 3 piping and supports is discussed in this section. The Limerick project pipe rupture analysis program required that jet impingement loads resulting from high energy line breaks be considered on all piping with diameters less than the ruptured pipe. The effects of jet impingement from smaller diameter pipes onto larger diameter pipes had not been considered. The applicant's basis for this exclusion is that pipe whip effects from smaller pipes onto larger pipes do not compromise the function of larger pipes and jet impingement loads can be shown to be less than pipe whip loads. The staff has reviewed this issue and has the following position:

Regulatory Guide 1.46, Footnote 14, NUREG 75/087 - SRP 3.6.1 -BTP APCS 3-1 0.2.(2), and NUREG 0800-SRP 3.6.2 III.2 all clearly state that an unrestrained whipping pipe is considered capable of causing breaks in impacted pipes of smaller nominal pipe size and developing through-wall leakage cracks in impacted piping of equal or larger nominal pipe size with thinner wall thickness. Because of the differences in the nature of the loads from a whipping pipe and jet flow from a break or crack, the staff has not permitted the above guidelines for whipping pipes to be extended to jet impingement even though the equivalent static load from a jet is generally less than that from a whipping pipe.

In a letter from A. Schwencer to E. Bauer dated February 26, 1985, the staff requested the licensee to demonstrate that safe shutdown of the Limerick plant can be accomplished when the required jet impingement loads are included in the evaluation of target piping systems.

In response to the staff's request, the licensee submitted a letter dated March 19, 1985. The licensee has performed an extensive system interaction study to assess the potential jet impingement effects on the plant's ability to achieve a safe shutdown given the above staff position. A review of all previously postulated break locations identified in FSAR Section 3.6 was performed for both inside and outside containment. All potential target piping systems with diameter equal to or greater than the ruptured pipe were identified using piping layout drawings. A safe shutdown analysis was performed for each identified potential target. The licensee stated that of the 360 potential targets identified, only 24 targets were required to remain functional to assure safe shutdown. Of the 24 lines required for safe shutdown, there were 12 symmetrical cases. Out of

these 12 targets, 8 cases which would envelope the loads for all 24 targets, were analyzed to demonstrate that their function would not be impaired to the extent that safe shutdown of the plant could not be assured. Jet impingement loading on the target pipe was calculated using the methodology of BN-TOP-2, Rev. 2, which was previously referenced in the Limerick FSAR Section 3.6 for jet impingement analyses. Based on the results of its assessment, the licensee stated that the previously excluded target piping systems met the established project criteria for jet impingement loads on piping and pipe supports as described in the March 19, 1985 letter. Furthermore, the licensee has also performed a qualitative assessment of inclusion of jet impingement loads in the faulted loading combination and concluded that there was sufficient design margin to accommodate the combination of jet impingement load with SSE for the faulted condition for target piping and pipe supports. There were no hardware changes identified as a result of this jet impingement evaluation.

Based on a review of the information submitted by the licensee, the staff has determined that the licensee has provided adequate assurance that safe shutdown of the Limerick plant can be accomplished when the required jet impingement loads are included in the evaluation of target piping systems and, therefore, the staff considers this issue closed.

3.11 Environmental Qualification of Electrical Equipment Important to Safety and Safety Related Mechanical Equipment

3.11.3.3.1 Temperature, Pressure and Humidity Conditions Inside the Primary Containment

The NRC staff discussed the LOCA/MSLB temperature profile utilized for the Limerick equipment qualification program in Section 3.11.3.3.1 of Supplement 2 to the SER. THE NRC staff found the use of the generic NUREG-0588 profile for Limerick to be acceptable provided that the Equipment Qualification Review Records (EQRRs) were updated to reflect the use of the NUREG-0588 profile. Accordingly condition number 2.C(5) to license NPF-27 required that this be done prior to March 31, 1985.

The licensee has responded by letter dated March 28, 1985 addressing the EQRRs and indicating that they have been updated to reflect use of the NUREG-0588 profile. The NRC staff finds that the requirements of condition 2.C(5) in license NPF-27 have been met and the condition is no longer necessary.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
631 PARK AVENUE
KING OF PRUSSIA, PENNSYLVANIA 19406

FEB 06 1986

Docket No. 50-352

Philadelphia Electric Company
ATTN: Mr. S. L. Daltroff
Vice President, Electric Production
2301 Market Street
Philadelphia, Pennsylvania 19101

Gentlemen:

Subject: Inspection No. 50-352/86-02

A routine safety inspection was conducted on January 6-10, 1986 of the Limerick Unit I radiation protection program. Areas that were reviewed included organization and staffing, actions related to a steam leak in the condenser bay, routine surveys, HP technician training, radiation work permits, and the start-up test program.

No violations were identified. No reply to this letter is required.

Your cooperation with us is appreciated.

Sincerely,

Ronald P. Bellamy for
Thomas T. Martin, Director
Division of Radiation Safety
and Safeguards

Enclosure: NRC Region I Inspection Report Number 50-352/86-02

cc w/encl:

V. S. Boyer, Senior Vice President, Nuclear Power
John S. Kemper, Vice President, Engineering and Research
G. Leitch, Station Manager
Troy B. Conner, Jr., Esquire
Eugene J. Bradley, Esquire, Assistant General Counsel
W. M. Alden, Engineer in Charge, Licensing Section
Limerick Hearing Service List
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
NRC Resident Inspector
Commonwealth of Pennsylvania

Limerick Hearing Service List

Judge Helen F. Hoyt Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Mr. Marvin I. Lewis 6504 Bradford Terrace Philadelphia, PA 19149
Judge Richard F. Cole Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Phyllis Zitner LEA P. O. Box 761 Pottstown, PA 19464
Judge Jerry Harbour Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, D.C. 20555	Docketing and Service Station Office of the Secretary U.S. Nuclear Regulatory Commission Washington, D.C. 20555
Mr. Frank R. Romano 61 Forest Avenue Ambler, Pennsylvania 19002	Joseph Rutberg, Esquire Office of the Executive Legal Director U. S. Nuclear Regulatory Commission Washington, D.C. 20555
Mr. Robert L. Anthony P. O. Box 186 103 Vernon Lane Moylan, Pennsylvania 19065	Philadelphia Electric Company ATTN: Edward G. Bauer, Jr. Vice President and General Counsel 2301 Market Street Philadelphia, PA 19101
David Wersan, Esq. Assistant Consumer Advocate Office of Consumer Advocate 1425 Strawberry Square Harrisburg, PA 17120	Charles W. Elliott, Esquire Brose and Postwistilo 1101 Building 11th and Northampton Streets Easton, PA 18042
Steven P. Hershey, Esquire Community Legal Services, Inc. Law Center West 5219 Chestnut Street Philadelphia, PA 19139	Zori G. Ferkin Governor's Energy Council P. O. Box 8010 Harrisburg, PA 17105
Martha W. Bush, Esquire Kathryn S. Lewis, Esquire Municipal Services Bldg. 15th and JFK Blvd. Philadelphia, PA 19107	Troy B. Conner, Jr., Esquire Mark J. Wetterhahn, Esquire Conner & Wetterhahn 1747 Pennsylvania Avenue Washington, D. C. 20006

Angus Love, Esquire
101 East Main Street
Norrstown, PA 19401

Robert J. Sugarman, Esq.
Sugarman, Denworth & Hellegers
16th Floor Center Plaza
101 North Broad Street
Philadelphia, PA 19107

Spence W. Perry, Esquire
Associate General Counsel
Federal Emergency Management Agency
500 C Street, S.W. Room 840
Washington, DC 20472

Mr. Joseph H. White, III
15 Ardmore Avenue
Ardmore, PA 19003

Thomas Y. Au, Esquire
Assistant Counsel
Commonwealth of Pennsylvania
DER
505 Executive House
P. O. Box 2357
Harrisburg, PA 17120

Thomas Gerusky, Director
Bureau of Radiation Protection
Department of Environmental
Resources
5th Floor, Fulton Bank Bldg.
Third and Locust Streets
Harrisburg, PA 17120

U.S. NUCLEAR REGULATORY COMMISSION
REGION I

Report No. 50-352/86-02

Docket No. 50-352

License No. NPF-39

Priority --

Category C

Licensee: Philadelphia Electric Company
2301 Market Street
Philadelphia, PA 19101

Facility Name: Limerick Generating Station, Unit 1

Inspection At: Limerick, PA

Inspection Conducted: January 6-10, 1986

Inspectors: *T. Dragoun*
T. Dragoun, Radiation Specialist

Feb 4 1986
date

M. Miller
M. Miller, Radiation Specialist

2/4/86
date

J. Kottan for
J. Kottan, Senior Radiation Specialist

2/4/86
date

Approved by: *M. Shanbaky*
M. Shanbaky, Chief, Facilities Radiation
Protection Section

2/4/86
date

Inspection Summary: Inspection on January 6-10, 1986 (Report No. 50-352/86-02)

Areas Inspected: Routine unannounced safety inspection of the licensee's radiation protection program including: organization and staffing; evaluation of a gaseous effluent release; actions taken for a steam leak in the condenser bay; routine radiological surveys; health physics technician training; radiation work permits; and the start-up test program. The inspection involved 68 inspector hours onsite by three region-based inspectors.

Results: No violations were identified.

DETAILS

1.0 Persons Contacted

1.1 Licensee Personnel

G. Leitch, Plant Manager
J. Spencer, Superintendent - Plant Services
R. Dubiel, Senior Health Physicist
J. Wiley, Senior Chemist
C. Endiss, Regulatory Engineer
J. Fongheiser, Radiation Protection Physicist
C. Harmon, Quality Assurance Engineer
G. Murphy, Technical Support HP
J. Rubert, Site Supervisor, EPQA
R. Titolo, Applied Health Physicist
V. Warren, Test Engineer

1.2 NRC Personnel

E. Kelley, Resident Inspector

All personnel listed above attended the exit interview on January 10, 1986.

Other licensee or contractor employees were also contacted or interviewed during this inspection.

2.0 Purpose

The purpose of this routine inspection was to review the licensee's radiation protection program with respect to the following elements:

- Status of previously identified items
- Organization and staffing
- Evaluation of a gaseous effluent release
- Steam leak action
- Routine radiological surveys
- Health Physics technician training
- Radiation work permits
- Startup test program
- Radioactive spill

3.0 Status of Previously Identified Items

3.1 (Open) Inspector Follow-up Item (352/84-66-06):

Collect and isotopically analyze PASS samples when sufficient activity levels are present. The licensee sampled the "A" RHR pathway from the PASS for a comparison with the Normal Sample Station. The inspector noted the comparison was conducted four times between 50 to 69 percent power level. The licensee stated that the PASS sample loops decreased the concentration differences from a factor of twenty-five to a factor of two. The licensee stated that continued sample comparisons to confirm that the PASS and normal sampling capabilities are within a factor of two will be performed. The inspector stated this action would be reviewed during a future inspection when radioactivity levels are sufficiently high to reduce analytical uncertainties.

4.0 Organization and Staffing

The organization and staffing of the health physics function was reviewed against criteria contained in:

- Technical Specification 6.2 - Organization
- Technical Specification 6.3 - Unit Staff Qualifications
- ANSI/ANS 3.1 - 1978, "Selection, Qualification, and Training of Personnel for Nuclear Power Plants"
- Reg Guide 1.8, "Personnel Selection and Training"
- ANSI/ANS 3.1 - 1978, "Administrative Control and Quality Assurance for the Operational Phase of Nuclear Power Plants."

The licensee's performance relative to these criteria was determined from discussions with the Senior Health Physicist, and a review of position descriptions and personnel resumes.

The licensee has created two new superintendent positions. The Superintendent - Services is now responsible for three departments: Maintenance, Health Physics, and Outage Planning. Within the Health Physics Department, the ALARA Physicist has been moved under the Applied Health Physics section in order to balance the work load of the line supervisors. The licensee stated that these changes have been discussed with NRR and were made in an effort to enhance the various programs through increased management oversight.

Within the scope of this review, no violation was observed.

5.0 Gaseous Effluent Release

The licensee's action with respect to a minor and unexpected release of gaseous effluent was reviewed against criteria contained in:

- Technical Specification 3/4.11.2 "Gaseous Effluents"
- Technical Specification 4.11.2.6.1 and 4.11.2.6.2 "Radioactive Effluents; Main Condenser"
- Station Procedure ST-6-104-880-0 "Gaseous Effluent Dose Rate Determination"
- Station Procedure EP-315 "Calculation of Offsite Doses During a (Potential) Radiological Emergency Using RMMS in the Manual Mode"

The action taken was determined by: interviews with the Support Health Physicist, Special Projects HP, Chemistry Supervisor, Count Room Chemist, and cognizant Test Engineer; a review of dose calculations; and a review of the operation of the RMMS monitoring system.

On January 2, 1986 during a controlled shutdown of the plant an in-rush of air into the turbine condenser occurred apparently as a result of cracked bellows in the cross-around piping. This air inleakage was pumped into the off gas system causing a pressure surge. The surge blew out a water seal in the radiation monitoring system and opened up a direct vent path through 1/2 inch sample piping to the north exhaust stack. The licensee's preliminary data indicates that the gaseous release rate in the stack peaked at 178.6 μCi per second and lasted less than 45 minutes. The technical specification limits for the release were not exceeded.

The licensee stated that the loop seal design will be evaluated to prevent a recurrence and that operations personnel were briefed regarding the problems that occurred. The chemistry technicians reported some delay in obtaining a grab sample for analysis due to locked security doors at the access to the north stack sample station. The licensee stated that the security controls to this area will be revised to allow expedited access for the technicians. This matter will be reviewed in a future inspection. (86-02-01)

6.0 Condenser Bay Steam Leak

After testing and instrumentation adjustments the plant was started and brought to full power on about December 28, 1985. The operators noted a steam flow versus power output mismatch indicating a loss of about 300,000 lbs/hr of the steam flow. On about January 2, 1986 it was determined that a steam relief valve on the cross-around piping was failed open and dumping low pressure steam into the condensers. At this time leaks developed from cracks in the expansion bellows used at the relief pipe ends, releasing

steam into the condenser bay area. The steam condensed on the cold walls of the building with a small amount, estimated as less than 100 gallons permeating to the outside wall. The radioactivity in the condensed steam was measured by the licensee and found to be predominately N^{13} and F^{18} .

The concentration of the F^{18} activity was 4×10^{-4} $\mu\text{Ci/ml}$ which is half of the limit for water provided in 10 CFR 20 Appendix B. The licensee concluded that there was no radiological hazards to personnel as a result of the steam leak. The low level radioactivity quickly dissipated due to the short half lives of the isotopes involved.

Within the scope of this review, no violations were observed. However, the inspector noted that the licensee does not have a procedure to capture the facts relative to potential radiological incidents and provide for a timely management review of these incidents. The licensee stated that there is ongoing management review of all significant events and that a procedure for documenting the events will be issued in February 1986. This matter will be reviewed in a future inspection. (86-02-02)

7.0 Routine Radiological Surveys

The licensee's program for the conduct of routine radiological surveys was reviewed against criteria contained in:

- Technical Specifications 6.11, "Radiation Protection Program"
- 10 CFR 20.105, "Permissible Levels of Radiation in Unrestricted Area"
- 10 CFR 20.201, "Surveys"
- 10 CFR 20.203, "Caution signs, labels, signals and controls"
- 10 CFR 20.206, "Instruction of personnel"
- 10 CFR 20.401, "Records of surveys, radiation monitoring and disposal"
- Regulatory Guide 8.2, "Guide for Administrative Practices in Radiation Monitoring"
- IE Notice 84-82: Guidance for Posting Radiation Areas
- Station Procedures HP200, HP210, HP211, HP213, and HP215

The licensee's performance relative to these criteria was determined by:

- Discussion with the Health Physics Supervisor, Applied Health Physicist, and HP technicians,

- A review of completed radiation surveys and survey schedules,
- Observation of postings in selected plant areas,
- A review of the qualifications of technician performing the surveys.

Within the scope of this review, no violations were observed. In a few instances, the licensee has used only a three bladed magenta on yellow radiation symbol with no added wording posted on the door to a locked room. Technicians stated that this was done whenever the radiological conditions were expected to change. At the time of inspection these areas did not constitute Radiation or high Radiation Areas. The licensee was advised that IE Notice 84-82 states that postings should provide adequate information to workers to allow exposures to be minimized. The licensee stated that in the future all signs will follow generally accepted industry practice and regulatory requirements. In addition, permanent signs will be used whenever practicable. This matter will be reviewed in a future inspection. (86-02-03)

8.0 Health Physics Technician Training

The training and qualification program for Health Physics technician was reviewed against criteria contained in:

- Technical Specification 6.3, "Unit Staff Qualifications"
- Technical Specification 6.4, "Training"
- Technical Specification 6.10.3, "Record Retention"
- ANSI/ANS 3.1-1978, "Selection, Qualification, and Training of Personnel for Nuclear Power Plants"
- Station Procedure HP-100, "Health Physics Technician Selection, Training and Qualification"

The status of the licensees program was determined by:

- Interviews with the site and corporate Training Coordinators,
- Review of the "Nuclear Training Catalog", schedules, lesson plans and tests,
- Review of instructor training manuals and certifications,
- Review of selected qualification folders.

The licensee's training and qualification program for HP technicians is in various stages of development. The material for the Assistant Technician (AT), which is the first of six levels of progression, has been completed in draft form. The lesson plans and tests for the remaining levels in the stepwise qualification process will be developed as required. The licensee is coordinating this program with the Peach Bottom station.

Within the scope of this review, no violations were observed. The inspector noted examples of licensee strengths in this program. The lesson plans for AT level training were particularly thorough and technically sound. In addition, the licensee has tested the senior level qualified technicians hired at Peach Bottom, determined areas of weakness, and established a remedial training program for these technicians. The licensee indicated that INPO accreditation for the training courses is being sought.

9.0 Radiation Work Permits

The licensee's implementation of procedure HP-310 "Radiation Work Permits" was reviewed by discussions with the Health Physics Supervisor, accompanying technicians during a pre-job survey, and an inspection of records. There was no work in progress that required an RWP. The licensee stated that all work, including work by any contractor, is assigned a Maintenance Request (MRF) number. A computer is then used to record all important information regarding any work, including the requirement for an RWP. This system was adopted, with some modification, from the Peach Bottom station. The inspector concluded that the MRF system can provide adequate control of work. However, the low levels of plant contamination at the present time do not require frequent use of RWP's. This area will be reviewed again in a future inspection.

10.0 Start-up Tests: Chemical and Radiochemical

The inspector reviewed licensee Start-up Test results for chemical and radiochemical tests and gaseous radioactive waste system tests. The following specific Start-up Tests were reviewed: STP 1.2, Power Ascension Chemistry/Radiochemistry; STP 1.3, Gaseous Effluents; and STP 34.1, Offgas Performance. The Start-up Test results were reviewed against the acceptance criteria contained in the Start-up Test procedures.

The Start-up Tests results review indicated that the licensee established reactor water quality parameters that met the Technical Specification requirements, and demonstrated the ability to maintain the specifications during operation up to 80% reactor power. Also, the Start-up Test results indicated that the offgas system, which had been tested through the 100% reactor power level met the performance specifications stated in the FSAR, and gaseous radioactive effluent releases were within Technical Specification limits.

The inspector noted that Start-up Test 34.1, Offgas Performance, performed at both the 65-80 percent power levels, and the 90-100 percent power levels contained both arithmetical and transcription errors. These results had not been reviewed and approved. These errors were discussed with license and licensee contractor personnel. In addition, Start-up Test 1.3, Gaseous Effluents, performed at the 45-55% power level contained an error, in that the improper plant vent monitor reading was recorded in Appendix A of the test. This test, however, was reviewed by PORC and approved. The licensee stated that all three tests would be corrected. The inspectors noted that with the necessary corrections the tests still met all acceptance criteria. The inspector stated that the corrections would be reviewed during a subsequent inspection. (352/86-02-04)

The inspector also witnessed a demonstration of the licensee's computer system for maintaining and trending chemistry data. This system was examined during a previous inspection (50-352/85-23 conducted April 23-26, 1985) of this area but at that time the system was in the development stages. During this demonstration, graphs of various chemical parameter versus time were shown to the inspector as well as the actual data files. Although the system is not completely implemented, it appears that the licensee has developed a chemistry data base system which will contribute to the licensee's ability to meet plant system chemistry parameters.

The inspector had no further questions in this area. No violations were identified.

Start-up Testing: Radiation Surveys

Documents Reviewed

- Final Safety Analysis Report (FSAR), Chapter 14, "Initial Test Program"
- Start-up Test Procedure STP 2.0, Revision 1, "Radiation Measurements -Main Body", dated September 13, 1984
- Start-up Test Procedure STP 2.1-6, Revision 1, "Start-up Radiation Surveys-Prior to Fuel Load", dated December 27, 1985
- ANSI/ANS-6.3.1, 1980, "Program for Testing Radiation Shields in Light Water Reactors (LWR)"

Review of the test procedures and test data indicated that the licensee was conducting start-up radiation surveys in accordance with FSAR commitments and procedural requirements. There were no unexpected levels of radiation except for one location. This reading was 34 mr/hr (Zone III). The licensee plans on resolving this test result by redesignating the area as a Zone II. The licensee PORC review of the test results was not completed.

11.0 Radioactive Spill

The inspector discussed a spill which occurred at the condensate sampling station on January 8, 1986. The drain lines from the sample sink at this sampling station became inoperable when the plant was shut down and drain line vacuum was lost. The sample sink overflowed into a floor drain which was pumped to the onsite holding pond. The holding pond is discharged to the Schuylkill River. Analysis of the liquid in the sample sink indicated only Co-58 at a concentration of $4.03 \text{ E-}6 \text{ } \mu\text{Ci/ml}$. This concentration was less than the unrestricted area MPC of $9 \text{ E-}5 \text{ } \mu\text{Ci/ml}$ for Co-58 prior to dilution in the holding pond. A sample of the holding pond indicated less than detectable levels of Co-58. The licensee stated that evaluations were being performed in order to ensure operation of the sample station drain lines when vacuum was lost. The inspector stated that this area would be reviewed during a subsequent inspection. (352/86-02-05)

The inspector had no further questions in this area. No violations were identified.

12.0 Exit Interview

The inspector met with licensee representatives at the conclusion of the inspection on January 10, 1986. The scope and findings of the inspection were discussed at that time. At no time was written material provided to the licensee by the NRC inspector.