



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

MAY 27 1986

Docket Nos. 50-352/353

Mr. Edward G. Bauer, Jr.
Vice President and General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Dear Mr. Bauer:

SUBJECT: UPDATED FINAL SAFETY ANALYSIS REPORT

This is in regards to your letter of February 11, 1986 wherein you requested a scheduler exemption from the requirement of 10 CFR 50.71(e) to submit an updated Final Safety Analysis Report (FSAR) within 24 months of the date of issuance of the operating license. Based on the issuance of the Limerick Generating Station, Unit 1 operating license on August 8, 1985 this would require an updated FSAR to be submitted by August 8, 1987. Since Unit 2 remains under construction you requested an exemption that would permit filing the Updated FSAR (UFSAR) within 12 months of the issuance of a full power operating license for Limerick Unit 2.

As you are aware, the regulations in 10 CFR 50.12 regarding exemptions have recently been revised such that the Commission will not consider granting an exemption unless special circumstances are present. 10 CFR 50.12(a)(2). As stated in the Federal Register announcing issuance of the Final Rule in this regard:

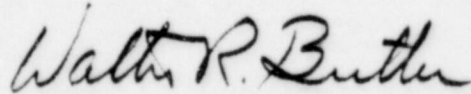
The Commission expects the intent of its regulations to be met and normally this requires conforming to the regulations as stated. There are circumstances, however, where on balance it would not be equitable or in the public interest to require literal adherence to regulations particularly where a particular requirement applied to a specific plant would not result in an improvement in overall safety or a reduction in risk to the public. 50 FR 50764-50778, December 12, 1985.

We believe that it is the intent of your letter to address just such a situation as contemplated in the preceeding paragraph. Accordingly, your request should be augmented with a discussion and justification regarding the special circumstances which attend this situation. It is quite likely that upon examination you will find that the special circumstances defined in 10 CFR 50.12(a)(2)(ii), (iii) or (v) may apply. However your augmented application for the exemption should identify and justify the special circumstances present in this case.

8606110882 860527
PDR ADOCK 05000352
P PDR

Such an exemption as sought by your letter of February 11, 1986 will apply to the requirements of paragraph 50.71(e)(3)(i) and will not relieve the Philadelphia Electric Company from the requirements of 10 CFR 50.71 for maintenance of the original FSAR during this interim period. Furthermore, we request that your application be augmented to include a commitment to include a summary description with each amendment to the FSAR submitted in this interim period which identifies the Unit to which the change applies and provides a narrative discussion summary of the design changes or significant issues which are reflected in the amended FSAR pages.

Sincerely,



Walter R. Butler, Director
BWR Project Directorate No. 4
Division of BWR Licensing

cc: See next page

Mr. Edward G. Bauer, Jr
Philadelphia Electric Company

Limerick Generating Station
Units 1 & 2

cc:

Troy B. Conner, Jr., Esquire
Conner and Wetterhahn
1747 Pennsylvania Ave, N.W.
Washington, D. C. 20006

Chairman Board of Supervisors of
Limerick Township
646 West Ridge Pike
Limerick, Pennsylvania 19468

Barry M. Hartman
Office of General Counsel
Post Office Box 11775
Harrisburg, Pennsylvania 17108

Frank R. Romano, Chairman
Air & Water Pollution Patrol
61 Forest Avenue
Ambler, Pennsylvania 19002

Federic M. Wentz
County Solicitor
County of Montgomery
Courthouse
Norristown, Pennsylvania 19404

Dept. of Environmental Resources
ATTN: Director, Office Radiologic
Health
P. O. Box 2063
Harrisburg, Pennsylvania 17105

Mr. John Franz, Plant Manager
Limerick Generating Station
Post Office Box A
Saratoga, Pennsylvania 19464

Ms. M. Mulligan
Limerick Ecology Action
762 Queen St.
Pottstown, Pennsylvania 19464

Mr. Karl Abraham
Public Affairs Officer
Region I
U.S. Nuclear Regulatory Commission
631 Park Avenue
King of Prussia, PA 19806

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

Mr. Gene Kelly
Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 47
Saratoga, Pennsylvania 19464

Governor's Office of State
Planning and Development
ATTN: Coordinator, Pennsylvania
State Clearinghouse
P. O. Box 1323
Harrisburg, Pennsylvania 17102

cc:

Director, Pennsylvania Emergency
Management Agency
Basement, Transportation &
Safety Building
Harrisburg, Pennsylvania 17120

Robert L. Anthony
Friends of the Earth
of the Delaware Valley
103 Vernon Lane, Box 186
Moylan, Pennsylvania 19065

Kathryn S. Lewis, Esq.
Municipal Services Bldg.
15th and JFK Blvd.
Philadelphia, Pennsylvania 19102

David Wersan, Esq.
Assistant Consumer Advocate
Office of Consumer Advocate
1425 Strawberry Square
Harrisburg, Pennsylvania 17120

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

Mr. J. T. Robb, NS-1
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Timothy R. S. Campbell, Director
Department of Emergency Services
14 East Biddle Street
West Chester, Pennsylvania 19380

Angus Love, Esq.
107 East Main Street
Norristown, Pennsylvania 19402

Helen F. Hoyt, Chairman
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Jerry Harbour
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dr. Richard F. Cole
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Such an exemption as sought by your letter of February 11, 1986 will apply to the requirements of paragraph 50.71(e)(3)(i) and will not relieve the Philadelphia Electric Company from the requirements of 10 CFR 50.71 for maintenance of the original FSAR during this interim period. Furthermore, we request that your application be augmented to include a commitment to include a summary description with each amendment to the FSAR submitted in this interim period which identifies the Unit to which the change applies and provides a narrative discussion summary of the design changes or significant issues which are reflected in the amended FSAR pages.

Sincerely,

Original signed by

Walter R. Butler, Director
BWR Project Directorate No. 4
Division of BWR Licensing

cc: See next page

DISTRIBUTION

Docket File

- NRC PDR
- Local PDR
- PD#4 Reading
- RBernero
- Vogler, OELD
- JPartlow
- EJordan
- BGrimes
- MO'Brien
- REMartin
- ACRS (10)
- RGallo

No legal objection

PD#4/PM
REMartin:lb
05/8/86

OELD *[Signature]* PD#4/D
05/15/86 WButler
05/27/86

WB