



OFFICE OF THE SECRETARY

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

DCS
IN RESPONSE, PLEASE
REFER TO: M890825

August 31, 1989

MEMORANDUM FOR: William C. Parler, General Counsel
FROM: *Jack Sulmasy for* Samuel J. Chilk, Secretary
SUBJECT: STAFF REQUIREMENTS - AFFIRMATION/DISCUSSION
AND VOTE, 3:30 P.M., FRIDAY, AUGUST 25,
1989, COMMISSIONERS' CONFERENCE ROOM, ONE
WHITE FLINT NORTH, ROCKVILLE, MARYLAND
(OPEN TO PUBLIC ATTENDANCE)

I. SECY-89-257 -- Immediate Effectiveness Review for Full Power
Licensing of Limerick, Unit 2

The Commission, by a 4-0 vote, approved an order which provided the Commission's decision on its immediate effectiveness review of Limerick, Unit 2.

The order indicated that the Commission determined that the record in the proceeding provided the necessary basis for authorizing the issuance of a license to the Philadelphia Electric Company ("PECo") to operate the Limerick Generating Station, Unit 2 ("Limerick") at full power. The Commission found that the balance of factors set forth in 10 CFR Sec. 2.764(f)(2)(i) as well as consideration of environmental matters under the National Environmental Policy Act ("NEPA") favored commencement of operation now rather than waiting for the outcome of the proceeding currently pending before the Atomic Safety and Licensing Board ("Licensing Board") concerning severe accident mitigation design alternatives (SAMDA's). The decision was without prejudice to the Licensing Board decision, and the license is subject to amendment as result of the outcome of that proceeding. Since the Commission expects that there will be a Licensing Board decision on the merits of the SAMDA issue before the first refueling outage, it did not need to consider the matter of whether full power operation beyond the first refueling outage should be subject to further conditions based on the outcome of the Licensing Board proceeding. The Commission also noted that any further requirements on the licensee that might be reasonably foreseen to arise out of the Board's consideration of SAMDA's would not be foreclosed by the present authorization.

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Finally, the Order noted that an August 24, 1989, stay request from LEA was denied.

(Subsequently on August 25, 1989, the Secretary signed the Order.)

cc: Chairman Carr
Commissioner Roberts
Commissioner Rogers
Commissioner Curtiss
GPA
EDO
ACRS
PDR - Advance
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