

July 18, 1985

Docket No. 50-289

Mr. Henry D. Hukill, Vice President
and Director - TMI-1
GPU Nuclear Corporation
P. O. Box 480
Middletown, Pennsylvania 17057

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Dear Mr. Hukill:

SUBJECT: ORDER MODIFYING LICENSE CONFIRMING ADDITIONAL LICENSEE
COMMITMENTS ON EMERGENCY RESPONSE CAPABILITY (SUPPLEMENT 1
TO NUREG-0737)

Re: Three Mile Island, Unit 1 (TMI-1)

The Commission has issued the enclosed Order confirming your additional commitments on emergency response capability. This Order is based on your letters dated October 1 and November 9, 1984, committing to the schedules specified in the Order. This order pertains to the schedules for implementing Regulatory Guide 1.97 Requirements.

A copy of this Order is being filed with the Office of the Federal Register for publication.

Sincerely,

*ORIGINAL SIGNED BY
JOHN F. STOLZ*

John F. Stolz, Chief
Operating Reactors Branch #4
Division of Licensing

Enclosure:
Order

cc w/enclosure:
See next page

ORB#4:DL
OThompson;cr
6/28/85

ORB#4:DL
JThoma
6/27/85

ORB#4:DL
JStolz
6/17/85

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GLainas
6/17/85

ORB#5:DL
JZwolinski
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D.B.
HThompson
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JLieberman (see note)
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Mr. Henry D. Hukill
GPU Nuclear Corporation

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Three Mile Island Nuclear Station,
Unit 1

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GPU Nuclear Corporation

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

Atomic Safety & Licensing Appeal
Board Panel (8)
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of
GENERAL PUBLIC UTILITIES NUCLEAR
CORPORATION
(Three Mile Island, Unit 1)

Docket No. 50-289

ORDER MODIFYING LICENSE TO CONFIRM ADDITIONAL LICENSEE COMMITMENTS
ON EMERGENCY RESPONSE CAPABILITY

I.

The General Public Utilities Nuclear Corporation (GPUN) (the licensee) is the holder of Facility Operating License No. DPR-50 which authorizes the operation of the Three Mile Island, Unit 1 (TMI-1) (the facility) at steady-state power levels not in excess of 2535 megawatts thermal. The facility is a pressurized water reactor (PWR) located in Dauphin County, Pennsylvania.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements include Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial additional protection in the operation of nuclear facilities and significant upgrading of emergency response capability based on the experience from the accident at TMI-2 and the official studies and investigations of the accident. The requirements are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements," and in Supplement 1 to

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NUREG-0737, "Requirements for Emergency Response Capability." Among these requirements are a number of items consisting of emergency response facility operability, emergency procedure implementation, addition of instrumentation, possible control room design modification, and specific information to be submitted.

On December 17, 1982, a letter (Generic Letter 82-33) was sent to all licensees of operating reactors, applicants for operating licenses, and holders of construction permits enclosing Supplement 1 to NUREG-0737. In this letter operating reactor licensees and holders of construction permits were requested to furnish the following information, pursuant to 10 CFR 50.54(f), no later than April 15, 1983:

- (1) A proposed schedule for completing each of the basic requirements for the items identified in Supplement 1 to NUREG-0737, and
- (2) A description of plans for phased implementation and integration of emergency response activities including training.

III.

GPUN responded to Generic Letter 82-33 by letter dated April 15, 1983. By letters dated July 12 and September 1, 1983, GPUN modified several dates as a result of negotiations with the NRC staff. In these submittals, GPUN made commitments to complete the basic requirements. GPUN's commitments included (1) dates for providing required submittals to the NRC, (2) dates for implementing certain requirements, and (3) a schedule for providing implementation dates for other requirements. The staff found that these dates were reasonable and achievable dates for meeting the Commission requirements and concluded that the schedule proposed by the licensee would provide timely upgrading of the licensee's emergency response capability.

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On June 14, 1984, the NRC issued "Order Confirming Licensee Commitments on Emergency Response Capability" which confirmed GPUN's commitments.

IV.

The June 14, 1984, Order stated that for those requirements for which GPUN committed to a schedule for providing implementation dates, those dates would be reviewed, negotiated and confirmed by a subsequent order. In conformance with the milestones in the June 14, 1984 Order, GPUN's letters dated October 1 and November 9, 1984, provided completion schedules for the Regulatory Guide 1.97 requirements (Items 3a. and 3b. of the Table attached to the June 14, 1984 Order). All upgrade modifications required to meet Regulatory Guide 1.97 requirements are scheduled to be completed by the second refueling after restart, designated Refueling Outage 7 (estimated date July 1988, depending on the time of restart).

The NRC staff finds that Refueling Outage 7 is a reasonable and achievable date for meeting the Commission requirements for Regulatory Guide 1.97. The NRC staff concludes that the schedule proposed by the licensee will provide timely upgrading of the licensee's emergency response capability.

In view of the foregoing, I have determined that the implementation of GPUN's commitments is required in the interest of the public health and safety and should, therefore, be confirmed by an immediately effective Order.

V.

Accordingly, pursuant to Sections 103, 161i, 161o and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.204 and 10 CFR Part 50, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY,

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THAT License No. DPR-50 is modified to provide that the licensee shall:

"Implement the specific requirements of Regulatory Guide 1.97 as described in the Licensee's submittals dated October 1 and November 9, 1984, no later than the completion of Refueling Outage 7."

Extension of time for completing these items may be granted by the Director, Division of Licensing, for good cause shown.

VI.

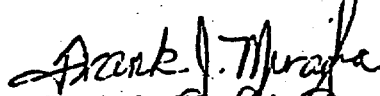
The licensee or any other person with an adversely affected interest may request a hearing on this Order within 20 days of the date of publication of this Order in the FEDERAL REGISTER. Any request for a hearing should be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy should be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is to be held, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensee should comply with the requirements set forth in Section V of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Frank J. Miraglia, Deputy Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated in Bethesda, Maryland
this 18th day of July 1985.