

Mr. James Langenbach, Vice President  
and Director - TMI  
GPU Nuclear, Inc.  
Post Office Box 480  
Middletown, PA 17057

November 12, 1998

SUBJECT: ISSUANCE OF AMENDMENT NO. 52 TO DPR-73 FOR THREE MILE ISLAND,  
UNIT 2 (TAC NO. M97505)

Dear Mr. Langenbach:

The Commission has issued the enclosed Amendment No. 52 to Possession-Only License No. DPR-73 for Three Mile Island Nuclear Station, Unit 2 (TMI-2). The amendment consists of changes to the Technical Specifications (TS) in response to your application dated December 2, 1996.

The amendment relocates the audit frequency requirements from the TMI-2 TS to the TMI-2 Post Defueling Monitored Storage (PDMS) Quality Assurance Plan. The amendment also extends the maximum allowed interval between certain audits from 12 months to 24 months. A copy of the related Safety Evaluation is also enclosed. A notice of issuance will be included in the Commission biweekly Federal Register notice.

Sincerely,

ORIGINAL SIGNED BY:

Lee H. Thonus, Project Manager  
Non-Power Reactors and Decommissioning  
Project Directorate  
Division of Reactor Program Management  
Office of Nuclear Reactor Regulation

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P PDR

Docket No. 50-320

Enclosures:

- 1. Amendment No. 52 to DPR-73
- 2. Safety Evaluation

cc w/enclosures:  
See next page

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PHarris AMarkley  
JMinns MWebb  
DWheeler

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 12, 1998

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James Langenbach  
GPU Nuclear, Inc.

Three Mile Island Nuclear Station  
Unit No. 2  
Docket No. 50-320

cc:

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

GPU NUCLEAR, INC

DOCKET NO. 50-320

THREE MILE ISLAND, UNIT 2

AMENDMENT TO POSSESSION ONLY LICENSE

Amendment No. 52  
License No. DPR-73

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by GPU Nuclear, Inc (GPUN or licensee) dated December 2, 1996, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the regulations of the Commission as set forth in 10 CFR Chapter I;
  - B. The facility will be maintained in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the regulations of the Commission;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the regulations of the Commission and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(1) of Facility Possession Only License No. DPR-73 is hereby amended to read as follows:

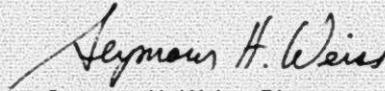
C.(1) Technical Specifications

The Technical Specifications, as revised through Amendment No. 52, are hereby incorporated into this license. The licensee shall maintain the facility in accordance with the Technical Specifications and all Commission Orders issued subsequent to the date of the possession only license.

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P PDR

3. This license amendment is effective as of the date of issuance. This amendment shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Seymour H. Weiss, Director  
Non-Power Reactors and Decommissioning  
Project Directorate  
Division of Reactor Program Management  
Office of Nuclear Reactor Regulation

Attachment:  
Changes to the Technical  
Specifications

Date of Issuance: November 12, 1998

**ATTACHMENT TO LICENSE AMENDMENT NO. 52**

**POSSESSION ONLY LICENSE NO. DPR-73**

**DOCKET NO. 50-320**

Revise Appendix A Technical Specifications by removing the pages identified below and inserting the enclosed pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

**REMOVE**

6.5

6.6

**INSERT**

6.5

6.6

## ADMINISTRATIVE CONTROLS

### RESPONSIBILITIES (con't)

- e. Written summaries of audit reports in the areas specified in Section 6.5.3.
- f. Any other matters involving the plant which a reviewer deems appropriate for consideration or which is referred to the independent reviewers.

### QUALIFICATIONS

6.5.2.6 The ISRs shall either have a Bachelor's Degree in Engineering or the Physical Sciences and five years of professional level experience in the area being reviewed or have nine years of appropriate experience in the field of his or her specialty. An individual performing reviews may possess competence in more than one specialty area. Credit toward experience will be given for advanced degrees on a one-for-one basis up to a maximum of two years.

### RECORDS

6.5.2.7 Reports of reviews encompassed in Section 6.5.2.5 shall be maintained in accordance with Section 6.9.

### 6.5.3 AUDITS

6.5.3.1 Audits of unit activities shall be performed in accordance with the TMI-2 PDMS QA Plan. These audits shall encompass:

- a. The conformance of unit operations to provisions contained within the Technical Specifications and applicable license conditions.
- b. The performance of activities required by the PDMS QA Plan.
- c. The Radiation Protection Plan and applicable implementing procedures.
- d. The Fire Protection Program and implementing procedures.
- e. An independent fire protection and loss prevention program inspection and technical audit shall be performed utilizing either qualified licensee personnel or an outside fire protection firm.
- f. An inspection and audit of the fire protection and loss prevention program by an outside qualified fire consultant.

## ADMINISTRATIVE CONTROLS

### 6.5.3 AUDITS (con't)

- g. The ODCM and implementing procedures.
- h. Any other area of unit operation considered appropriate by the PDMS Manager or the Office of the President - GPUNC.

### RECORDS

6.5.3.2 Audit reports encompassed by Section 6.5.3.1 shall be forwarded for action to the management positions responsible for the areas audited and the IOSRG within 60 days after completion of the audit. Upper management shall be informed in accordance with the TMI-2 PDMS QA Plan.

### 6.5.4 INDEPENDENT ONSITE SAFETY REVIEW GROUP (IOSRG)

#### FUNCTION

6.5.4.1 The IOSRG shall be a full-time group of engineers, independent of the unit staff, and located onsite.

#### ORGANIZATION

- 6.5.4.2 a. The IOSRG staff shall be as specified in the TMI-1 Tech. Specs. (License No. DPR-50).
- b. The IOSRG shall report to the director responsible for nuclear safety assessment and will perform their function for both TMI Unit 1 and Unit 2.

#### RESPONSIBILITY

6.5.4.3 The periodic review functions of the IOSRG shall include the following on a selective and overview basis:

- a. The independent review activities stated in Section 6.5.2.5 which may be performed after the fact.
- b. Assessment of unit operations and performance and unit safety programs from a nuclear safety perspective.
- c. Any other matter involving safe operations of the nuclear power plant that the onsite IOSRG manager or the PDMS Manager deems appropriate for consideration.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 52 TO POSSESSION ONLY

LICENSE NO. DPR-73

GPU NUCLEAR, INC

THREE MILE ISLAND, UNIT 2

DOCKET NO. 50-320

1.0 INTRODUCTION

By letter dated December 2, 1996, GPU Nuclear, Inc (GPUN, or licensee) submitted a request for changes to the Technical Specifications (TS) for Three Mile Island, Unit 2 (TMI-2). The proposed changes would extend the maximum allowed interval between audits of unit operations and of the Radiation Protection Plan from 12 months to 24 months. The change would also relocate the implementation of these audits from the TS to the Post Defueling Monitored Storage (PDMS) Quality Assurance (QA) Plan. These proposed changes would make the TMI-2 TSs consistent with TMI-1 TSs.

2.0 BACKGROUND

TMI-2 is in a permanently shutdown and defueled state of post-defueling monitored storage (PDMS), which is similar to SAFSTOR. The remaining TMI-2 staff conducts periodic monitoring and surveillance and limited dismantlement activities. Since the TMI-2 accident on March 28, 1979, the licensee has conducted a comprehensive cleanup program to ensure that the facility is safe and stable. Following mitigation of the accident and stabilization of the facility, the major efforts of the licensee during the past 19 years have included partial facility decontamination; removal of fuel from the reactor vessel and other facilities; offsite shipment of substantial quantities of both high-level and low-level radioactive wastes; and the removal, treatment, and disposal of the accident-generated water. The NRC staff issued a license amendment with attached safety evaluation on December 28, 1993, which allowed the facility to enter this long term storage mode. The licensee is maintaining the facility in long-term storage until TMI-1, located on the same site as Three Mile Island (TMI-2), permanently ceases operation, at which time both facilities will be decommissioned. The licensee has an integrated organization for TMI-1 and TMI-2 with common radiation protection and quality assurance departments.

Section 182a of the Atomic Energy Act of 1954, as amended (the Act) requires applicants for nuclear power plant operating licenses to include TS as a part of the license. The Commission's regulatory requirements related to the content of TS are set forth in 10 CFR 50.36. That regulation requires that the TS include items in five specific categories, including (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. The regulation does not specify the particular requirements to be included in a plant's TS.

Section 50.36(c)(2) identified four criteria to be used in determining whether particular limiting conditions for operation are required to be included in the TS as follows: (1) installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary; (2) a process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier, (3) a structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design basis accident or transient that either assumes the failure or presents a challenge to the integrity of a fission product barrier; (4) a structure, system, or component which has been shown to be significant to public health and safety.

Other requirements may be relocated to more appropriate documents (e.g. Security Plan, QA Plan, and Emergency Plan) and controlled by the applicable regulatory requirement. While the content of the TS administrative controls is specified in 10 CFR 50.36(c) (5), particular details of the administrative controls may be relocated to licensee-controlled documents where appropriate regulatory controls exist. Administrative controls in existing TS related to the review and audit functions, including specified frequency provisions, may be relocated to a licensee-controlled document that provides adequate control over changes to these provisions through appropriate change control mechanism.

### 3.0 EVALUATION

The proposed amendment would revise the TS to relocate the audit frequency requirements of TS section 6.5.3.1 to the TMI-2 PDMS QA Plan such that future changes could be made pursuant to 10 CFR 50.54(a). In addition staff approval was requested to extend the audit frequency from 12 to 24 months in two cases. The change will make the TMI-2 TS consistent with the TMI-1 TS.

Specifying audit frequencies in the TS is not necessary to assure safe operation of the facility, given that the requirements in the QA program implement the Commission's regulations pertaining to these review and audit functions as set forth below. The review and audit functions define an administrative framework to confirm that plant activities have been properly conducted in a safe manner. The reviews and audits serve also to provide a cohesive program that provides senior level utility management with assessments of facility operation and recommends actions to improve nuclear safety and reliability. As such the review and audit program does not include any elements that are delineated in the 10 CFR 50.36 criteria, discussed above, for which limiting conditions are required to be included in

the TS. As documented in the Commission's Final Policy Statement on Technical Specification Improvements for Nuclear Power Reactors, published in the Federal Register on July 22, 1993, (58 FR 39132), the review and audit functions constitute requirements that can be relocated in the QA Plan and controlled by the applicable regulatory requirement. Control of changes to the QA program description are governed by the provisions of 10 CFR 50.54(a). Such an approach results in an equivalent level of regulatory authority while providing for a more appropriate change control process and flexibility in scheduling audits.

Audit requirements, including frequencies, will be specified in the QA program to satisfy 10 CFR Part 50, Appendix B, Criterion XVIII. The licensee has committed to and relies on the guidance in American National Standards Institute (ANSI) N18.7 and ANSI N45.2 to meet the requirements of Appendix B to 10 CFR Part 50. Audits are also governed by 10 CFR 50.54(t), 10 CFR 50.54(p), and 10 CFR Part 73. Therefore, duplication of these requirements in the TS does not enhance the level of plant safety. Control of changes to the QA program description are governed by the provisions of 10 CFR 50.54(a). The licensee will continue to implement a QA program in accordance with the requirements of 10 CFR Part 50, Appendix B, and commitments to ANSI N18.7. Future changes to the QA Plan, including departures from the referenced ANSI standards, that constitute a reduction in commitment, require NRC approval pursuant to 10 CFR 50.54(a). The staff concludes that this regulatory requirement provides sufficient control for the audit frequencies, so that removing these requirements from the TS is acceptable. The staff has also concluded that, even with the minor reduction in commitment by reducing the frequency of audits, other features of the QA Plan will result in an overall enhancement to the TMI audit program. For example the licensee performs an annual review in all areas for both TMI-1 and TMI-2, using performance trend indicators including Licensee Event Reports, Notices of Violation, and other independent observations to determine if audit frequencies should be increased.

On the above basis, the staff concludes that the audit frequency requirements are not required to be in the TS by 10 CFR 50.36 or Section 182a of the Act, and are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. In addition the staff finds that sufficient regulatory control exists under 10 CFR 50.54 to adequately control future modifications to these provisions. Accordingly, the staff has concluded that these requirements may be relocated from the TMI-2 TS to the PDMS QA Plan. In addition, with regard to the licensee's request for staff approval for reduced frequencies for two of the audits, the staff concludes that sufficient guidance will exist in the QA plan to ensure audits are conducted on a performance basis and audits are performed more frequently that the minimum specified in functional areas demonstrating poor or questionable performance. The staff finds these changes acceptable.

#### 4.0 STATE CONSULTATION

In accordance with the regulations of the Commission, the Pennsylvania State official was notified of the proposed issuance of the amendment. The State official had no comments.

#### 5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes record keeping or reporting requirements, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

#### 6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner; (2) such activities will be conducted in compliance with the regulations of the Commission; and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Lee H. Thonus

Date: November 12, 1998