

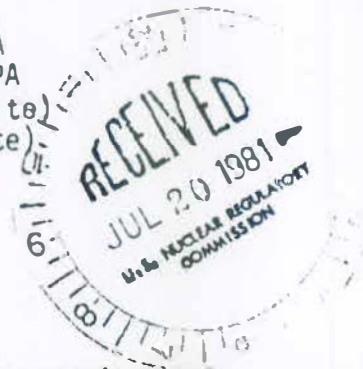
JUL 20 1981

Docket No. 50-320

Mr. Gale K. Hovey  
Vice President and  
Director of TMI-2  
Metropolitan Edison Company  
P.O. Box 480  
Middletown, Pennsylvania 17057

Distribution:

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Dear Mr. Hovey:

The Nuclear Regulatory Commission has issued an exemption to the requirements of 10 CFR Part 50.71(e) to License No. DPR-73. This exemption deletes the requirements to periodically update the TMI-2 final safety analysis report (FSAR) to reflect facility changes made during the cleanup of TMI-2 and is in response to your request of May 6, 1981 (LL2-81-0114). We have concluded that your proposal to use Technical Evaluation Reports (TERs) for documenting these changes and associated safety evaluations is an acceptable alternative to updating the FSAR, provided the TERs are kept updated. Additionally, we will require that the System Descriptions for the major post-accident recovery systems (e.g., EPICOR-II, Mini Decay Heat Removal, Standby Pressure Control, Long Term B Cooling, Tank Farm, Solid Waste Staging Facility, etc.) are kept updated since there are no TERs for these systems. Therefore, as a condition of this exemption, we will require that at least once per six months, you review the TERs which have been issued and the System Descriptions for the major post-accident recovery systems and make any necessary updating revisions. For those System Descriptions which have not been docketed, we will require their submission on the docket within six months of this letter. Furthermore, any changes to the facility described in the TERs and System Descriptions, changes in the procedures described in the TERs and System Descriptions, and conducting of tests or experiments not described in the TERs and System Descriptions shall be subject to the requirements of 10 CFR Section 50.59.

We have determined that the granting of this exemption involves an action which is insignificant from the standpoint of environmental impact and that there is reasonable assurance that the health and safety of the public will not be endangered by this action. Having made this determination, we have further concluded that pursuant to 10 CFR § 51.5 (d) (4) an environmental impact appraisal need not be prepared in connection with the granting of this exemption.

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PDR ADDCK 05000320  
P PDR

OFFICE					
SURNAME					
DATE					

Mr. Gale K. Hovey

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Copies of the related Safety Evaluation and the Notice of Issuance, which has been forwarded to the Office of the Federal Register for publication, are also enclosed.

Sincerely,

191  
Bernard J. Snyder, Program Director  
TMI Program Office  
Office of Nuclear Reactor Regulation

Enclosures:

1. Safety Evaluation
2. Notice of Issuance

cc w/enclosures:  
See attached

\*See previous concurrences which are attached.

OFFICE	TMIPD:NRR	TMIPD:NRR	OELD	TMIPD:NRR			
URNAM	*DBrinkman/pf	*RWeller	*SHLewis	BJ Snyder			
DATE	6/10/81	6/24/81	7/7/81	7/15/81			

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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

METROPOLITAN EDISON COMPANY

JERSEY CENTRAL POWER AND LIGHT COMPANY

PENNSYLVANIA ELECTRIC COMPANY

DOCKET NO. 50-320

THREE MILE ISLAND NUCLEAR STATION, UNIT NO, 2

Introduction

By letter dated May 6, 1981 (reference 1), the Metropolitan Edison Company (licensee) requested an exemption from the requirements of 10 CFR Part 50.71(e) to periodically update the TMI-2 final safety analysis report (FSAR). The exemption would be for the duration of the TMI-2 cleanup. In lieu of periodically updating the FSAR, the licensee has committed to submit a System Description (SD) and a Technical Evaluation Report (TER) for each major step of the cleanup.

Evaluation

The purpose of the requirements contained in 10 CFR Part 50.71(e) is to provide an updated reference document to be used in recurring safety analyses. As a result of the March 28, 1979, accident at TMI-2, power operation is no longer possible with TMI-2 in its present status but rather cleanup operations not anticipated in the design of the TMI facility nor described and analyzed in the TMI-2 FSAR must now be performed. The facility modifications and accompanying safety analyses for the cleanup operations are unique to the cleanup operations and such facility modifications would probably have to be removed prior to restoring TMI-2 to operation if such a decision is made at some future date. Therefore, the licensee has proposed that rather than modifying and updating the FSAR to describe and analyze the facility modifications associated with these cleanup operations, SDs and TERs be prepared and submitted to the NRC for each major step of the cleanup.

The SDs and TERs will include system descriptions and safety evaluations of the planned cleanup actions and will therefore provide the necessary information to describe and assess the cleanup operations as well as providing a record of the facility modifications necessary to perform the cleanup. Since the SDs and TERs will provide the same type of information that would be added to an updated FSAR and since the SDs and TERs will provide this information for the entire cleanup operation, we have concluded that the SDs and TERs will be an acceptable alternative to the requirements of 10 CFR Section 50.71(e) provided they are kept updated. To ensure that these documents are kept updated, we will require as a condition of granting this exemption that the licensee review them at least once per six months and make any necessary updating revisions. This will require updates more frequently than the annual updates required by Section 50.71 (e)(4) for FSARs. This augmented requirement is necessary because of the rapid pace at which some of the cleanup activities may be conducted. Furthermore, if a subsequent decision is made to restore TMI-2 to operation, the FSAR will then require updating in accordance with the requirements of 10 CFR Part 50.71(e).

Any changes in the facility described in the SDs and TERs, changes in the procedures described in the SDs and TERs, and conduct of tests or experiments not described in the SDs and TERs shall be subject to the requirements of 10 CFR Section 50.59.

#### Public Interest Considerations

Under 10 CFR Section 50.12(a), the Commission may grant exemptions from the requirements set forth in Part 50 if it determines that the exemptions are "authorized by law and will not endanger life or property or the common defense and security and are otherwise in the public interest". As analyzed above,

the SDs and TERs are a more appropriate vehicle than the FSAR for achieving the updating requirement of Section 50.71(e) during the cleanup period. It is consistent, therefore, with the purpose of Section 50.71(e) to allow this requested exemption. See Statement of Consideration, "Periodic Updating of Final Safety Analysis Reports", 45 F.R. 30614, May 9, 1980. The exemption is authorized by law since it is consistent with the purpose of Section 50.71(e) and will not endanger life or property or the common defense and security since it does not relax any Commission requirement.

#### Significant Hazards Considerations

The granting of this exemption does not entail any significant hazards considerations since it merely permits an alternative form for the filing of required documentation with the Commission. The time interval for update of this information will be more frequent than required under the Commission's regulation. The granting of the exemption does not involve any increase in the probability or consequences of accidents previously evaluated nor the creation of the possibility of a different type of accident, nor does it reduce the margin of safety defined in the basis of any license requirements.

#### Conclusions

Based on the foregoing, we have determined that, pursuant to Section 50.12 of 10 CFR Part 50, a specific exemption for the duration of the cleanup operations as discussed above is authorized by law and can be granted without endangering life or property or the common defense and security and is otherwise in the public interest.

Furthermore, we have determined that the granting of this exemption does not authorize a change in effluent types or total amounts nor an increase in power level and will not result in any significant environmental impact. We have concluded that this exemption would be insignificant from the standpoint of environmental impact and pursuant to Paragraph (d)(4) of Section 51.5 of 10 CFR Part 51 that an environmental impact statement, or negative declaration and environmental impact appraisal, need not be prepared in connection with this action.

## References

1. Letter to B. J. Snyder, NRC, from G. K. Hovey, Met Ed/GPU, dated May 6, 1981, (LL2-81-0114).



UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 50-320METROPOLITAN EDISON COMPANY  
JERSEY CENTRAL POWER AND LIGHT COMPANY  
PENNSYLVANIA ELECTRIC COMPANYGRANTING OF RELIEF FROM REQUIREMENTS FOR UPDATING  
FINAL SAFETY ANALYSIS REPORT

The U.S. Nuclear Regulatory Commission (the Commission) has granted an exemption from certain requirements of 10 CFR Part 50.71(e) to Metropolitan Edison Company, Jersey Central Power and Light Company, and Pennsylvania Electric Company. The exemption relates to the requirement for periodically updating the Final Safety Analysis Report (FSAR) for Three Mile Island Nuclear Station, Unit 2, located in Dauphin County, Pennsylvania. The exemption is effective as of its date of issuance.

The exemption deletes the requirement to periodically update the TMI-2 FSAR to reflect facility changes made during the cleanup of TMI-2 and provides for the use of System Descriptions (SDs) and Technical Evaluation Reports (TERs) for documenting these changes and associated safety evaluations. The exemption also requires that any changes to the facility described in the SDs and TERs, changes to the procedures described in the SDs and TERs, and conduct of tests or experiments not described in the SDs and TERs shall be subject to the provisions of 10 CFR Section 50.59.

The request for relief complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the letter granting relief.

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The Commission has determined that the granting of this relief will not result in any significant environmental impact and that pursuant to 10 CFR §51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

For further details with respect to this action, see (1) the request for relief dated May 6, 1981, (2) the Commission's letter to the licensee dated July 20, 1981, and (3) the Commission's related Safety Evaluation.

These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555 and at the Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania 17126. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, TMI Program Office.

Dated at Bethesda, Maryland this 20th day of July, 1981

FOR THE NUCLEAR REGULATORY COMMISSION

Bernard J. Snyder, Program Director  
Three Mile Island Program Office  
Office of Nuclear Reactor Regulation