

November 17, 1993

Docket No. 50-320

Dr. Robert L. Long  
Director, Corporate Services/  
GPU Nuclear Corporation  
P.O. Box 480  
Middletown, Pennsylvania 17057-0191

Dear Dr. Long:

SUBJECT: EXEMPTION FROM THE TRAINING RULE, 10 CFR 50.120

The Commission, on its own motion, has granted the enclosed exemption from the requirements in 10 CFR 50.120 to establish, implement, and maintain training programs, using the systems approach to training, for the categories of personnel listed in 10 CFR 50.120. GPU Nuclear Corporation in its letter of July 29, 1993, provided justification supporting this action. The basis for our approval is provided in Section III of the exemption. The exemption is effective November 22, 1993.

Exemption from the training rule, 10 CFR 50.120, does not relieve you of any other training requirements or commitments which you have with the NRC. The exemption has been forwarded to the Office of the Federal Register for publication. Also enclosed is a copy of the Notice of Environmental Assessment and Finding of No Significant Impact which was published in the Federal Register on November 17, 1993 (58 FR 60704).

Sincerely,  
ORIGINAL SIGNED BY  
Michael T. Masnik, Project Manager  
Non-Power Reactors and Decommissioning  
Project Directorate  
Division of Operating Reactor Support  
Office of Nuclear Reactor Regulation

Enclosures:  
As stated

cc w/enclosures:  
See next page

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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GPU Nuclear Corporation  
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Sincerely,

A handwritten signature in cursive script that reads "Michael T. Masnik".

Michael T. Masnik, Project Manager  
Non-Power Reactors and Decommissioning  
Project Directorate  
Division of Operating Reactor Support  
Office of Nuclear Reactor Regulation

Enclosures:  
As stated

cc w/enclosures:  
See next page

Dr. R. L. Long  
GPU Nuclear Corporation Unit No. 2

Three Mile Island Nuclear Station  
Docket No. 50-320

cc:

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
GENERAL PUBLIC UTILITIES	)	
NUCLEAR CORPORATION	)	Docket No. 50-320
	)	
(Three Mile Island Nuclear Station	)	
Unit 2)	)	

EXEMPTION

I.

GPU Nuclear Corporation (the licensee), is the holder of Facility Operating (Possession Only) License No. DPR-73 which authorizes possession and maintenance of the Three Mile Island Nuclear Station, Unit 2 (TMI-2 or the plant). The license provides, among other things, that the plant is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

The plant is a permanently shut down light water reactor, currently in the process of being placed in Post-Defueling Monitored Storage (PDMS), and is located at the licensee site in Dauphin County, Pennsylvania.

II.

TMI-2 permanently ceased power operations in March 1979, fuel has been removed from the reactor and from the site, and detailed plans to place the facility in Post-Defueling Monitored Storage have been developed. By Amendment No. 45, dated September 14, 1993, License No. DPR-73 was modified to a possession only status. This license allows the licensee to possess, but not operate the facility. In order to reflect the permanently shutdown and

defueled status of the plant, the NRC, on its own initiative, is granting an exemption from the requirements of 10 CFR 50.120. This rule states the following:

"...each nuclear power plant licensee, by November 22, 1993, shall establish, implement, and maintain a training program derived from a systems approach to training as defined in 10 CFR 55.4."

This exemption will relieve the licensee from training program requirements of 10 CFR 50.120. However, it does not relieve the licensee from previous requirements or commitments to train and qualify facility personnel.

### III.

The NRC may grant exemptions from the requirements of the regulations which, pursuant to 10 CFR 50.12(a), are (1) authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security; and (2) present special circumstances.

Section 50.12(a)(2)(ii) of 10 CFR Part 50 provides that special circumstances exist when application of the regulations in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule.

The purpose of 10 CFR 50.120 is to ensure that civilian nuclear power plant operating personnel are trained and qualified to safely operate and maintain the facility commensurate with the safety status of the facility.

The licensee in its letter dated July 29, 1993, addressed the special circumstances related to the NRC requiring the TMI-2 training programs to comply with 10 CFR 50.120. The reactor has been defueled and the fuel removed from the site. The reactor vessel internals have been removed and shipped offsite. The reactor cannot be returned to operation.

The licensee has stated that the training requirements necessary to assure adequate protection of the public health and safety in a permanently shutdown and defueled facility are significantly less than the training requirements necessary to assure the public health and safety at an operating facility. The current TMI-2 training programs for the personnel categories required by 10 CFR 50.120 are as follows:

Non-licensed Operators

The auxiliary operators currently assigned to TMI-2 were previously qualified to work in TMI-2. On entering PDMS, these individuals will become TMI-1 auxiliary operators and will be expected to complete the accredited non-licensed operator training and qualification program. In preparation for PDMS, TMI-1 auxiliary operators have begun classroom training and plant walkthroughs on selected TMI-2 systems. Prior to entry into PDMS, the TMI-1 auxiliary operators will have completed qualification on those systems.

Shift Supervisor

There are no Shift Supervisors at TMI-2. This category of personnel is not applicable to the current or future conditions at TMI-2.

Shift Technical Advisor (STA)

There are no Shift Technical Advisors at TMI-2. This category of personnel is not applicable to the current or future conditions at TMI-2.

Instrumentation and Control, Electrical, and Mechanical Maintenance

The licensee stated that there are two instrumentation and controls technicians, two electricians, and two mechanics assigned to TMI-2. These individuals were previously qualified to work in TMI-2 and possess years of TMI-2 specific experience. Additionally, these individuals have been

qualified to the Systems Approach to Training (SAT) based training and qualification standards of the TMI-1 accredited training programs. Additional personnel assigned to the TMI-1 Maintenance Department, who were previously assigned to TMI-2, who possess the experience to work on TMI-2 equipment have also been qualified to TMI-1 SAT-based accreditation standards. As systems are turned over to TMI-1, additional training needs can be addressed, and TMI-1 maintenance department personnel trained, as appropriate.

#### Radiation Protection Technician

All GPU Nuclear radiation protection technicians at TMI have completed the SAT-based and accredited TMI-1 training and qualification program. All technicians attend continuing training which addresses changes to the plants (TMI-1 and TMI-2) and plant and industry experience. Basic technical skills required for TMI-2 support are addressed.

#### Chemistry Technician

All chemistry technicians supporting TMI-2 are assigned to TMI-1 and have completed the SAT-based and accredited TMI-1 training and qualification programs. All technicians attend continuing training which addresses changes to the plants (TMI-1 and TMI-2) and plant and industry experience. Basic technical skills required for TMI-2 support are addressed.

#### Engineering Support

There is no TMI-2 specific Engineering Support Personnel (ESP) Program. On entering PDMS, TMI-2 engineers will be assigned to TMI-1 Plant or to Technical Function Division. In addition, personnel in other departments will be transferred from TMI-2 to Site Services. These personnel will be enrolled in the TMI-1 ESP program, as appropriate.

In addition to the above training, all individuals having unescorted access to the Three Mile Island plant site receive general employee training annually.

Thus, for all categories of training described above, the licensee indicates that the existing training requirements and commitments provide the protection necessary to ensure public health and safety given the current shutdown and defueled status of the facility. With TMI-2 defueled and decontaminated to a safe and stable condition, the principal tasks and activities performed on the site are those necessary to monitor and maintain remaining systems. The tasks and activities associated with maintaining the remaining systems are relatively simple compared to the tasks and activities required to maintain an operating nuclear power plant. Therefore, requiring TMI-2 to comply with the literal training requirements specified in 10 CFR 50.120 is not necessary to achieve the underlying purpose of the rule.

The NRC staff reviewed and agrees with the licensee analysis described above. In addition, the NRC has previously analyzed the limiting design basis accident for TMI-2 in this permanently shut down condition. The results of this analysis indicated that if a release of radioactive materials were to occur at TMI-2, the resulting offsite dose to the maximally exposed individual would be a small fraction of the 10 CFR Part 100 offsite dose limits. The staff has also determined that the tasks that remain to be performed by the TMI-2 plant staff are fewer in number and significantly less complicated than the tasks performed by the staff of an operating nuclear plant. Thus, the NRC staff concludes the licensee justification for exemption is reasonable based



on (1) the significantly reduced risk to the public health and safety due to TMI-2 being permanently shut down, and (2) the reduced number and complexity of tasks to be performed by the TMI-2 plant staff.

IV.

Based on the analyses presented in Section III above, the staff concludes that sufficient bases exist for approval of this exemption. In addition, the staff finds that the special circumstance present satisfies the requirement of 10 CFR 50.12(a)(2)(ii) in that requiring compliance with 10 CFR 50.120 is not necessary to achieve the underlying purpose of the rule.

V.

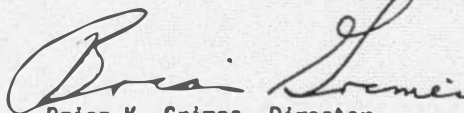
Based on the above evaluation, the Commission has determined that, pursuant to 10 CFR 50.12(a)(1), this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security.

Accordingly, the Commission, on its own motion, hereby grants TMI-2 an exemption to 10 CFR 50.120. This exemption does not relieve the licensee of any other training requirements or commitments which they have made to the NRC, including those set forth herein.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (58 FR 60704, dated November 17, 1993).

This exemption is effective on November 22, 1993, the implementation date of the rule.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script, appearing to read "Brian K. Grimes".

Brian K. Grimes, Director  
Division of Operating Reactor Support  
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland  
this 17th day of November 1993

UNITED STATES NUCLEAR REGULATORY COMMISSION  
GENERAL PUBLIC UTILITIES NUCLEAR CORPORATION  
THREE MILE ISLAND NUCLEAR STATION, UNIT 2

DOCKET NO. 50-320

ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption to License No. DPR-73, issued to GPU Nuclear Corporation (GPUN or the licensee), for the Three Mile Island Nuclear Plant, Unit 2 (TMI-2) located in Londonderry Township, Dauphin County, Pennsylvania, on an island in the Susquehanna River. The licensee holds a Possession Only License that allows GPUN to possess but not operate TMI-2.

ENVIRONMENTAL ASSESSMENT

Identification of the Proposed Action:

The NRC, on its own motion, is considering granting an exemption from the training program establishment, implementation, and maintenance requirements of 10 CFR 50.120. The licensee, in its letter of July 29, 1993, provided supplemental information supporting this action.

The Need for the Proposed Action:

The TMI-2 is currently in the final stages of readying the facility for long term storage, termed Post Defueling Monitored Storage. The licensee has completed a multi-year fuel removal and decontamination program that began just after the March 28, 1979 accident. The reactor fuel has been shipped offsite and the facility is currently in a safe stable condition conducive to long term storage. There is no longer any requirement to have licensed operators at the facility and the Technical Specifications for TMI-2 do not

require manning the control room. On September 14, 1993, GPUN was granted a Possession Only License which prohibits operation. The proposed exemption would relieve the licensee from the requirements of 10 CFR 50.120. However, it would not relieve the licensee from previous requirements or commitments to train and qualify facility personnel.

Environmental Impacts of the Proposed Action:

The proposed action does not have any effect on accident risk and the possibility of environmental impact is extremely remote. The TMI-2 reactor vessel has been defueled and the fuel shipped offsite. Remaining residual fuel is of insufficient quantity and configuration to result in an inadvertent criticality. Many of the functional programs (i.e. training, site security, emergency preparedness and radcon) that were once required as facility specific to TMI-2 have been assumed by the Three Mile Island Nuclear Station, Unit 1 (TMI-1) organization. TMI-1 is required to comply with 10 CFR 50.120. The existing training programs for the few remaining TMI-2 personnel are deemed acceptable, given the low level of activity at the facility and the shutdown and defueled status of the plant.

Based on the staff review of the July 29, 1993 submittal, the staff concludes that the environmental and safety consequences of accidents which may potentially result in a radiological release are greatly decreased given the permanently shutdown and defueled status TMI-2.

Therefore, the proposed action does not increase the probability or consequences of any accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure onsite.

Accordingly, the NRC staff concludes that the proposed action would result in no significant radiological environment impact. With regard to potential nonradiological impacts, the proposed action does not affect nonradiological plant effluents and has no other environmental impact. Therefore, the NRC staff concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternative to the Proposed Action:

Since the Commission concluded that there are no significant environmental effects that would result from the proposed action, any alternative with equal or greater environmental impacts need not be evaluated.

The principal alternative would be to deny the action. This would not reduce environmental impacts of plant activities and would not enhance the protection of the environment nor public health and safety.

Alternative Use of Resources:

This action does not involve the use of any resources not previously considered in the Final Programmatic Environmental Statement for TMI-2, dated March 1981, as supplemented.

Agencies and Persons Consulted:

The NRC staff consulted with representatives of the State of Pennsylvania regarding the environmental impact of the proposed action.

FINDING OF NO SIGNIFICANT IMPACT:

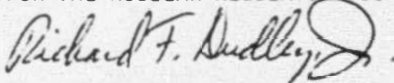
Based upon the foregoing environmental assessment, the NRC staff concludes that the proposed action will not have a significant effect on the quality of the human environment.

Accordingly, the NRC staff has determined, pursuant to 10 CFR 51.31, not to prepare an environmental impact statement for the proposed action.

For further details with respect to this action, see the licensee letter dated July 29, 1993, which is available for public inspection at the Commission Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room for TMI-2 at the Government Publications Section, State Library of Pennsylvania, Walnut Street and Commonwealth Avenue, Box 1601 Harrisburg, Pennsylvania 17105.

Dated at Rockville, Maryland, this 10th day of November 1993.

FOR THE NUCLEAR REGULATORY COMMISSION



Richard F. Dudley, Jr., Acting Director  
Non-Power Reactors and Decommissioning  
Project Directorate  
Division of Operating Reactor Support  
Office of Nuclear Reactor Regulation