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ELECTRIC PRODUCTION

PHILADELPHIA ELECTRIC COMPANY

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RECEIVED BY LFMB	
Date..	5/21/81
Log.....	A. M.
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Orig. To.....	
Action Compl.....	

May 15, 1981

Mr. William O. Miller
License Fee Management Branch
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, DC 20555

- Reference: (1) Correspondence dated February 20, 1981,
Mr. C. James Holloway, Jr. to E. G. Bauer, Jr.,
Philadelphia Electric Company
- (2) Correspondence dated April 10, 1981,
Mr. William O. Miller, NRC, to
E. G. Bauer, Jr., Philadelphia
Electric Company

Dear Mr. Miller:

In correspondence dated July 2, 1980, D. G. Eisenhut, NRC, to All Boiling Water Reactor Licensees, we were requested to incorporate several TMI Lessons Learned Category "A" items into the Technical Specifications. A model specification was enclosed to provide guidance in the scope and types of required specifications.

The Lessons Learned modifications regarding containment isolation valves was previously submitted in a separate Operating License amendment application dated July 16, 1980, at a fee of \$4,400. The other required revisions to the Operating License were combined into another amendment application dated September 15, 1980, at another fee of \$4,400. Both of these applications were approved, with revisions, by the NRC.

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The referenced letters change the second amendment application discussed above from a Class III to a Class IV status, thus increasing the required fee of that application from \$4,400 to \$12,700, and the total cost for incorporating these Lessons Learned items into the Operating License to \$17,100.

A Class IV amendment as defined in 10 CFR 170.22 applies to amendments involving complex issues, more than one safety issue, or involve a significant hazards consideration. The amendment applications under discussion did not involve a relaxation in the existing Peach Bottom specifications. To the contrary, the application proposed additional and more conservative surveillance and operating requirements. As stated in your February 20, 1981 letter, the ONRR staff has determined that their review involved consideration of several safety issues which it appears to us were previously identified and reviewed as generic BWR issues, not requiring significant plant specific review. Nor is it apparent to us why the addition of requirements to the Operating License in response to NRC staff requests are construed as safety issues.

Based upon the foregoing we would appreciate your reconsidering your determination as to the classification of the Company's September 15, 1980 application. In the event you should determine that the reclassification described in your letter of February 20, 1981 is correct, we would appreciate your advising us of the specific multiple safety issues reviewed in connection with our application.

If you would like to discuss this matter further, please do not hesitate to contact us.

Very truly yours,



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