

UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of

GENERAL PUBLIC UTILITIES NUCLEAR
CORPORATION(Three Mile Island Nuclear Station,
Unit 2)

Docket No. 50-320

EXEMPTION

I.

GPU Nuclear Corporation, Metropolitan Edison Company, Jersey Central Power and Light Company and Pennsylvania Electric Company (collectively, the licensee) are the holders of Facility Operating License No. DPR-73. The facility, which is located in Londonderry Township, Dauphin County, Pennsylvania, is a pressurized water reactor previously used for the commercial generation of electricity.

By Order for Modification of License, dated July 20, 1979, the licensee's authority to operate the facility was suspended and the licensee's authority was limited to maintenance of the facility in the present shutdown cooling mode (44 Fed. Reg. 45271). By further Order of the Director, Office of Nuclear Reactor Regulation, dated February 11, 1980, a new set of formal license requirements was imposed to reflect the post-accident condition of the facility and to assure the continued maintenance of the current safe, stable, long-term cooling condition of the facility (45 Fed. Reg. 11292). This license provides, among other things, that it is subject to all rules, regulations and Orders of the Commission now or hereafter in effect.

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II.

On April 11, 1983, General Public Utilities Nuclear Corporation (GPUNC) submitted Revision 2 to their Recovery Quality Assurance Plan (RQAP) for Three Mile Island, Unit 2. In the letter accompanying the revised plan, they also requested a partial exemption from the update requirements of 50.54(a). The staff responded to the April 1983 letter on October 17, 1983 but because a separate exemption had to be issued, the NRC did not address the partial exemption request in that correspondence. On April 17, 1984, GPUNC submitted Revision 3 to the RQAP which was approved by the staff on June 15, 1984. The partial exemption was still under staff review and as a result was also not addressed in the latter correspondence. Therefore, the staff is now issuing a partial exemption as discussed herein.

III.

10 CFR 50.54(a) requires that an update to the Quality Assurance Program, as described in the Safety Analysis Report (SAR), be provided to the appropriate NRC regional Office for inclusion in the SAR. The licensee's submittal of April 11, 1983 and April 17, 1984, satisfied the regulatory requirement for submittals; however, the plan was not incorporated into the TMI-2 FSAR.

In a letter dated February 4, 1982, the staff exempted GPUNC from the requirements of 10 CFR 50.71(e) relative to FSAR updates. In lieu of this regulation the licensee was required to update certain System Descriptions and Technical Evaluation Reports on an annual basis. Therefore the TMI-2

FSAR is no longer a current document. Since the February 1982 exemption relieved the licensee from any FSAR updating requirements, it is reasonable to also exempt the licensee from 10 CFR 50.54(a) FSAR updating requirements relative to QA program revisions. Therefore, the staff is exempting GPUNC from the requirement to submit revised FSAR pages whenever the QA program is modified. However, whenever the licensee's QA program description commitments are reduced, the modified program with modified pages must still be submitted to the NRC who will still approve the changes prior to implementation. The exemption from submitting FSAR pages does not affect the level of Quality Assurance at TMI-2 since all other regulatory requirements of 10 CFR 50.54 remain in effect.

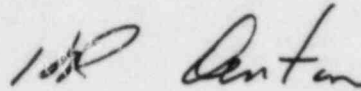
IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. The Commission hereby grants an exemption to the requirements of 10 CFR 50.54(a) with respect to incorporating updated QA plans into the TMI-2 FSAR.

It is further determined that the 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. In light of this determination and as reflected in the Environmental Assessment and Notice of Finding of No Significant Environmental Impact prepared pursuant to 10 CFR 51.21 and 51.30 through 51.32, issued concurrently herewith, it was

concluded that the instant action is insignificant from the standpoint of environmental impact and an environmental impact statement need not be prepared.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in dark ink, appearing to read "H. R. Denton", is written over the printed name.

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Effective Date: June 24, 1985
Dated at Bethesda, Maryland
Issuance Date: May 16, 1985