

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	}	
YANKEE ATOMIC ELECTRIC COMPANY	}	Docket No. 50-29
(Yankee Nuclear Power Station)		

ORDER MODIFYING LICENSE CONFIRMING ADDITIONAL LICENSEE COMMITMENTS
ON EMERGENCY RESPONSE CAPABILITY

I.

Yankee Atomic Electric Company (YAEC) (the licensee) is the holder of Facility Operating License No. DPE-3 which authorizes the operation of the Yankee Nuclear Power Station (the facility) at steady-state power levels not in excess of 600 megawatts thermal. The facility is a pressurized water reactor (PWR) located in Franklin County, Massachusetts.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements include Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial additional protection in the operation of nuclear facilities and significant upgrading of emergency response capability based on the experience from the accident at TMI-2 and the official studies and investigations of the accident. The requirements are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements," and in Supplement 1 to NUREG-0737, "Requirements for Emergency Response Capability." Among these

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requirements are a number of items consisting of emergency response facility operability, emergency procedure implementation, addition of instrumentation, possible control room design modification, and specific information to be submitted.

On December 17, 1982, a letter (Generic Letter 82-33) was sent to all licensees of operating reactors, applicants for operating licenses, and holders of construction permits enclosing Supplement 1 to NUREG-0737. In this letter operating reactor licensees and holders of construction permits were requested to furnish the following information, pursuant to 10 CFR 50.54(f), no later than April 15, 1983:

- (1) A proposed schedule for completing each of the basic requirements for the items identified in Supplement 1 to NUREG-0737, and
- (2) A description of plans for phased implementation and integration of emergency response activities including training.

III.

YAEC responded to Generic Letter 82-33 by letter dated April 19, 1983. By letters dated August 1, September 1, October 21, December 16, 1983, March 28 and April 3, 1984, YAEC modified some of the dates as a result of scheduler changes. In these submittals, YAEC made commitments to complete the basic requirements. YAEC commitments included (1) dates for providing required submittals to the NRC, (2) dates for implementing certain requirements, and (3) a schedule for providing implementation dates for other requirements. The staff found that these dates were reasonable and achievable dates for meeting the Commission requirements and concluded that the schedule proposed

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by the licensee would provide timely upgrading of the licensee's emergency response capability. On June 12, 1984, the NRC issued "Order Confirming Licensee Commitments on Emergency Response Capability" which confirmed YAEC's Commitments. By letter dated January 7, 1985, YAEC requested that the completion date for submission of the Detailed Control Room Design Review Summary Report (Item 2b. of the Table attached to the June 12, 1984, Order) be extended. By letter dated January 11, 1985, the NRC granted this extension.

IV.

The June 12, 1984, Order stated that for those requirements for which YAEC committed to a schedule for providing implementation dates, those dates would be reviewed, negotiated and confirmed by a subsequent order. In conformance with the milestones in the June 12, 1984 Order, as modified by NRC letter dated August 23, 1984, YAEC's letters dated July 27, 1984 provided a completion schedule for the following requirement:

4. Upgrade Emergency Operating Procedures (EOPs) 4b. Implement the upgraded EOPs.

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The attached Table summarizing YAEC's schedular commitment for the above item was developed by the NRC staff from the information provided by YAEC. The staff reviewed YAEC's July 27, 1984 letter and discussed the date with the licensee.

The NRC staff finds that this date is a reasonable and achievable date for meeting the Commission requirement. The NRC staff concludes that the schedule proposed by the licensee will provide timely upgrading of the licensee's emergency response capability.

In view of the foregoing, I have determined that the implementation of YAEC commitment is required in the interest of the public health and safety and should, therefore, be confirmed by an immediately effective Order.

V.

Accordingly, pursuant to Sections 103, 161i, 161o and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.204 and 10 CFR Part 50, IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY, THAT license DPR-3 is modified to provide that the licensee shall:

Implement the specific item described in the Attachment to this ORDER in the manner described in YAEC's submittals noted in Section IV herein no later than the date in the Attachment.

Extension of time for completing this item may be granted by the Director, Division of Licensing, for good cause shown.

The licensee or any other person with an adversely affected interest may request a hearing on this Order within 20 days of the date of publication of this Order in the FEDERAL REGISTER. Any request for a hearing should be addressed to

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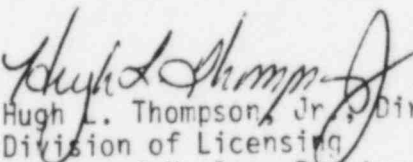
the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy should be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is to be held, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensee should comply with the requirements set forth in Section V of this Order.

This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION


Hugh L. Thompson, Jr., Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated in Bethesda, Maryland
this 5th day of July 1985.

Attachment:
Licensee's Additional Commitments
on Requirements Specified in
Supplement 1 to NUREG-0737

YANKEE NUCLEAR POWER STATION

LICENSEE'S ADDITIONAL COMMITMENT ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENTS	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
4. Upgrade Emergency Operating Procedures (EOPs)	4b. Implement the upgraded EOPs.	Prior to startup for Cycle 19 operation.