

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

PUBLIC SERVICE COMPANY
OF COLORADO

(Fort St. Vrain Nuclear
Generating Plant)

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Docket No. 50-267

ORDER MODIFYING LICENSE CONFIRMING LICENSEE
COMMITMENTS ON POST-TMI RELATED ISSUES

I.

Public Service Company of Colorado (PSC or the licensee) is the holder of Facility Operating License No. DPR-34 which authorizes the operation of the Fort St. Vrain Nuclear Generating Station (the facility) at a steady-state power level not in excess of 842 megawatts thermal. The facility is a high temperature gas-cooled reactor (HTGR) located at the licensee's site in Weld County, Colorado.

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 requirements are a number of items consisting of emergency response facility operability, emergency procedure implementation, addition of instrumentation, possible control room design modifications, 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.

PSC responded to Generic Letter 82-33 by letter dated April 14, 1983. By letters dated July 5, 1983, March 9, 1984, and April 30, 1985, PSC clarified some dates as a result of negotiations with the NRC staff. In these submittals, PSC made commitments to: 1) complete all of the basic requirements prior to returning to operation following the fourth refueling outage (currently scheduled to begin in January 1987); 2) perform a verification and validation effort to evaluate the completed activities; and 3) resolve any problems detected during the verification and validation effort by the fifth refueling outage.

The attached Table summarizing PSC's schedular commitments or status was developed by the NRC staff from the Generic Letter and the information provided by PSC.

PSC's commitments include (1) dates for providing required submittals to the NRC, and (2) dates for implementing certain requirements.

The NRC staff reviewed PSC's April 14, 1983 letter and entered into negotiations with the licensee regarding schedules for meeting the requirements of Supplement 1 to NUREG-0737. As a result of these negotiations, the licensee clarified certain dates by letters dated July 5, 1983, March 9, 1984, and April 30, 1985. The NRC staff finds that the modified dates are reasonable, achievable dates for meeting the Commission requirements. The NRC staff concludes that the schedule proposed by the licensee will provide the required upgrading of the licensee's emergency response capability.

In view of the foregoing, I have determined that the implementation of PSC's commitments are required in the interest of the public health and safety and should, therefore, be confirmed by an immediately effective Order.

IV.

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 FACILITY OPERATING LICENSE NO. DPR-34 IS MODIFIED TO PROVIDE THAT THE LICENSEE SHALL:

Implement the specific items described in the Attachment to this ORDER in the manner described in PSC's submittals noted in Section III herein no later than the dates in the Attachment.

Extensions of time for completing these items may be granted by the Director, Division of Licensing, NRR, for good cause shown.

V.

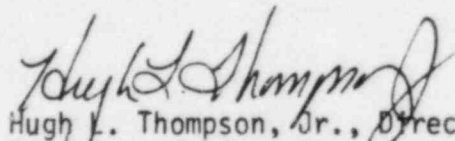
The licensee or any other person with an adversely affected interest may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. Any request for a hearing should be addressed to the Regional Administrator, Region IV, U.S. Nuclear Regulatory Commission, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011. A copy should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. 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 IV 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 at Bethesda, Maryland this 2nd day of August, 1985

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

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
1. Safety Parameter Display System (SPDS)	1a. Submit a safety analysis and an implementation plan to the NRC.	1a. Complete 11/13/84
	1b. SPDS fully operational and operators trained.	1b. 4th refueling*
2. Detailed Control Room Design Review (DCRDR)	2a. Submit a program plan to the NRC.	2a. Complete - 7/13/83
	2b. Submit a summary report to the NRC including a proposed schedule for implementation.	2b. Complete 4/30/85
3. Regulatory Guide 1.97 - Application to Emergency Response Facilities	3a. Submit a report to the NRC describing how the requirements of Supplement 1 to NUREG-0737 have been or will be met.	3a. Complete 2/28/85
	3b. Implement (installation or upgrade) requirements.	3b. 4th refueling*

* currently scheduled for January 1987