

August 16, 1985

DMB 016

Docket No. 50-289

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Mr. Henry D. Hukill, Vice President
and Director - TMI-1
GPU Nuclear Corporation
P. O. Box 480
Middletown, Pennsylvania 17057

Dear Mr. Hukill:

In your letter dated March 19, 1985, you appealed the staff's denial of certain relief requests for the TMI-1 inservice testing program (IST) for pumps and valves. You claimed that the staff's positions are, at least in part, backfits. We arranged an appeal meeting and then, as stated in our April 20, 1985 letter, mutually agreed to postpone the meeting because of staff's plans to discuss individual leak test requirements for pressure isolation valves (PIVs) with the Committee for Review of Generic Requirements (CRGR); some of your issues involve PIVs.

The CRGR discussion is still pending and, at this time, we consider the PIV issues to be potential backfit issues. You are not required to adopt the staff's position on the PIV issues until a generic backfit determination has been made. For the other issues identified in your March 19 letter, the staff has reviewed the issues in accordance with draft Manual Chapter 0154 and has determined that the remaining issues are not backfits. All the remaining issues are associated with 10 CFR 50.55a(g). Paragraph 053 of the Manual Chapter states that applicable regulatory staff positions which have already been imposed upon or committed to by a licensee are not backfits. It continues by specifically stating that 10 CFR 50.55a has automatic update features as described in the regulations. Licensees cannot claim backfit because these automatic update features require plant changes. Additional discussion for each issue is provided in the enclosure.

Although, we have declared some items not to be backfits and therefore applicable for enforcement, you may still appeal these issues based on their technical merit. To this end, a meeting has been scheduled between our staffs for September 4 and 5, 1985 to discuss your overall IST program and your technical basis for any appeal on these issues.

Sincerely,

Original Signed by

H. R. Denton

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

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Enclosure: As Stated

cc w/enclosure:
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GPU Nuclear Corporation

Three Mile Island Nuclear Station
Unit No. 1

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Atomic Safety & Licensing Board Panel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Atomic Safety & Licensing Appeal
Board Panel (8)
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Backfit Determinations
Three Mile Island Unit 1 (TMI-1)
Licensee Letter Dated March 19, 1985
Inservice Testing Program Requirements

The following item designations for open issues correspond to items in the licensee's letter and the staff's supplemental safety evaluation dated October 23, 1984.

Item A.2(b). CA-PIA/B (Boric Acid Mix Pumps)

The licensee's letter provides additional information that is under staff review. Therefore, this is not a backfit issue at this time.

Items B.1. Pressure Isolation Valves

The staff's position is that individual leak rate testing of pressure isolation valves is required in the IST program. The licensee claims this is beyond IST requirements as they presently exist and would require costly plant modifications before the testing could be done.

No staff action will be taken on the following valves in question pending a generic backfit determination. Therefore the licensee is not required to follow the staff's recommendations until the backfit determination has been made.

- (a) CF-V4A/R (Core Flood Discharge Check Valves)
- (b) RC-V4, RC-V23 (MOV and Check Valve in Decay Heat Aux. Spray Line)
- (c) MU-V107A/B/C/D, MU-V86A/B, MU-V95 (Makeup System Check Valves)
- (d) DH-V1, DH-V2 (Decay Heat Pump Suction Valves from Loop B to Hot Leg)

Item B.2(d). MS-V9A/B (Main Steam Supply Check Valves to Steam Driven Emergency Feedwater Pumps)

The licensee disagrees with the staff's technical position on this issue and requests relief from ASME Section XI testing required by 10 CFR 50.55a(g). The Code requires that these valves be periodically full-stroke tested. It is the staff's position that, in lieu of full-stroke testing, the valves should be periodically disassembled and inspected. The licensee has proposed partial stroke testing without disassembly. The licensee may chose to appeal this issue to NRC management.

Item B.3(a). EF-V3 (Emergency River Water Source Check Valve)

The licensee is evaluating the feasibility of removing the valve internals. The staff is awaiting the licensee's follow-up and therefore this is not a backfit issue at this time.

These backfit determinations were made by J. Page, Mechanical Engineering Branch, Division of Engineering.

Dated July 8, 1985