



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 21, 1996

LICENSEE: Detroit Edison Company

FACILITY: Fermi 1

SUBJECT: SUMMARY OF SEPTEMBER 27, 1996, MEETING REGARDING STATUS OF DETROIT
EDISON COMPANY'S PLANS TO DECOMMISSION ITS FERMI 1 FACILITY

On September 27, 1996, the NRC staff met with Detroit Edison Company (DECo/licensee) to discuss DECo's plans to decommission its Fermi 1 facility. Lynn Goodman, DECo's Director of Fermi 1, provided an update of her Initial Decommissioning Project Plan. Ms. Goodman stated that her current target date to provide recommended actions related to Fermi 1 to DECo's management was March 1997. NRC staff involvement with Fermi 1 facility could significantly increase in the later part of 1997, if the results of Ms. Goodman's evaluation recommends completing Fermi 1 decommissioning over the next several years and DECo's management accepts this recommendation.

As noted in our July 7, 1996, meeting summary, Ms. Goodman had several concerns that DECo may have problems complying with the recently revised reactor decommissioning rule due to a lack of a "grandfathering" clause in the rule. NRC's final rule revising the reactor decommissioning process was published in the Federal Register on July 29, 1996 (61 FR 39278) and became effective on August 28, 1996. The following are DECo concerns areas and the resulting discussions:

1. 50.36a - Operating procedures for radwaste and control of effluents be developed. Annual report of effluents at no longer than 12-month intervals.

The licensee's general position was that the Fermi 1 facility shutdown predates many of the rules, thus Fermi 1 was not and is still not required to comply with the provisions of 10 CFR 50 that previously did not apply. They believe this is supported by the SAFSTOR license issued in 1989 stating that Fermi 1 is in compliance with the regulations. Further, the licensee stated that it did not believe that the Commission intended to backfit this requirement as part of revising the reactor decommissioning rule.

The licensee indicated that while it believed that requirements of 50.36a did not apply to Fermi 1, based on the permanent shutdown condition of Fermi 1, DECo already complies with most of the areas that are required by 50.36a. However, the licensee did indicate that there are some areas not covered by its program such as annual reports. The staff's position was that the Commission chose not to grandfather any facilities from any portion of the revised reactor decommissioning regulation. This position was based on the reactor decommissioning rule statement of considerations. Thus, both the licensee and staff agreed to review the extent of compliance with 50.36a.

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2. 50.36b - Environmental Monitoring covered in license.

Both the licensee and staff agreed that no further action on the licensee's part was required for compliance with 50.36b.

3. 50.48(f) - Fire Protection.

The licensee's position was that there was no licensing basis for a formal Fermi 1 fire protection program, in that the SAFSTOR license was approved without a fire protection program being described in the licensing documents it was based on, including the staff's SER. The licensee noted that there are several fire extinguishers located throughout the Fermi 1 facility, but the licensee believes that based on the fact that the licensing bases do not include a formal Fermi 1 fire protection program, DECo is in compliance with the revised reactor decommissioning rule. The staff did not agree with this position. The staff recommended that DECo review the facility as it exists today to ensure that the material condition of the facility is the same as when the license was amended to a "possession only" status. The licensee should confirm that its assumptions related to the impact of fires and the licensee's ability to respond to a fire are still within the Fermi 1 licensing bases. The staff stated that fire protection is required, but the nature of the fire protection should reflect the degree of radiological risk associated with Fermi 1 in its current status, and document why no formal program is needed. The licensee and the staff agreed that if the decommissioning status of the facility changes, fire protection would need to be readdressed.

4. 50.71(e)(4) - Revision to FSAR every 24 months.

The licensee noted that it did not maintain its Fermi 1 operational licensing bases report current after Fermi 1 permanently ceased operations, on the basis that DECo did not believe it was required to be maintained. Thus, to reconstitute this document would be costly and of little value to safety. The staff pointed out that a FSAR type document is intended to be used as the bases for performing 50.59 analyses. The staff pointed out that since the Commission did not grandfather any facility from the revised reactor decommissioning rule, decommissioning of any former power reactor facility must be accomplished by the 50.59 process. The licensee noted that its current licensing bases are included in its license by reference. While the staff agreed that the licensee was not required to reconstitute the FSAR at this point in the Fermi 1 life cycle, the staff stated that the licensee must confirm that the reference licensing documents are sufficient to define the current condition of the facility. Also, both the staff and licensee agreed to evaluate if licensed referenced documents should be used as the bases for performing 50.59 evaluations.

5. 50.47(a) - Emergency Planning.

The licensee's position was that 50.47(a) clearly indicates 50.47 applies to operating licenses, therefore, it does not apply to Fermi 1. Also, following the initial decommissioning, no emergency plan was required. The staff agreed to evaluate if the requirements of 50.47(a) are applicable to Fermi 1.

6. 50.54(a) - QA program, including change process.

The licensee's position was that the Fermi 1 operating license predates the promulgation of Appendix B. Thus, Fermi 1 was not and is still not required to comply with the provisions of Appendix B including a change process. The staff position is that DECo needs some sort of QA program to conduct 50.59 evaluations of decommissioning activities. The staff will evaluate licensee's QA process to ensure that it will be adequate to support Fermi 1 decommissioning.

7. 50.54(p) - Safeguards Contingency Plan, including Appendix C of 10 CFR 73.

DECo stated that it believed that the provisions of 50.54(p) were satisfied by virtue of its current security plan which consist of fences, locks, and a site guard service. The staff agreed.

8. 50.54(r) on emergency plans if licensed as research reactor or test reactor. 50.54(q), 50.54(s), 50.54(t), and 50.54(u) on emergency plans.

See discussion above Item 5.

9. 50.54(w) - Insurance.

The licensee committed to determine if its site insurance coverage, required for Fermi 2, includes the Fermi 1 facility.

10. 50.54(z) - 50.72 reporting.

See related discussion on 50.72, below item 12.

11. 50.71(b) - Annual submittal of financial report.

DECo stated that it believed that the provisions of 50.71(b) were satisfied by virtue of DECo submitting the required information via the Fermi 2 docket. The staff agreed.

12. 50.72 - Immediate notification.

The licensee's position was that the provisions of 50.72 or 50.73 do not apply to Fermi 1. The licensee took this position based on the fact

provided by a former NRC employee. The staff did not agree with this position but did agree to review the TS to determine if DECo's notification process was in compliance with the requirements of 50.72 and 50.73. DECo also agreed to compare the reporting criteria of the Fermi 1 TS to 50.72 and 50.73.

13. Appendix R of 10 CFR Part 50 - Fire protection.

DECo stated that it believed that the provisions of Appendix R do not apply to a facility in a permanently shutdown condition, such as Fermi 1. The staff agreed.

Finally, the licensee committed to submit a letter documenting DECo's understanding of its compliance with the new reactor decommissioning rule. Enclosed with this summary are copies of the licensee's handout (Enclosure 1) and the attendance list (Enclosure 2). The licensee has reviewed a draft version of this meeting summary for accuracy and their comments have been included in this final version.

[Original signed by]

Stewart W. Brown, Project Manager
Low-Level Waste and Decommissioning
Projects Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-16

Enclosures: As stated

cc w/encls: See attached list

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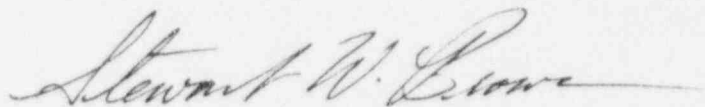
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that Fermi 1 shutdown predates the promulgation of 50.72 and 50.73. Fermi 1 Technical Specifications (TS) include similar requirements, and oral guidance provided by a former NRC employee. The staff did not agree with this position but did agree to review the TS to determine if DECo's notification process was in compliance with the requirements of 50.72 and 50.73. DECo also agreed to compare the reporting criteria of the Fermi 1 TS to 50.72 and 50.73.

13. Appendix R of 10 CFR Part 50 - Fire protection.

DECo stated that it believed that the provisions of Appendix R do not apply to a facility in a permanently shutdown condition, such as Fermi 1. The staff agreed.

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**Initial
Decommissioning Project Plan**

- 1.) Plan, Plan, Plan before I start. Detailed planning will commence after I assume my new role. I do plan to do some non-radiological housekeeping cleanup during the decommissioning evaluation phase.
- 2.) Meet with NRC throughout to keep them informed.
- 3.) Establish team for evaluation.
 - Modify as needed.
 - Full and part time members.
- 4.) Learn the facility and its history
 - Extensive walkdowns in the plant.
 - Read documentation available on previous decommissioning activities at Fermi 1 and as-left status.
 - Research the extent of the radiological characterization of the as-left status.
 - Talk to all personnel on site who were involved at Fermi 1 to learn undocumented history.
 - Read about facility and system functions during operation.
 - Identify state of services (e.g. lighting, power, air, water).
 - Evaluate structural stability.
 - Consider a party for ex-Fermi 1 employees to again gather information on its past.
 - Identify hazards existing at Fermi 1 from above.
- 5.) Familiarize NRC with facility.
- 6.) Communicate with other facilities that are being or have been decommissioned.
 - Telephone
 - Their documentation, including plans.
 - Selected visits.
- 7.) Learn more about the identified hazards.
 - Potential problems.
 - How to handle each hazard.
 - Whether disposal available.
 - Approximate cost to handle.
 - What hazards are combined (e.g. contaminated sodium, contaminated asbestos).
- 8.) Study new rule, existing regulations and rulemaking in progress.
 - Submittals, approvals.
 - Restrictions on activities and spending.
 - Radiological release criteria - new dose based release criteria.

- 9.) Study previous plant specific decommissioning cost estimate.
- 10.) Identify and evaluate options for decommissioning
 - Leave in SAFSTOR as planned.
 - Remove radioactivity, terminate license.
 - Restricted release.
 - Terminate part of site's license.
 - Remove other environmental hazards.
 - Remove other industrial safety hazards.
 - Uses for remaining facilities.
 - Evaluate whether fuel pool would be usable for Fermi 2 fuel.
 - Look at requirements for risk assessment for members of public.
- 11.) Establish documentation and filing system.
- 12.) Identify what services would need to be installed to perform decommissioning.
- 13.) Identify any unique problems for Fermi 1 and potential solutions.
 - How will operating facility on site affect ability to do release surveys?
 - What part of site would be released? Would any part be transferred to Fermi 2 license?
 - Impact of decommissioning activities on Fermi 2 - physically, managerially and personnel resources.
 - Will sodium lead to different dismantling or cleanup techniques?
 - Maintain use of training facilities for Fermi 2 during decommissioning.
- 14.) Identify and perform any additional characterization needed.
 - Develop characterization plan.
 - Perform characterization.
 - Determine residual inventory.
 - Prepare report.
- 15.) Identify resource (personnel and money) requirements for various options and evaluate.
- 16.) Select goal/end product based on evaluation.
 - Present to management for approval.
- 17.) Establish decommissioning team.

-Leader - Me	-Licensing Expertise	-Electrical Engineer
-Radiological Personnel	-Structural Engineer	-Specialists to tap into
-Fermi 1 Expert	-Waste Personnel	-Industrial Safety

- 18.) Brief Media, including tour of Fermi 1
- 19.) Prepare updated Post Shutdown Decommissioning Activities Report for selected alternative.
 - Evaluate various methodologies and techniques.
 - Prepare QA, RP, ALARA plans.
 - Address any new accident scenarios and provisions for decommissioning activities, including emergency planning.
 - Address environmental aspects.
 - Submit report and any license amendments to NRC for 90 day review.
- 20.) Public meeting on planned activities.
- 21.) Determine need for and obtain any other permits/approvals.
 - Michigan
 - Frenchtown
 - Waste Disposal (e.g. waste site permit).
 - May need waste profiles.
- 22.) Prepare waste plan
 - See if buyer or recycler for any waste.
 - Determine how to best package waste to save money.
 - Determine waste reduction techniques and equipment.
- 23.) Prepare detailed work activity plans.
 - Discuss with NRC.
- 24.) Prepare detailed cost estimates.
- 25.) Develop schedule.
- 26.) Determine if mobile laboratory needed.
- 27.) Determine release criteria
 - Work with NRC.
- 28.) Prepare health and safety plan.
- 29.) Identify and order specialized equipment.
- 30.) Prepare procedures.
- 31.) Readiness review.

32.) Mobilize work force and equipment.

- Determine selection criteria.
- Select personnel.
- Provide training
- Determine and establish radiological controls.
- Install any needed services.

33.) Perform decommissioning.

- Decontamination
- Dismantlement
- Radiation Protection Support.
- Environmental Monitoring.
- Waste volume reduction.
- Waste processing and shipment.

34.) Plan final release survey.

35.) Propose Termination Plan: at least 2 years before planned license termination.

- Site Characterizations.
- Identification of remaining decommissioning activities.
- Plans for site remediation.
- Detailed plans for final radiation survey.
- A description of end use of site.
- Updated estimate of remaining decommissioning costs.
- Supplement to environmental report.
- Submit for NRC approval.

36) Public meeting.

37) Demobilize most of work force.

38.) Perform final release survey.

39.) Prepare and submit final reports

- Final survey report.
- Data package.
- Final project report.

40.) Independent Verification Survey.

41.) License Termination.

LIST OF ATTENDEES
MEETING WITH DETROIT EDISON REPRESENTATIVES
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ROCKVILLE, MARYLAND
SEPTEMBER 27, 1996

<u>NAME</u>	<u>AFFILIATION</u>
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Peter Marquardt	Detroit Edison Company
Michael Weber	NRC/MNSS/DWM/LLDP
Larry Bell	NRC/NMSS/DWM/LLDP
Richard Dudley	NRC/NRR/DRPM/PDND
Stephen Lewis	NRC/OGC
Stewart Brown	NRC/MNSS/DWM/LLDP
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Docket No. 50-16, License No. DPR-9

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