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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
NOV 27 1985  
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COMMISSIONERS:

Nunzio J. Palladino, Chairman  
Thomas M. Roberts  
James K. Asselstine  
Frederick M. Bernthal  
Lando W. Zech, Jr.

SERVED NOV 27 1985

BOSTON EDISON COMPANY  
(Pilgrim Nuclear Power Station,  
Unit 1)

Docket No. 50-293 -6C

MEMORANDUM AND ORDER

By letter dated September 23, 1985, as supplemented on October 30, November 15, and November 26, 1985, the Boston Edison Company ("BECO") requested that the Commission grant an extension from the November 30, 1985, deadline for environmental qualification of electric equipment at the Pilgrim Nuclear Power Station, Unit 1. The request covered five items of equipment for which an extension was sought until February 8, 1986. The Commission has reviewed in detail the licensee's submittals and the staff's analysis and recommendation as set forth in SECY-85-338 and SECY-85-338A. Based on this review the Commission finds that the licensee has failed to demonstrate the exceptional nature of its case such that an extension is denied.

The Commission most recently addressed the environmental qualification issue in Generic Letter 85-15, issued August 6, 1985. In that letter the Commission stated that extensions from the November 30

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deadline established in 10 CFR 50.49(g) would be granted "only in rare circumstances." The Commission further stated that extension requests "must clearly identify the exceptional nature of the case, e.g., why, through events entirely beyond its control, the licensee will not be in compliance on November 30; the date when compliance will be achieved; and a justification for continued operation until compliance will be achieved." The Commission also set forth an enforcement policy regarding failure to meet the deadline.

This licensee's request involves five items: eight Yarway level indicating switches, two Fenwal temperature switches, two Electroswitches in the alternate shutdown panels, one Type S1 cable, and two Type S1S cables. BECO has advised the Commission that qualification testing recently has been completed as to only four of the five items and that the documentation necessary to support qualification has not been finalized as to any of these four. Under Generic Letter 85-15, failure to complete qualification documentation is considered by the Commission as a failure to be in compliance with 10 C.F.R. 50.49.

Licensee has put forth a number of factors that it suggests are grounds for an extension, including late discovery of the need for testing one of the items when it was determined that qualified replacements did not meet the facility's required operating characteristics, delays in obtaining test samples of items, the inability of the test laboratory retained by BECO to complete the testing sooner, and the need to revise its test program for one item to address conditions unique to the Pilgrim facility. After reviewing these explanations, the Commission finds the licensee has failed to

demonstrate as to each item that circumstances beyond its control resulted in its failure to qualify the equipment. Accordingly, the Commission concludes that an extension of the November 30 deadline is not appropriate.

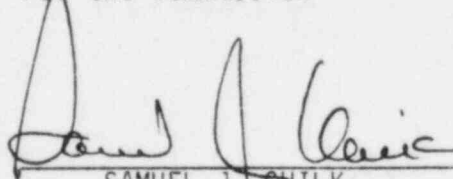
The Commission therefore denies the request of BECO for an extension on Pilgrim Unit 1. The staff has reviewed the justifications for continued operation and finds they support safe operation until February 8, 1986, the date to which BECO has requested an extension for completion of qualification of the equipment in question. However, if BECO chooses to operate the Pilgrim facility at any time between November 30, 1985, and February 8, 1986, without completing qualification of the equipment in question, it will be subject to civil penalties in accordance with Generic Letter 85-15.

Commissioners Roberts and Zech disapproved this order.

It is so ORDERED.



For the Commission

  
SAMUEL J. CHILK  
Secretary of the Commission

Dated at Washington, D.C.

this 27<sup>th</sup> day of November, 1985.