

July 23, 1990

Docket Nos. 50-317
and 50-318

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Mr. G. C. Creel
Vice President - Nuclear Energy
Baltimore Gas and Electric Company
Calvert Cliffs Nuclear Power Plant
MD Rts 2 & 4
P. O. Box 1535
Lusby, Maryland 20657

Dear Mr. Creel:

SUBJECT: ISSUANCE OF A ONE-TIME SCHEDULE EXEMPTION FROM THE REQUIREMENT OF
10 CFR 50.71(e)(4) FOR THE CALVERT CLIFFS NUCLEAR POWER PLANT,
UNITS 1 AND 2, TAC NOS. 76927 (UNIT 1) and 76928 (UNIT 2)

The Nuclear Regulatory Commission, pursuant to 10 CFR 50.12, has granted the enclosed one-time schedule exemption to 10 CFR 50.71(e)(4) regarding the annual update of the UFSAR for the Calvert Cliffs Nuclear Power Plant, Units 1 and 2. This one-time schedule exemption is for the submission of Revision 10 of the UFSAR. The required submittal date is July 20, 1990, which is extended to October 20, 1990, a period of three months.

We find that granting the exemption extension is authorized by law, will not present an undue risk to the public health and safety, is consistent with the common defense and security, and meets the special circumstances described in 10 CFR 50.12(a)(2)(v), in that the exemption provides only temporary relief from the applicable regulation and the licensee has made a good faith effort to comply with the regulation. Therefore, your request for exemption is granted.

A copy of this Exemption is being filed with the Office of the Federal Register for publication.

Sincerely,

ORIGINAL SIGNED BY:

Daniel G. McDonald, Senior Project Manager
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:

Exemption

cc w/enclosure:

See next page

*See previous concurrence

PDI-1	PDI-1	OGC	PDI-1	PDI-1Actg AD/RI
CVogan*	DMcDonald*:rsc	*	RACapra*	RWessman*
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DOCUMENT NAME: FSAR EXEMPTION CC1/2

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Mr. G. C. Creel
Baltimore Gas & Electric Company

Calvert Cliffs Nuclear Power Plant

cc:

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UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of

BALTIMORE GAS AND ELECTRIC
COMPANY

(Calvert Cliffs Nuclear Power
Plant, Units 1 and 2)

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Docket Nos. 50-317
and 50-318

EXEMPTION

I.

The Baltimore Gas and Electric Company (BG&E/licensee) is the holder of Facility Operating License Nos. DPR-53 and DPR-69, which authorizes operation of the Calvert Cliffs Nuclear Power Plant, Units 1 and 2 (the facilities). The licenses provide, among other things, that the facility is subject to all rules, regulations and orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facilities are pressurized water reactors located at the licensee's site in Calvert County, Maryland.

II.

10 CFR 50.71(e)(4) requires that licensees submit a revision of the Updated Final Safety Analysis Report (UFSAR) no less frequently than annually and shall reflect all changes up to a maximum of 6 months prior to the date of filing. This regulation would require the submittal of Revision 10 of the Calvert Cliffs UFSAR by July 20, 1990.

III.

By letter dated June 8, 1990, the licensee requested a one-time schedule exemption from 10 CFR 50.71(e)(4). Specifically, the licensee requested that it be permitted to delay the annual update for Revision 10 from July 20, 1990, to October 20, 1990, which is a three-month delay.

The Commission may grant exemptions from the requirements of the regulations which, pursuant to 10 CFR 50.12(a), are: (1) authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security; and (2) present special circumstances. Section 50.12(a)(2)(v) of 10 CFR Part 50 indicates that special circumstances exist when an exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation.

IV.

The requested exemption is administrative and would not affect plant equipment, operation, or procedures. The UFSAR contains the analysis, assumptions and technical details of the facility design and operating parameters. Until the UFSAR is annually updated, the recent changes are documented in the licensee's safety analysis reports (SAR) and in the Commission's Safety Evaluations (SE) for actions requiring prior approval.

Internal quality assurance audits and NRC inspections conducted in 1989 identified weaknesses in the licensee's updating process for the annual update of the UFSAR. Weaknesses were noted in the methods for identifying

modifications which required updating and failure to incorporate safety evaluation reports, Generic Letters, and other material as described in 10 CFR 50.71(e).

The licensee's subsequently initiated an investigation to determine the cause of the lack of adequate administrative controls for the updating process. The lack of central oversight and adequate administrative procedures resulted in relying on individuals being responsible; thus, many required items were not included in the periodic updates of the UFSAR as required by the regulations.

The licensee has initiated corrective actions for the identified weaknesses which include centralized control utilizing an experienced consultant on a full-time basis for the short-term and increased supervisory involvement both in the short-term and long-term.

It was determined that the Revision 10 update to the UFSAR would require additional interface with the responsible design engineers to ensure both completeness and quality of the updates to be incorporated in Revision 10.

The schedule extension is needed in the short-term, for the reasons discussed above, to assure adequate time is available to allow the licensee to provide a complete and quality update. The extended time also allows the long-term effort to improve the update process, which is being pursued in parallel, by utilizing the benefits of the lessons learned in the current update effort. Both the short-term and long-term effort are being handled primarily by the same individuals.

The proposed exemption constitutes a three-month delay in the annual update of the UFSAR. The requested exemption is a temporary one and is necessary to assure both improvement in the completeness and quality of the Revision 10 update and future submittals. The additional time provided for the Revision 10 submittal allows the feedback necessary to assure that the final procedures used for future submittals are workable, efficient, and result in a quality product.

The licensee has made a good faith effort to comply with the regulations by initiating corrective actions, both short-term and long-term, to improve its submittals when the deficiencies were identified both internally and by the NRC inspection process. Therefore, the exemption would only provide temporary relief from the applicable regulation and the extension would allow the time necessary for corrective action and would result in an improved update for Revision 10. Thus, there are special circumstances present which satisfy 10 CFR 50.12(1)(2)(v).

v.

Accordingly, the Commission has determined, pursuant to 10 CFR 50.12(a), that (1) an exemption as described in Section III is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security and (2) in this case, special circumstances are present as described in Section IV. Therefore, the Commission hereby grants the following exemption:

Accordingly, the Commission hereby grants a one-time exemption, as described in Section III above from 10 CFR 50.71(e)(4) from the requirement to submit Revision 10 of the Calvert Cliffs UFSAR on July 20, 1990. Revision 10 shall be submitted by October 20, 1990.

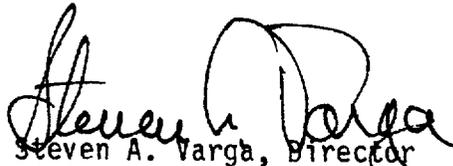
Pursuant to 10 CFR 51.32, the Commission had determined that the granting of this exemption extension would have no significant effect on the quality of the human environment (55 FR 29920, July 23, 1990).

A copy of the licensee's request for exemption dated June 8, 1990, is available for public inspection at the Commission's Public Document Room, in the Gelman Building, Lower Level, 2120 L Street, NW, Washington, D.C., and at the Calvert County Public Library, Prince Frederick, Maryland. Copies may be obtained upon written request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention, Director, Division of Reactor Projects I/II.

This Exemption is effective upon issuance.

Dated at Rockville, Maryland, this 23 day of July 1990.

FOR THE NUCLEAR REGULATORY COMMISSION



Steven A. Varga, Director
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation