

February 14, 2001

Mr. G. R. Peterson
Site Vice President
Catawba Nuclear Station
Duke Energy Corporation
4800 Concord Road
York, South Carolina 29745-9635

SUBJECT: CATAWBA NUCLEAR STATION, UNITS 1 AND 2 RE: REVIEW OF
REQUESTS FOR EXEMPTION (TAC NOS. MB0355 AND MB0356)

Dear Mr. Peterson:

By letter dated October 11, 2000, as supplemented by letter dated December 7, 2000, Duke Energy Corporation (licensee) requested an exemption for individuals in the current operator licensing classes at Catawba Nuclear Station (CNS) from the requirements of 10 CFR 55.31(a)(5). Section 55.31(a)(5), "How to Apply," states, the applicant shall: "Provide evidence that the applicant, as a trainee, has successfully manipulated the controls of the facility for which a license is sought. At a minimum, five significant control manipulations must be performed which affect reactivity or power level." By letter dated October 11, 2000, and supplement dated December 7, 2000, the licensee, acting as an agent for the individuals currently enrolled in an operator training class, requested an exemption from the requirements of 10 CFR 55.31(a)(5), that require the five significant control manipulations be performed on the facility by the individual applicants. The proposed exemption would allow certain individual operator licensing applicants to perform the five significant control manipulations on the plant-referenced simulator facility in lieu of using the actual plant.

Eligibility for an operator license encompasses education, training, and experience factors. Reactivity manipulations are an operating experience requirement addressed by on-the-job training. Use of a plant-referenced simulator of appropriate fidelity for such manipulations is appropriate, based upon improvements in simulator technology, and thirteen years of successful experience in using plant-specific simulation facilities since the 1987 revision of 10 CFR Part 55. Modern plant-referenced simulation facilities in operation today are providing accurate and validated plant training and examination scenarios that convey realism in reactivity manipulations and complex plant operations including simultaneous task management and faulted conditions. The proposed exemption would allow part of the plant operating experience requirements for individual operator license eligibility to be fully satisfied in a timely manner within the licensee's Commission-approved training program without impacting operation of the actual plant.

The CNS operator training program is a Commission-approved training program that is based on a systems approach to training and utilizes a simulation facility acceptable to the Commission. The simulator will use models relating to the nuclear and thermal-hydraulic characteristics that replicate the core load that exists in the unit for which a license is being sought at the time of the applicant's operating test. The licensee will validate significant control

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manipulation scenarios prior to use and have adequate simulator fidelity support programs that provide software control. In addition, the licensee will be using the controlled plant procedures for the simulator that are maintained to the same standards as the procedures located in the control room for the required significant control manipulations.

Pursuant to 10 CFR 55.11, "Specific exemptions," the Commission may, upon application by an interested person, or upon its own initiative, grant such exemptions from the requirements of the regulations in this part as it determines are authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest.

The Commission has determined that the proposed alternative method using the plant-referenced simulator facility in lieu of the actual plant, as described above, will meet the intent of performing significant control manipulations. Accordingly, the Commission has determined that the proposed exemption: (1) is authorized by law; (2) will not endanger life or property; (3) will not endanger the common defense and security; and (4) is otherwise in the public interest. Therefore, exemptions will be granted to the operator licensing applicants listed in the December 7, 2000, letter at the time that the individual operator or senior operator licenses are issued.

Approval upon this basis is consistent with guidelines set forth in SECY 99-225, "Rulemaking Plan for Changes to 10 CFR Part 55 to Reduce Unnecessary Regulatory Burden Associated with the Use of Simulation Facilities in Operator Licensing," for interim regulatory relief in this area.

Sincerely,

/RA/

Bruce A. Boger, Director
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-413 and 50-414

cc: See next page

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