

M 19, 1998

Mr. O. J. Zeringue
Chief Nuclear Officer and
Executive Vice President
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

SUBJECT: ISSUANCE OF EXEMPTION TO 10 CFR 71(e)(4) FOR THE SEQUOYAH
NUCLEAR PLANT, UNITS 1 AND 2 (TAC NOS. MA0646 AND MA0647)

Dear Mr. Zeringue:

The Commission has issued the enclosed exemption from certain requirements of 10 CFR 50.71(e)(4) regarding submission of revisions to the updated Final Safety Analysis Report (FSAR) for the Sequoyah Nuclear Plant. This exemption is related to your application dated December 1, 1997, to submit updates to the Sequoyah FSAR for both units 6 months after each Unit 2 refueling outage, not to exceed 24 months between successive revisions. With the current length of fuel cycles, FSAR updates would be submitted approximately every 18 months.

A copy of the Exemption and the supporting Safety Evaluation by the staff are enclosed. The Exemption is being forwarded to the Office of the Federal Register for publication.

Sincerely,

/s/

Frederick J. Hebdon, Director
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-327 and 50-328

Enclosures: 1. Exemption
2. Safety Evaluation

cc w/encls: See next page

DISTRIBUTION W/ENCLOSURE

Docket Files PUBLIC GHill (4) MBoyle THarris (TLH3 SE)
SQN r/f JZwolinski (A) ACRS LPiisco, RLI MTschiltz, OEDO

Document Name: G:\SQN\FSAREXEM.SQN

To receive a copy of this document, indicate in the box:

"C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure

"N" = No copy

* See previous concurrence



OFFICE	PDII-3/PM	PDII-3/LA	PDII-3	DRPE/D	ADPR	OGC	NRR/D
NAME	RHernan	BClayton	FHebdon	JZwolinski	BBogel	RWeisman*	SCollins
DATE	2/14/98	2/19/98	2/25/98	2/27/98	2/27/98	2/11/98	3/3/98

OFFICIAL RECORD COPY

9803180052 980309
PDR ADDCK 05000327
P PDR

DFD 1/1

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 9, 1998

Mr. O. J. Zeringue
Chief Nuclear Officer and
Executive Vice President
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

SUBJECT: ISSUANCE OF EXEMPTION TO 10 CFR 71(e)(4) FOR THE SEQUOYAH
NUCLEAR PLANT, UNITS 1 AND 2 (TAC NOS. MA0646 AND MA0647)

Dear Mr. Zeringue:

The Commission has issued the enclosed exemption from certain requirements of 10 CFR 50.71(e)(4) regarding submission of revisions to the updated Final Safety Analysis Report (FSAR) for the Sequoyah Nuclear Plant. This exemption is related to your application dated December 1, 1997, to submit updates to the Sequoyah FSAR for both units 6 months after each Unit 2 refueling outage, not to exceed 24 months between successive revisions. With the current length of fuel cycles, FSAR updates would be submitted approximately every 18 months.

A copy of the Exemption and the supporting Safety Evaluation by the staff are enclosed. The Exemption is being forwarded to the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script, reading "Frederick J. Hebdon".

Frederick J. Hebdon, Director
Project Directorate II-3
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-327 and 50-328

Enclosures: 1. Exemption
2. Safety Evaluation

cc w/encls: See next page

Mr. O. J. Zeringue
Tennessee Valley Authority

SEQUOYAH NUCLEAR PLANT

cc:
Senior Vice President
Nuclear Operations
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Mr. Pedro Salas, Manager
Licensing and Industry Affairs Sequoyah
Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Soddy Daisy, TN 37379

Mr. Jack A. Bailey
Vice President
Engineering & Technical Services
Tennessee Valley Authority
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

Mr. J. T. Herron, Plant Manager
Sequoyah Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Soddy Daisy, TN 37379

Mr. Masoud Bajestani
Site Vice President
Sequoyah Nuclear Plant
Tennessee Valley Authority
P.O. Box 2000
Soddy Daisy, TN 37379

Regional Administrator
U.S. Nuclear Regulatory Commission
Region II
61 Forsyth Street, SW.
Suite 23T85
Atlanta, GA 30303-3415

General Counsel
Tennessee Valley Authority
ET 10H
400 West Summit Hill Drive
Knoxville, TN 37902

Mr. Melvin C. Shannon
Senior Resident Inspector
Sequoyah Nuclear Plant
U.S. Nuclear Regulatory Commission
2600 Igou Ferry Road
Soddy Daisy, TN 37379

Mr. Raul R. Baron, General Manager
Nuclear Assurance
Tennessee Valley Authority
4J Blue Ridge
1101 Market Street
Chattanooga, TN 37402-2801

Mr. Michael H. Mobley Director
Division of Radiological Health
3rd Floor, L and C Annex
401 Church Street
Nashville, TN 37243-1532

Mr. Mark J. Burzynski, Manager
Nuclear Licensing
Tennessee Valley Authority
4J Blue Ridge
1101 Market Street
Chattanooga, TN 37402-2801

County Executive
Hamilton County Courthouse
Chattanooga, TN 37402-2801

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
TENNESSEE VALLEY AUTHORITY) Docket Nos. 50-327 and 50-328
)
(Sequoyah Nuclear Plant)
Units 1 and 2)

EXEMPTION

I.

Tennessee Valley Authority (the licensee) is the holder of Facility Operating License Nos. DPR-77 and DPR-79, for the Sequoyah Nuclear Plant (SQN), Units 1 and 2. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

This facility consists of two pressurized water reactors located in Hamilton County, Tennessee.

II.

Title 10 of the Code of Federal Regulations (10 CFR), Section 50.71 "Maintenance of records, making of reports," paragraph (e)(4) states, in part, that "Subsequent revisions [to the updated Final Safety Analysis Report (FSAR)] must be filed annually or 6 months after each refueling outage provided the interval between successive updates [to the FSAR] does not exceed 24 months." The two units at the SQN site share a common FSAR; therefore, this rule requires the licensee to update the same document annually or within 6 months after each unit's refueling outage (approximately every 9 months).

III.

Section 50.12(a) of 10 CFR, "Specific exemptions," states that

The Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of the regulations of this part, which 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.

(2) The Commission will not consider granting an exemption unless special circumstances are present.

Section 50.12(a)(2)(ii) of 10 CFR states that special circumstances are present when "Application of the regulation in the particular circumstances would not serve the underlying purpose of the rule or is not necessary to achieve the underlying purpose of the rule...." The licensee has proposed updating the unified SQN FSAR 6 months after each Unit 2 refueling outage. With the current length of fuel cycles, FSAR updates would be submitted approximately every 18 months, but not to exceed 24 months from the last submittal. The underlying purpose of the rule was to relieve licensees of the burden of filing annual FSAR revisions while assuring that such revisions are made at least every 24 months. The Commission reduced the burden, in part, by permitting a licensee to submit its FSAR revisions 6 months after refueling outages for its facility, but did not provide for multiple unit facilities sharing a common FSAR in the rule. Rather, the Commission stated that "With respect to . . . multiple facilities sharing a common FSAR, licensees will have maximum flexibility for scheduling updates on a case-by-case basis" 57 FR 39355 (1992).

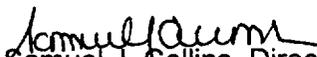
The SQN units are on an 18-month fuel cycle. As noted in the staff's Safety Evaluation, the licensee's proposed schedule for SQN FSAR updates will ensure that the FSAR will be maintained current for both units within 24 months of the last revision. Likewise, should the licensee choose to submit the 10 CFR 50.59 design-change report together with the FSAR revision, the interval for submission of that report will not exceed 24 months. The proposed

schedule satisfies the maximum 24-month interval between FSAR revisions specified by 10 CFR 50.71(e)(4). Revising the FSAR 6 months after refueling outages for each unit, therefore, is not necessary to achieve the underlying purpose of the rule. Accordingly, the Commission has determined that special circumstances are present as defined in 10 CFR 50.12(a)(2)(ii). The Commission has further determined that, pursuant to 10 CFR 50.12, the exemption 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 is otherwise in the public interest. The Commission hereby grants the licensee an exemption from the requirement of 10 CFR 50.71(e)(4) to submit updates to the SQN FSAR within 6 months of each unit's refueling outage. The licensee will be required to submit updates to the SQN FSAR within 6 months after each Unit 2 refueling outage, not to exceed 24 months between subsequent revisions.

Pursuant to 10 CFR 51.32, the Commission has determined that granting of this exemption will have no significant effect on the quality of the human environment (63 FR 10958).

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION


Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland,
this 9th day of March 1998

schedule satisfies the maximum 24-month interval between FSAR revisions specified by 10 CFR 50.71(e)(4). Revising the FSAR 6 months after refueling outages for each unit, therefore, is not necessary to achieve the underlying purpose of the rule. Accordingly, the Commission has determined that special circumstances are present as defined in 10 CFR 50.12(a)(2)(ii). The Commission has further determined that, pursuant to 10 CFR 50.12, the exemption 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 is otherwise in the public interest. The Commission hereby grants the licensee an exemption from the requirement of 10 CFR 50.71(e)(4) to submit updates to the SQN FSAR within 6 months of each unit's refueling outage. The licensee will be required to submit updates to the SQN FSAR within 6 months after each Unit 2 refueling outage, not to exceed 24 months between subsequent revisions.

Pursuant to 10 CFR 51.32, the Commission has determined that granting of this exemption will have no significant effect on the quality of the human environment (63 FR 10958).

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by
Samuel J. Collins

Samuel J. Collins, Director
 Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland,
 this 9th day of March 1998

Document Name: G:\SQN\FSAREXEM.SQN

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure
 "N" = No copy

*See previous concurrence

OFFICE	PDII-3/PM	PDII-3/LA	PDII-3	OGC	DRPE/D	ADPR	NRR/D
NAME	RHernan	BClayton	FHebdon	RWeisman*	JZwolinski	BBoger	SCollins
DATE	2/19/98	2/19/98	2/25/98	2/11/98	2/26/98	2/27/98	3/3/98

OFFICIAL RECORD COPY



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

EXEMPTION FROM UPDATED FINAL SAFETY ANALYSIS REPORT

UPDATE REQUIREMENTS OF 10 CFR 50.71(e)(4)

TENNESSEE VALLEY AUTHORITY

SEQUOYAH NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-327 AND 50-328

1.0 INTRODUCTION

By letter dated December 1, 1997, Tennessee Valley Authority (the licensee) submitted a request for an exemption from the requirements of 10 CFR 50.71(e)(4), "Maintenance of records, making reports." Section 50.71(e)(4) requires, in part, that "Subsequent revisions [to the updated Final Safety Analysis Report (FSAR)] must be filed annually or 6 months after each refueling outage provided the interval between successive updates to the FSAR does not exceed 24 months." The two Sequoyah (SQN) units share a common FSAR; therefore, this rule requires the licensee to update the station's FSAR annually or within 6 months after each unit's refueling outage.

2.0 EVALUATION

Section 50.71(e)(4) ensures that all licensees update their FSARs annually or at least every refueling outage and no less frequently than every 2 years. When two units share a common FSAR, the rule has the effect of making the licensee update the FSAR roughly every 9 to 12 months. The SQN units are on an 18-month fuel cycle, meaning that FSAR updates based on the refueling schedule must be submitted approximately every 9 months. However, the licensee maintains the plant copy of the FSAR as a "living" document, implementing revisions to that copy on a real-time basis. The current rule, as revised August 31, 1992 (57 FR 39355), was intended to provide some reduction in regulatory burden by limiting the frequency of required updates. The underlying purpose of the rule was to relieve licensees of the burden of filing annual FSAR revisions while assuring that such revisions are made at least every 24 months. The Commission reduced the burden, in part, by permitting a licensee to submit its FSAR revisions 6 months after refueling outages for its facility, but did not provide for multiple unit facilities sharing a common FSAR in the rule. Rather, the Commission stated that "With respect to [the] concern about multiple facilities sharing a common FSAR, licensees will have maximum flexibility for scheduling updates on a case-by-case basis." The burden reduction, however, can only be realized by single-unit facilities or multiple-unit facilities that maintain separate FSARs for each unit.

The licensee's requested exemption would permit periodic FSAR updates within 6 months of each Unit 2 refueling outage, but not to exceed 24 months from the last revision. Thus the requirement that an update be submitted within 6 months of an outage of each unit is no longer retained. With the exemption, the SQN FSAR will be updated and maintained current within

24 months of the last revision. Likewise, should the licensee choose to submit the 10 CFR 50.59 design change report together with the FSAR revision, the interval for submission of that report will not exceed 24 months. The proposed schedule satisfies the maximum 24-month interval between FSAR revisions specified by 10 CFR 50.71(e)(4). Revising the FSAR 6 months after refueling outages for each unit, therefore, is not necessary to achieve the underlying purpose of the rule.

3.0 CONCLUSION

The staff finds that the alternative proposed by the licensee is acceptable in that revising the FSAR 6 months after refueling outages for each unit is not necessary to achieve the underlying purpose of the rule (10 CFR 50.71(e)(4)), which is to require the FSAR of each station be revised at least once per 24 months.

Principal Contributor: Ronald W. Hernan

Date: March 9, 1998