

July 7, 1989

Docket No. 50-259, 50-260
and 50-296

Mr. Oliver D. Kingsley, Jr.
Senior Vice President, Nuclear Power
Tennessee Valley Authority
6N 38A Lookout Place
1101 Market Street
Chattanooga, Tennessee 37402-2801

Dear Mr. Kingsley:

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SUBJECT: TEMPORARY EXEMPTION FROM 10 CFR PART 50.71(e), UPDATED FINAL
SAFETY ANALYSIS REPORT - (TAC NOS. 73258, 73259 AND 73260)

By letter dated May 23, 1989 you requested a temporary exemption from
the requirements of 10 CFR Part 50.71(e), for an annual update of the Browns
Ferry Updated Final Safety Analysis Report (UFSAR).

Based upon the evaluation of your submittal, we have concluded that your
request for a temporary exemption from 10 CFR Part 50.71(e) is appropriate and
acceptable, as stated in the enclosed Exemption. This Exemption is effective
upon date of issuance.

A copy of the "Environmental Assessment and Finding of No Significant Impact"
was sent to you by letter dated June 26, 1989, as published in the Federal
Register on July 6, 1989 (54 FR 28523).

A copy of the Exemption is being forwarded to the Office of the Federal Register
for publication.

Sincerely,
Original signed by

Suzanne Black, Assistant Director
for Projects
TVA Projects Division
Office of Special Projects

Enclosure:
Exemption

cc w/enclosure:
See next page

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*SEE PREFVIOUS CONCURRENCE

OFC :NRR:TVA/LA*	NRR:TVA/PM*	TVA:AD/TP*	OGC*	TVA:AD/P	[Signature]
NAME :MSimms	:GGears:as	RPierson	:	SBlack	BDLiaw
DATE :6/16/89	: 6/16/89	: 6/16/89	: 6/20/89	: 7/6/89	: 7/7/89

Mr. Oliver D. Kingsley, Jr.

- 2 -

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

TENNESSEE VALLEY AUTHORITY

(Browns Ferry Nuclear Plant,
Units 1, 2 and 3)

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Docket Nos. 50-259, 50-260
and 50-296

EXEMPTION

I.

The Tennessee Valley Authority (TVA or the licensee) is the holder of Operating License Nos. DPR-32, DPR-52 and DPR-69 which authorize operation of Units 1, 2 and 3, respectively. These licenses provide, among other things, that Browns Ferry is subject to all rules, regulations, and Orders of the Commission now or hereafter in effect.

Browns Ferry (BFN), Units 1, 2 and 3 are boiling water reactors (BWR) at the licensee's site located near Decatur, Alabama.

II.

10 CFR Part 50.71(e) requires, in part, that licensees shall update periodically the final safety analysis report (FSAR) originally submitted as part of the application for the operating license, to assure that the information in the FSAR contains the latest material developed. Revisions to the original FSAR shall be filed no less frequently than annually and shall reflect all changes up to a maximum of six months prior to the date of filing. This regulation requires the annual updated FSAR (UFSAR) for Browns Ferry to be submitted on July 22, 1989.

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III.

By letter dated May 23, 1989, the licensee requested a temporary exemption from certain requirements of 10 CFR Part 50.71(e). Specifically, the licensee requested a temporary exemption from the requirements to submit an annual update of the Browns Ferry UFSAR on July 22, 1989. A revised UFSAR would be submitted on July 22, 1990.

Deficiencies regarding the accuracy of the Browns Ferry UFSAR were identified by the licensee through the Employee Concerns Program. The last updated UFSAR was provided to the staff by letter dated July 19, 1988. Corrective actions have been implemented which include establishing improved controls for maintaining an accurate UFSAR and performance of a program to review relevant documentation to update and verify the UFSAR. The licensee has recently implemented a new UFSAR update program that provides a corporate standard and site procedures necessary to coordinate the updating of the UFSAR with the responsible organizations. A verification program has also been initiated. This UFSAR verification program will utilize the output of the Design Baseline and Verification Program (DBVP) to ensure that the UFSAR is consistent with the latest as-configured drawings and design changes, as well as the existing Technical Specifications, fuel load analysis, and current administrative and operational programs.

TVA has updated the Browns Ferry UFSAR annually for the past six years. With the many design modifications currently underway to support Unit 2 restart, an update in July 1989 would not reflect the Unit 2 configuration relative to the time of its projected start-up (currently projected for

late 1989). Units 1 and 3 are currently defueled and will not be restarted until after the next annual updated UFSAR of July 1, 1990. In order to ensure that users of the UFSAR have available the latest information which could affect the UFSAR (e.g., 10 CFR 50.59 determinations, Engineering Change Notices and Design Change Notices), the licensee has put in place programs and procedures to maintain a 10 CFR 50.59 library and a file on UFSAR changes. These compensatory measures should assist UFSAR users by providing the latest information concerning any part of the UFSAR. As part of the licensee's DBVP program, operation personnel are being provided with up-to-date configuration drawings which are utilized in the control room as source material. Therefore, the requested temporary exemption will not affect plant operation and safety.

The staff has concluded that the requested temporary exemption is administrative in nature and would not affect plant equipment, operations or procedures.

The Commission has determined that special circumstances, as provided in 10 CFR 50.12(a)(2)(v), are present justifying the exemption, namely; that the exemption would provide only temporary relief from the applicable regulation and the licensee or applicant has made good faith efforts to comply with the regulation.

This exemption would provide Browns Ferry with only temporary relief from compliance with the annual UFSAR update. The licensee is making good faith efforts to comply with the intent of the regulation which is to ensure a complete, updated and a single integral document (UFSAR) on file for each power reactor license. TVA's verification/update program is indicative of their recognition of problems with the updated UFSAR process and their good faith efforts to correct these problems.

IV

Accordingly, the Commission has determined, pursuant to 10 CFR Part 50.12, that (1) this temporary 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 (2) in this case, special circumstances are present as described in Section II.

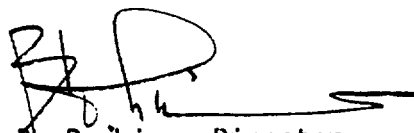
In light of this determination and as reflected in the Environmental Assessment and Notice of Finding of No Significant Environmental Impact prepared pursuant to 10 CFR 51.21 and 51.32 (July 6, 1989) (54 FR 28523), it is determined that the intended action will have no significant impact on the environment.

A copy of the licensee's request for exemption dated May 23, 1989 related to this action is available for public inspection at the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C., and at the Local Public Document Room located at Athens Public Library, South Street, Athens, Alabama 35611.

This Exemption is effective upon issuance.

Dated at Rockville, Maryland this 7th day of July 1989.

FOR THE NUCLEAR REGULATORY COMMISSION



B. D. Liaw, Director
TVA Projects Division
Office of Nuclear Reactor Regulation