

December 7, 1995

Mr. William R. Campbell
Vice President
Brunswick Nuclear Plant
Carolina Power & Light Company
PO Box 10429
Southport, NC 28461-0429

SUBJECT: EXEMPTION FROM 10 CFR 55.35(a) - BRUNSWICK NUCLEAR PLANT
(TAC NO. M94099)

Dear Mr. Campbell:

By letter dated November 8, 1995, the Carolina Power & Light Company (CP&L) requested an exemption for a Senior Reactor Operator Applicant (applicant) from the two month application waiting period required by 10 CFR 55.35(a) after failing to pass the written examination portion of his initial examination. This exemption allows the applicant to file a new application and, thereafter, to be re-administered a written examination during the week of December 18, 1995. In its written request, CP&L indicated that the applicant, who was notified that he had failed his written examination on November 16, 1995, has entered a remediation process, and will be ready for re-examination the week of December 18, 1995.

The Commission has granted the requested exemption, pursuant to 10 CFR 55.11. A copy of the exemption is enclosed and is being forwarded to the Office of the Federal Register for publication.

Sincerely,
Original Signed By
Stuart A. Richards, Chief
Operator Licensing Branch
Division of Reactor Controls
and Human Factors
Office of Nuclear Reactor Regulation

Docket Nos. 50-325/324
Enclosure: Exemption
cc w/encl: See next page

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
CAROLINA POWER AND LIGHT COMPANY)	
)	Dockets No. 50-325 and 324
(Brunswick Steam Electric Plant))	

EXEMPTION

I.

Carolina Power and Light Company (CP&L, the licensee) is the holder of Facility Operating License Nos. DPR-71 and DPR-62, which authorize operation of Brunswick Steam Electric Plant (BSEP), Unit Nos 1 and 2, at power levels not in excess of 2436 megawatts thermal. The facility consists of two boiling water reactors at the licensee's site in Brunswick County, North Carolina. The operating license provides, among other things, that BSEP is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

II.

Pursuant to 10 CFR 55.35(a), an applicant whose application for an operator license has been denied because of failure to pass the written examination or operating test, or both, may file a new application two months after the date of denial.

III.

By letter dated November 8, 1995, CP&L requested an exemption under

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10 CFR 55.11 on behalf of its employee, an applicant for a Senior Reactor Operator license (applicant) under Subpart D of 10 CFR Part 55, from the requirements of 10 CFR 55.35(a). The schedular exemption requested would allow the applicant to file a new application before the two month waiting period expires and, thereafter, to be re-administered a written examination during the week of December 18, 1995. The applicant was notified that he had not passed his written examination (taken the week of October 23, 1995) by letter from Region II dated November 16, 1995, which would make the applicant eligible for re-examination no earlier than January 16, 1995.

The Code of Federal Regulations at 10 CFR 55.11 states that, "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 and are otherwise in the public interest."

In support of its request for exemption, CP&L indicated that the applicant has entered a remediation process, and will be ready for re-examination the week of December 18, 1995.

IV.

The Commission has determined that, pursuant to 10 CFR 55.11, granting this exemption to the applicant from the requirements in 10 CFR 55.35(a) is authorized by law and will not endanger life or property and is otherwise in the public interest. This one-time exemption will allow the applicant to be administered a written re-examination during the week of December 18, 1995, prior to the expiration of the two month time period from the date of notification of the results of his first written examination. This re-examination would be scheduled to coincide with a previously scheduled NRC initial examination visit. Accordingly, the Commission hereby grants the

applicant an exemption on a one-time only basis from the schedular requirements of 10 CFR 55.35(a).

Pursuant to 10 CFR 51.32, the Commission has also determined that the issuance of the exemption will not have a significant effect on the quality of the human environment. An Environmental Assessment and Finding of No Significant Impact was noticed in the FEDERAL REGISTER on December 6, 1995 (60 FR 67483).

This exemption is effective upon issuance and expires on January 16, 1996.

Dated at Rockville, Maryland this *7th* day of December 1995.

FOR THE NUCLEAR REGULATORY COMMISSION


Bruce A. Boger, Director
Division of Reactor Controls
and Human Factors
Office of Nuclear Reactor Regulation