

JUL 29 1988

Docket No. 50-261

DISTRIBUTION  
See attached sheet

Mr. E. E. Utley  
Senior Executive Vice President  
Power Supply and Engineering & Construction  
Carolina Power and Light Company  
P. O. Box 1551  
Raleigh, North Carolina 27602

Dear Mr. Utley:

SUBJECT: EXEMPTION FROM CERTAIN REQUIREMENTS OF 10 CFR 20.103(c)(2) -  
H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2 (TAC NO. 60653)

By letter dated January 30, 1986, you requested an Exemption from certain requirements of 10 CFR Part 20. This request involves the requirement for determination by a physician at least once every 12 months that an individual is physically able to use the respiratory protective equipment in an environment containing airborne radioactive material.

The Exemption permits the licensee to administer physical examinations for users of respiratory equipment at an interval of every 9 to 15 months provided that the total time over any three consecutive physical examination periods will not exceed 39 months.

The Nuclear Regulatory Commission has granted your Exemption request pursuant to 10 CFR 20.501. The bases for the Exemption are discussed in the enclosed Exemption.

The Exemption is being forwarded to the Office of the Federal Register for publication. This completes our action on your submittal.

Sincerely,

*151*

Ronnie H. Lo, Senior Project Manager  
Project Directorate II-1  
Division of Reactor Projects I/II  
Office of Nuclear Reactor Regulation

Enclosure:  
Exemption  
Safety Evaluation

cc: See next page

OFC	: LA: PD21-DRPR: PM: PD21-DRPR:	OGC	: D: PD21-DRPR :	:	:
NAME	: <i>Anderson</i> :	RLo: <i>clh</i> :	<i>CPW</i> :	EAdensam :	:
DATE	: <i>7/11/88</i> :	<i>9/11/88</i> :	<i>6/15/88</i> :	<i>6/21/88</i> :	:

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UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
CAROLINA POWER & LIGHT COMPANY	)	Docket No. 50-261
	)	
H. B. Robinson Steam Electric Plant,	)	
Unit No. 2	)	

EXEMPTION

I.

Carolina Power & Light Company (the licensee) is the holder of Facility Operating License No. DPR-23, which authorizes operation of the H. B. Robinson Steam Electric Plant, Unit 2. The license provides, 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.

II.

Section 103(c)(2) to 10 CFR Part 20 requires a determination by a physician at least once every 12 months that an individual is physically able to use the respiratory protective equipment in an environment containing airborne radioactive material.

By letter dated January 30, 1986, the licensee requested an exemption from 10 CFR 20.103(c)(2) with regard to the interval for the administration of a physical examination for users of respiratory equipment. Specifically, the licensee requested an exemption to permit the physicals to be administered at an interval of every 9 to 15 months rather than the currently scheduled 8 to 12 months. In support of its request, the licensee notes that the exemption

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would provide greater flexibility in scheduling of examinations and would preclude the need for administration of two examinations in the same calendar year.

The acceptability of the exemption request is discussed below.

### III.

In order to satisfy the 10 CFR 20.103(c)(2) requirement of "at least once every 12 months," the licensee has to administratively schedule the physical examinations every 8 to 12 months because of the large number of workers for whom these examinations have to be scheduled. Therefore, over a period of a few years, a substantial number of workers would receive two physical examinations within one calendar year. This would result in an unnecessary expenditure of the licensee's resources. On the other hand, according to the licensee's proposed schedule of a physical examination of every 9 to 15 months, it would be possible for a worker to average fewer than one examination every year over an extended period of time, for example, only four examinations in five years. This practice clearly does not meet the intent of the regulation.

In order to provide the licensee with administrative flexibility and yet meet the intent of the regulation to provide one physical examination every year, the staff has determined that an exemption to 10 CFR 20.103(c)(2), as requested by the licensee, with a provision that the total time over any three consecutive physical examination periods will not exceed 39 months, should be granted.

IV.

The Commission has determined that, pursuant to 10 CFR 20.501, this exemption is authorized by law, and will not result in undue hazard to life or property. Accordingly, the Commission hereby grants an exemption related to the time interval requirement of 10 CFR 20.103(c)(2) on physical examinations from "at least once every 12 months" to "every 9 to 15 months, provided that the total time over any three consecutive physical examination periods does not exceed 39 months." Pursuant to 10 CFR 51.32, the Commission has determined that granting this exemption will have no significant impact on the environment (53 FR 25553).

This exemption is effective upon issuance.

Dated at Rockville, Maryland this 29th day of July, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION

151

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

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7/8/88	

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NAME	: PAnderson	: RLo:clh	: EAdensam	: GCLainas	: SVarga
DATE	: 8/11/88	: 9/12/88	: 7/15/88	: 7/28/88	: 8/25/88

August 1, 1988

DOCKET NO.

DISTRIBUTION  
Docket File  
PD21 r/f  
P. Anderson

MEMORANDUM FOR: Rules and Procedures Branch  
Division of Rules and Records  
Office of Administration and Resources Management

FROM: Office of Nuclear Reactor Regulation

SUBJECT: Carolina Power & Light Company - H. B. Robinson Steam Electric Plant, Unit No. 2,  
Exemption - Regarding Respiratory Protective Equipment

One signed original of the *Federal Register* Notice identified below is enclosed for your transmittal to the Office of the Federal Register for publication. Additional conformed copies ( ) of the Notice are enclosed for your use.

- Notice of Receipt of Application for Construction Permit(s) and Operating License(s).
- Notice of Receipt of Partial Application for Construction Permit(s) and Facility License(s); Time for Submission of Views on Antitrust Matters.
- Notice of Consideration of Issuance of Amendment to Facility Operating License.
- Notice of Receipt of Application for Facility License(s); Notice of Availability of Applicant's Environmental Report; and Notice of Consideration of Issuance of Facility License(s) and Notice of Opportunity for Hearing.
- Notice of Availability of NRC Draft/Final Environmental Statement.
- Notice of Limited Work Authorization.
- Notice of Availability of Safety Evaluation Report.
- Notice of Issuance of Construction Permit(s).
- Notice of Issuance of Facility Operating License(s) or Amendment(s).
- Order.
- Exemption.
- Notice of Granting Exemption.
- Environmental Assessment.
- Notice of Preparation of Environmental Assessment.
- Other: \_\_\_\_\_

Office of Nuclear Reactor Regulation

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Enclosure:  
As stated

Patricia D. Anderson

Contact:  
Phone: Pat Anderson

OFFICE	LA PD21 DRPR				
SURNAME	PAnderson ch				
DATE	8/5/88				

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E. Jordan (MNBB 3302)  
B. Grimes (9A2)  
T. Barnhart (4) (P1-137)  
ACRS (10)  
GPA/PA  
ARM/LFMB

Mr. E. E. Utley  
Carolina Power & Light Company

H. B. Robinson 2

cc:

Mr. R. E. Jones, General Counsel  
Carolina Power & Light Company  
P. O. Box 1551  
Raleigh, North Carolina 27602

Mr. Dwayne H. Brown, Chief  
Radiation Protection Branch  
Division of Facility Services  
Department of Human Resources  
701 Barbour Drive  
Raleigh, North Carolina 27603-2008

Mr. McCuen Morrell, Chairman  
Darlington County Board of Supervisors  
County Courthouse  
Darlington, South Carolina 29535

Mr. Robert P. Gruber  
Executive Director  
Public Staff - NCUC  
P.O. Box 29520  
Raleigh, North Carolina 27626-0520

Mr. H. A. Cole  
Special Deputy Attorney General  
State of North Carolina  
P.O. Box 629  
Raleigh, North Carolina 27602

Mr. D. E. Hollar  
Associate General Counsel  
Carolina Power and Light Company  
P.O. Box 1551  
Raleigh, North Carolina 27602

U.S. Nuclear Regulatory Commission  
Resident Inspector's Office  
H. B. Robinson Steam Electric Plant  
Route 5, Box 413  
Hartsville, South Carolina 29550

Regional Administrator, Region II  
U.S. Nuclear Regulatory Commission  
101 Marietta Street  
Suite 2900  
Atlanta, Georgia 30323

Mr. R. Morgan  
General Manager  
H. B. Robinson Steam Electric Plant  
Post Office Box 790  
Hartsville, South Carolina 29550

Mr. Avery Upchurch, Chairman  
Triangle J Council of Governments  
100 Park Drive  
Post Office Box 12276  
Research Triangle Park, NC 27709

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DATE	: 8/11/88	:	: 9/11/88	:	: 6/15/88	:	: 7/11/88	:	:	:	:	:

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FOR THE NUCLEAR REGULATORY COMMISSION



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