

March 19, 1991

Docket No. 50-346

Mr. Donald C. Shelton
Vice President, Nuclear - Davis-Besse
Wisconsin Electric Power Company
231 W. Michigan Street, Room 308
Milwaukee, Wisconsin 53201

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Dear Mr. Shelton:

SUBJECT: SCHEDULAR EXEMPTION TO 10 CFR 55.45(b)(2)(iii) FOR SIMULATION FACILITY CERTIFICATION (TAC NO. 77941)

The Commission has issued the enclosed exemption from the requirements of 10 CFR 55.45(b)(2)(iii). The exemption allows for the submittal of Form NRC-474, "Simulation Facility Certification," after the March 26, 1991 deadline provided in the rule, but no later than September 1, 1991. The exemption is in response to your application dated November 5, 1990 (Serial No. 1866).

Based on the considerations discussed in the exemption, we have concluded that the information provided and the actions described in the application form an acceptable basis for the granting of an exemption. The Commission has determined, pursuant to 10 CFR 55.11, that this exemption is authorized by law and will not result in undue hazard to life or property and is otherwise in the public interest. Furthermore, the Commission has determined, pursuant to 10 CFR 50.12(a), that the special circumstances of 10 CFR 50.12(a)(2)(v) are applicable in that the exemption would provide only temporary relief from the regulation and you have made good faith efforts to comply with the regulation.

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

Sincerely,

original signed by

James R. Hall, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosure:
As stated
cc w/enclosure:
See next page

DOCUMENT NAME: DB SCHEDULAR EXEMPTION

*See previous concurrence

LA/PDIII-3	PM/PDIII-3	PD/PDIII-3	OGC*	BC/LOLB*	AD3/DRP345*
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 19, 1991

Docket No. 50-346

Mr. Donald C. Shelton
Vice President, Nuclear - Davis-Besse
Centerior Service Company
Toledo Edison Company
300 Madison Avenue
Toledo, Ohio 43652

Dear Mr. Shelton:

SUBJECT: SCHEDULAR EXEMPTION TO 10 CFR 55.45(b)(2)(iii) FOR SIMULATION
FACILITY CERTIFICATION (TAC NO. 77941)

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

The issuance of this exemption completes our work effort under TAC No. 77941 and is herewith closed.

Sincerely,

James R. Hall, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

Mr. Donald C. Shelton
Toledo Edison Company

Davis-Besse Nuclear Power Station
Unit No. 1

cc:

David E. Burke, Esq.
The Cleveland Electric
Illuminating Company
P. O. Box 5000
Cleveland, Ohio 44101

Mr. Robert W. Schrauder
Manager, Nuclear Licensing
Toledo Edison Company
Edison Plaza
300 Madison Avenue
Toledo, Ohio 43652

Gerald Charnoff, Esq.
Shaw, Pittman, Potts
and Trowbridge
2300 N Street N.W.
Washington, D.C. 20037

Regional Administrator, Region III
U.S. Nuclear Regulatory Commission
799 Roosevelt Road
Glen Ellyn, Illinois 60137

Mr. Robert B. Borsum
Babcock & Wilcox
Nuclear Power Generation Division
Suite 525, 1700 Rockville Pike
Rockville, MD 20852

Resident Inspector
U. S. Nuclear Regulatory Commission
5503 N. State Route 2
Oak Harbor, Ohio 43449

Mr. Murray R. Edelman
Executive Vice President -
Power Generation
Centerior Service Company
6200 Oak Tree Boulevard
Independence, Ohio 44101

Radiological Health Program
Ohio Department of Health
1224 Kinnear Road
Columbus, Ohio 43212

Attorney General
Department of Attorney
General
30 East Broad Street
Columbus, Ohio 43215

Mr. James W. Harris, Director
(Addressee Only)
Division of Power Generation
Ohio Department of Industrial Relations
2323 West 5th Avenue
P. O. Box 825
Columbus, Ohio 43216

Ohio Environmental Protection Agency
DERR--Compliance Unit
PO Box 1049
1800 Watermark Drive
ATTN: Zack A. Clayton
Columbus, Ohio 43266-0149

President, Board of
County Commissioners of
Ottawa County
Port Clinton, Ohio 43452

State of Ohio
Public Utilities Commission
180 East Broad Street
Columbus, Ohio 43266-0573

II.

The licensee intends to comply with 10 CFR 55.45(b) by certifying a plant-referenced simulator. Section 55.45(b)(2)(iii) of 10 CFR Part 55 requires that facility licensees proposing to use a simulation facility consisting solely of a plant-referenced simulator submit Form NRC-474, "Simulation Facility Certification," no later than 46 months after the effective date of this rule, that is, by March 26, 1991. On November 5, 1990, Toledo Edison requested an exemption from this filing requirement to allow for the submittal of Form NRC-474 after March 26, 1991, but no later than September 1, 1991.

On September 5, 1986, Toledo Edison's purchase order for a plant-referenced simulator was accepted by the simulator vendor. It was expected that the simulator would be operational by December 1988. On July 13, 1988, Toledo Edison advised the NRC that the simulator installation would be delayed until December 31, 1989, because manpower was diverted from the simulator project to support operations during the 18-month outage and restart effort following the June 9, 1985, DBNPS Loss-of-Feedwater Event and the 1986 bargaining unit strike. Following this notification, additional delays on the simulator occurred due to problems the vendor encountered during software development and integration. These delays resulted in the further postponement of the simulator installation until after the fifth refueling outage.

Toledo Edison decided to upgrade the simulator to reflect the fifth refueling outage modifications before making it available for training. These modifications required both simulator hardware and software changes.

These changes were necessary due to 93 plant modifications and the resulting modifications made to the DBNPS Control Room. They included extensive changes made to the Auxiliary Feedwater System, the Steam and Feedwater Rupture Control System, Feed and Bleed Cooling, and resolutions of numerous human engineering deficiencies identified from the Detailed Control Room Design Review. This upgrade was planned to be complete by December 1990 and the simulator was planned to be delivered by January 10, 1991.

After reassembly and on-site testing, Toledo Edison plans to install selected sixth refueling outage upgrades before releasing the simulator for training. The selected changes include the rearrangement of a major percentage of control room annunciators, relocation of several important switches, and the addition of an alternate makeup system injection line to the reactor coolant system. These changes are considered necessary to avoid a negative impact on training. Installation of these modifications is precluded by post simulator delivery reassembly and on-site testing until May 1991. Toledo Edison proposes to submit Form NRC-474 after the sixth refueling outage upgrades are installed and tested.

Toledo Edison proposes to comply with 10 CFR 55.45(b) for DBNPS by certifying a plant referenced simulator by September 1, 1991. During the proposed exemption period, from May 26, 1991 until certification of the simulator, no initial or requalification operating tests are scheduled.

III.

The Commission has determined, pursuant to 10 CFR 55.11, that this exemption is authorized by law and will not endanger life or property and is otherwise in the public interest. Furthermore, the Commission has determined,

pursuant to 10 CFR 50.12(a), that special circumstances of 10 CFR 50.12(a)(2)(v) are applicable in that the exemption would provide only temporary relief from the applicable regulation and the licensee has made good faith efforts to comply with the regulation. This exemption grants a temporary relief period of 5 months from the March 1991 date for submittal of the DBNPS simulation facility certification. Good faith efforts to comply with the regulation were made as follows:

- (1) On September 5, 1986, Toledo Edison entered into contract for the procurement of a plant-referenced simulator by December 1988.
- (2) On November 24, 1987, Toledo Edison requested clarifications of the simulator requirements via a conference call with the NRC.
- (3) In letters dated June 1, 1988 and July 13, 1988, Toledo Edison advised the NRC of a delay to December 31, 1989, for simulator installation.
- (4) On September 1, 1989, Toledo Edison submitted an operator examination schedule including a planned simulator certification date of March 26, 1991.
- (5) During a conference call on June 7, 1990, Toledo Edison informed the NRC that they were considering installing the sixth refueling outage upgrades prior to certifying the DBNPS simulator and that this would delay the submittal of Form NRC-474 until after March 26, 1991.
- (6) Toledo Edison plans to certify the DBNPS simulator before conducting any operating tests after May 26, 1991.

IV.

The Commission hereby grants an exemption from the schedular requirements of 10 CFR 55.45(b)(2)(iii) for submittal of Form NRC-474, "Simulation Facility Certification." This exemption is effective until September 1, 1991.

Pursuant to 10 CFR 51.21, 51.32, and 51.35, an environmental assessment and finding of no significant impact has been prepared and published in the Federal Register on March 13, 1991 (56 FR 10579). Accordingly, based upon the environmental assessment, the Commission has determined that the issuance of this amendment will not have a significant effect on the quality of the human environment.

The licensee's exemption request dated November 5, 1990 is available for public inspection at the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C. and at the University of Toledo Library, Document Department, 2801 Bancroft Avenue, Toledo, Ohio 43606.

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Bruce A. Boger, Director
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland
this 19th day of March 1991.