

November 21, 1991

Docket Nos. 50-498
and 50-499

DISTRIBUTION:

Mr. Donald P. Hall
Group Vice President, Nuclear
Houston Lighting & Power Company
P. O. Box 1700
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Dear Mr. Hall:

SUBJECT: EXEMPTION FROM THE REQUIREMENTS OF 10 CFR 50.54(t) - SCHEDULAR
REQUIREMENTS FOR REVIEW OF EMERGENCY PREPAREDNESS PROGRAM - SOUTH
TEXAS PROJECT, UNITS 1 AND 2 (TAC NOS. M81792 AND M81793)

By letter dated July 19, 1991, as supplemented by letter dated September 20,
1991, Houston Lighting & Power Company (HL&P) requested an exemption from the
requirements of 10 CFR 50.54(t) to allow HL&P to defer the completion of their
emergency preparedness program audit until December 1991.

Section 50.54(t) of Title 10 of the Code of Federal Regulations requires
licensees to review their emergency preparedness program at least every 12 months
by persons who have no direct responsibility for implementation of the emergency
preparedness program. A major enhancement of the South Texas Project, Units
1 and 2, emergency preparedness program was implemented in August 1991, and
annual retraining of the emergency response organization was delayed to
August 1, 1991, to allow inclusion of the enhanced emergency preparedness
program. The exemption to December 1991 will allow for an evaluation of the
enhanced emergency preparedness program after four months of implementation.
Upon completion of the December 1991 audit, please forward a copy of the audit
to us and our Region IV office.

The Commission has granted this exemption pursuant to 10 CFR 50.12. A copy
of the exemption is enclosed and is being forwarded to the Office of the
Federal Register for publication.

Sincerely,
Original Signed By

Suzanne C. Black, Director
Project Directorate IV-2
Division of Reactor Projects - III/IV/V
Office of Nuclear Reactor Regulation

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Enclosure:
Exemption

cc w/enclosure:
See next page

*For previous concurrences see attached ORC

OFC	: PDIV-2/LA	: PDIV-2/PE*	: PDIV-2/PM*	: OGC*	: PDIV-2/D
NAME	: ES Peyton	: SBloom	: GDick	: SETurk	: SBlack
DATE	: 11/14/91	: 10/22/91	: 10/24/91	: 10/24/91	: 11/14/91

OFC	: NRR:ADRP 4/5	: NRR:D/DRPW	:	:	:
NAME	: MVirgilio	: BBoger	:	:	:
DATE	: 11/14/91	: 11/15/91	:	:	:

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November 21, 1991

cc w/enclosure:

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
HOUSTON LIGHTING & POWER COMPANY)	Docket Nos. 50-498
)	and 50-499
(South Texas Project, Units 1 and 2)	

EXEMPTION

I.

On March 22, 1988, and March 28, 1989, the Commission issued Facility Operating License Nos. NPF-76 and NPF-80 to Houston Lighting & Power Company, et al. (the licensee) for South Texas Project, Unit Nos. 1 and 2, respectively. This license provided, among other things, that the facility is subject to all rules, regulations and orders of the Commission.

II.

Section 50.54(t) of Title 10 of the Code of Federal Regulations requires licensees to review their emergency preparedness program (EPP) at least every 12 months by persons who have no direct responsibility for implementation of the emergency preparedness program. This would require the licensee to complete their audit by September 1991.

By letter dated July 19, 1991, as supplemented on September 20, 1991, the licensee requested an exemption from 10 CFR 50.54(t) which would defer the completion of the EPP audit until December 1991. The licensee stated that a major enhancement of the EPP was implemented in August 1991, and annual retraining of the emergency response organization was delayed to August 1, 1991, to allow inclusion of the enhanced EPP. The exemption to December 1991 will allow for an evaluation of the enhanced EPP after four months of implementation.

III.

The NRC staff has reviewed the licensee's request for an extension of the South Texas Project, Unit Nos. 1 and 2, EPP audit completion date. Recent NRC inspection reports indicated that the scope and depth of the two previous audits appeared to meet the requirements of 10 CFR 50.54(t). The most recent Systematic Assessment of Licensee Performance (SALP) Report, covering the period from February 1, 1990 through May 3, 1991, indicated that management oversight of the emergency preparedness program was evident by the performance of effective QA audits and that the licensee continued to perform independent audits. The licensee was rated to be in Performance Category 2 for the functional area of Emergency Preparedness. A recommendation was made that the licensee should ensure that improvements and changes to the EPP are fully implemented.

For these reasons, the staff finds that the licensee has demonstrated a good track record of compliance with 10 CFR 50.54(t) audit requirements. A three-month extension of the current audit period would, in this instance, benefit the public by allowing the EPP to come to equilibrium with recently enacted enhancements so that the independent review will address current reality rather than recent history. This will allow and encourage the licensee to identify any problems in the enhanced EPP and to implement corrective action, as appropriate. Therefore, the requested three-month extension to the current twelve-month audit period specified in 10 CFR 50.54(t) is acceptable. At the end of the new current audit period (December 1991), future audit periods should revert back to the normal twelve-month interval, with the next review due on or about December 1992.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a)(1), this 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. The Commission further determines that special circumstances, as provided in 10 CFR 50.12(a)(2)(v), are present justifying the exemption. The exemption would provide only temporary relief from the applicable regulation in that the licensee has extended the EPP audit to allow for an evaluation of the enhanced EPP after four months of implementation.

Accordingly, the Commission hereby grants an exemption as described in Section III above from 10 CFR 50.54(t) of 10 CFR Part 50 to extend the completion date of the EPP audit to December 1991. This exemption is effective until the end of December 1991.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of the Exemption will have no significant impact on the environment (56 FR 57025). This Exemption is effective upon issuance.

Dated at Rockville, Maryland, this 21st day of November 1991.

FOR THE NUCLEAR REGULATORY COMMISSION



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