



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

August 10, 1990

TO: ALL HOLDERS OF OPERATING LICENSES OR CONSTRUCTION PERMITS FOR
NUCLEAR POWER REACTORS

SUBJECT: SIMULATION FACILITY EXEMPTIONS (GENERIC LETTER 90-08)

This Generic Letter is being issued to remind the addressees of the need to meet the schedule requirements for the use of simulation facilities in the administration of operating tests established in Section 55.45(b) of Title 10 of the Code of Federal Regulations (CFR). This Generic Letter also describes the review of exemption requests and the potential consequences for failure to meet the requirements of Section 55.45(b). It is expected that addressees will review this letter for applicability to their facilities.

Section 306 of the Nuclear Waste Policy Act of 1982 (42 USC 10226) required the Nuclear Regulatory Commission (NRC) to establish, among other things, requirements for operating tests at simulators. The NRC accomplished this objective by revising 10 CFR Part 55, effective May 26, 1987. These regulations, in conjunction with 10 CFR 50.54(i-1), require facility licensees to use simulation facilities when administering operating tests. These regulations further require that a certified or NRC-approved simulation facility must be used to administer operating tests after May 26, 1991.

In accordance with 10 CFR 55.45(b)(1), facility licensees may either apply for Commission approval for use of a simulation facility or they may certify that their simulation facility consists solely of a plant-referenced simulator. Section 55.45(b)(2) establishes the required schedule for the initial submittal of either an application or a certification. Sections 55.45(b)(2)(i) and (ii) require facility licensees proposing to apply for NRC approval to submit a plan to do so by May 26, 1988, and to submit the application by November 26, 1990. Section 55.45(b)(2)(iii) requires facility licensees proposing to certify plant-referenced simulators to submit Form 474, "Simulation Facility Certification," by March 26, 1991. Section 55.45(b)(2)(iv) requires that, after May 26, 1991, the simulation facility portion of the operating test, which is required to be completed for both initial licensing and requalification examinations administered by NRC and for annual operating tests for facility requalification programs, not be administered on other than a certified or approved simulation facility.

As stated in the "Supplementary Information" published with the final version of 10 CFR Part 55 in the Federal Register (52 FR 9453, March 25, 1987), the NRC expected each facility licensee to have a simulation facility available within a reasonable period of time after the effective date of the new rule but not later than 4 years after the effective date. It was further stated that any deviations from the time requirements of 10 CFR 55.45(b) would be addressed on a case-specific basis. Therefore, facility licensees who believe they will not be able to meet the time requirements should request exemptions as soon as possible so that the request may be reviewed and, where appropriate, granted so that the facility licensees will not be in violation of the regulations discussed above.

9008080047

ZA

10 CFR 55
GL

August 10, 1990

The NRC will consider requests for exemptions in accordance with 10 CFR 50.12. Items that will be considered when reviewing justifications for exemption requests include the licensees' reasons for not meeting the schedule requirements including their actual order dates and estimated completion dates for new or upgraded simulation facilities and the means for conducting operating tests until a certified or approved simulation facility is available. Special circumstances, as described in 10 CFR 50.12(a)(2), must be present for any exemption to be granted.

An exemption request would be covered by Office of Management and Budget Clearance Number 3150-0011, which expires January 31, 1991. The estimated average burden hours for an exemption request would be approximately four person hours. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Information and Records Management Branch (MNBB-7714), Division of Information Support Services, Office of Information Resources Management, U. S. Nuclear Regulatory Commission, Washington, DC 20555; and to the Paperwork Reduction Project (3150-0011), Office of Management and Budget, Washington, DC 20503.

If you have any questions about this letter, please contact the technical contact listed below or the appropriate NRR project manager.

Sincerely,



James G. Partlow, Associate Director
for Projects
Office of Nuclear Reactor Regulation

Technical Contact: N. Hunemuller, NRR
(301) 492-3173

Enclosure:
List of Recently Issued Generic Letters

Enclosure

LIST OF RECENTLY ISSUED GENERIC LETTERS

Generic Letter No.	Subject	Date of Issuance	Issued To
90-08	SIMULATION FACILITY EXEMPTIONS	08/10/90	ALL HOLDERS OF OPERATING LICENSES OR CONSTRUCTION PERMITS FOR NUCLEAR POWER REACTORS
90-07	OPERATOR LICENSING NATIONAL EXAMINATION SCHEDULE	08/10/90	ALL POWER REACTOR LICENSEES AND APPLICANTS FOR AN OPERATING LICENSE
89-10 SUPP. 2	AVAILABILITY OF PROGRAM DESCRIPTIONS	08/03/90	ALL LICENSEES OF OPERATING NPPs AND HOLDERS OF CPs FOR NPPs
88-20 SUPP. 3	COMPLETION OF CONTAINMENT PERFORMANCE IMPROVEMENT PROGRAM AND FORWARDING OF INSIGHTS FOR USE IN THE INDIVIDUAL PLANT EXAMINATION FOR SEVERE ACCIDENT VULNERABILITIES	07/06/90	ALL LICENSEES HOLDING OLs AND CPs FOR NPP FACILITIES, EXCEPT LICENSEES FOR BWRs WITH MARK I CONTAINMENTS
90-06	RESOLUTION OF GI 70, "POWER-OPERATED RELIEF VALVE AND BLOCK VALVE RELIABILITY," AND GI 94, "ADDITIONAL LOW-TEMPERATURE OVERPRESSURE PROTECTION FOR LIGHT-WATER REACTORS," PURSUANT TO 10CFR50.54(f)	06/28/90	ALL PRESSURIZED WATER REACTOR LICENSEES AND CONSTRUCTION PERMIT HOLDERS
90-05	GUIDANCE FOR PERFORMING TEMPORARY NON-CODE REPAIR OF ASME CODE CLASS 1,2,&3 PIPING	06/15/90	ALL HOLDERS OF OPERATING LICENSES FOR NPPs
89-10 SUPP. 1	RESULTS OF THE PUBLIC WORKSHOP	06/13/90	ALL LICENSEES OF OPERATING NPPs AND HOLDERS OF CPs
90-03 SUPP. 1	RELAXATION OF STAFF POSITION IN GL 83-28, ITEM 2.2 PART 2, "VENDOR INTERFACE FOR SAFETY-RELATED COMPONENTS"	05/14/90	ALL POWER REACTOR LICENSEES AND APPLICANTS