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February 8, 1993

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U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555

Gentlemen:

Subject: **Docket No. 50-206**
Request for Exemption from 10CFR50.54(y)
San Onofre Nuclear Generating Station, Unit 1 (SONGS 1)

Reference: Letter from H. B. Ray (SCE) to USNRC, dated January 15, 1993.

This letter requests an exemption from the 10CFR50.54(y) requirement that a licensed senior operator must approve any emergency action which departs from a License Condition or Technical Specification. This exemption request is consistent with a previously proposed Technical Specification change to replace licensed operators with operators qualified to site specific programs following permanent defueling of the SONGS 1 reactor.

BACKGROUND

In an emergency, licensees are permitted by 10CFR50.54(x) to take reasonable action that departs from a License Condition or Technical Specification when the action is immediately needed to protect the public health and safety, and when no action consistent with the License Conditions and Technical Specifications which can provide adequate or equivalent protection is apparent. In accordance with 10CFR50.54(y), such actions must be approved by a licensed senior operator prior to taking the action.

SONGS 1 has been permanently shut down, and defueling of the reactor is expected to be completed in March, 1993. After defueling, licensed operators will no longer be required by 10CFR50.54(i) through (m). Accordingly we have submitted, in the referenced letter, an amendment application which will eliminate Technical Specification requirements to use 10CFR55 licensed reactor operators and senior operators.

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In lieu of licensed operators, the proposed Technical Specification change requires non-licensed operators qualified to site specific programs. The proposed change establishes the non-licensed Certified Fuel Handler position as the highest level of defueled plant operator, analogous to a licensed senior operator at an operational facility. A description of the qualification program for the Certified Fuel Handler was provided for NRC approval. This qualification program will assure that the Certified Fuel Handler has the knowledge and expertise necessary for the safe storage and handling of irradiated fuel during normal and abnormal conditions.

After the proposed Technical Specification change becomes effective we will submit notification, as required by 10CFR50.74, that all operator licenses may be terminated.

REQUEST FOR EXEMPTION

We hereby request an exemption from the 10CFR50.54(y) requirement that a licensed senior operator must approve emergency actions permitted by 10CFR50.54(x). We consider that special circumstances, as defined in 10CFR50.12, are present in that application of 10CFR50.54(y) to SONGS 1 following termination of all operator licenses would not serve the underlying purpose of 10CFR50.54(x).

The underlying purpose of 10CFR50.54(x) is to permit personnel to take emergency actions in response to abnormal conditions which may not have been considered when the License Conditions and Technical Specifications were formulated, reviewed, and approved. For SONGS 1, these emergency actions would not be permitted by 10CFR50.54(y), since the required senior operator approval could not be obtained after our proposed Technical Specification change becomes effective and all operator licenses are terminated. Although it is extremely unlikely that such emergency actions will ever be needed, particularly with the reactor defueled, the underlying purpose of 10CFR50.54(x) would not be served by the continued application of 10CFR50.54(y).

We will assure that the underlying purpose of 10CFR50.54(y) is served after the exemption is granted. The underlying purpose of the 10CFR50.54(y) is to ensure that an emergency departure from a License Condition or Technical Specification is approved by an individual having detailed knowledge of the plant systems, procedures, and parameters which are important to safety. This knowledge level is necessary to properly evaluate the prudence and adequacy of any proposed emergency action. The Certified Fuel Handler will possess this knowledge for the plant's defueled condition.

Following approval of this exemption, we will establish administrative controls requiring that any emergency action permitted by 10CFR50.54(x) be approved, as a minimum, by a Certified Fuel Handler prior to taking the action. These administrative controls will be implemented when the proposed Technical Specification change is implemented. The same requirement will be included in our proposed Permanently Defueled Technical Specifications.

SCHEDULE FOR APPROVAL AND EFFECTIVE DATE

We requested, in the referenced letter, that our proposed Technical Specification change eliminating requirements for licensed operators be made effective when the Possession Only License becomes effective following our certification that the reactor has been defueled. Therefore, we request that this exemption be approved by our anticipated date for completion of defueling, March 9, 1993, so that it may be implemented when our proposed Technical Specification change is implemented.

If you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,



cc: J. B. Martin, Regional Administrator, NRC Region V
S. W. Brown, NRC Project Manager, San Onofre Unit 1
C. W. Caldwell, NRC Senior Resident Inspector, San Onofre Units 1, 2&3
R. F. Dudley, Jr., Section Chief, Non-Power, Decommissioning, and
Environmental Project, Directorate of Reactor Projects - 3, 4 and 5