

August 22, 2016

Mr. Ronald A. Jones, Vice President  
South Carolina Electric & Gas Company  
New Nuclear Deployment  
P.O. Box 88  
Jenkinsville, SC 29065

SUBJECT: VIRGIL C. SUMMER NUCLEAR STATION UNITS 2 AND 3 – REQUEST FOR AN  
EXEMPTION FROM 10 CFR 55.40 “WRITTEN EXAMINATIONS AND  
OPERATING TESTS”

Dear Mr. Jones:

By letter dated June 28, 2016 (Agencywide Documents Access and Management System (ADAMS) ML16187A194), South Carolina Electric & Gas Company (SCE&G) submitted, in accordance with 10 CFR 55.11, a request for an exemption from 10 CFR 55.40 for Virgil C. Summer Nuclear Station (VCSNS) Units 2 and 3.

In relevant part, 10 CFR 50.40 states:

- (a) The Commission shall use the criteria in NUREG-1021, "Operator Licensing Examination Standards for Power Reactors," in effect six months before the examination date to prepare the written examinations required by §§ 55.41 and 55.43 and the operating tests required by § 55.45. The Commission shall also use the criteria in NUREG-1021 to evaluate the written examinations and operating tests prepared by power reactor facility licensees pursuant to paragraph (b) of this section.
- (b) Power reactor facility licensees may prepare, proctor, and grade the written examinations required by §§ 55.41 and 55.43 and may prepare the operating tests required by § 55.45, subject to the following conditions:
  - (1) Power reactor facility licensees shall prepare the required examinations and tests in accordance with the criteria in NUREG-1021 as described in paragraph (a) of this section;

Citing 10 CFR 50.40, SCE&G notes that NUREG-1021, "Operator Licensing Examination Standards for Power Reactors," states that the region shall not allow the written examination and operating test dates to diverge by more than 30 days without obtaining concurrence from the operator licensing program office.

SCE&G further stated:

SCE&G believes that the NRC can authorize the deviation from the 30-day standard without an exemption from 10 CFR 55.40. However, in an abundance of caution, SCE&G is nevertheless requesting this exemption. If the NRC determines that it may authorize the deviation without an exemption, SCE&G requests that the NRC do so without ruling on this exemption request.

SCE&G requested that the Commission either approve the exemption or authorize a deviation from NUREG-1021 by June 30, 2016.

The purpose of this letter is to notify you that an exemption from 10 CFR 55.40 is not needed. NUREG-1021, ES-201, c.3.j, "Operator Licensing Examination Standards for Power Reactors," states that "The region shall not allow the written examination and operating test dates to diverge by more than 30 days without obtaining concurrence from the NRR/NRO operator licensing program office." Accordingly, NUREG-1021 contemplates that, in appropriate circumstances, the NRC may allow more than 30 days between written examinations and operating tests. In summary, while the requested exemption from 10 CFR 55.40 is not necessary, the NRC is addressing this matter through its consideration of the individual waiver requests submitted to Region II.

If you have any questions, please contact the Senior Project Manager, Paul Kallan, at (301) 415-2809.

Sincerely,

***/RA Anna Bradford for:/***

Francis M. Akstulewicz, Director  
Division of New Reactor Licensing  
Office of New Reactors

Docket No(s): 52-027  
52-028

cc: See next page

SCE&G further stated:

SCE&G believes that the NRC can authorize the deviation from the 30-day standard without an exemption from 10 CFR 55.40. However, in an abundance of caution, SCE&G is nevertheless requesting this exemption. If the NRC determines that it may authorize the deviation without an exemption, SCE&G requests that the NRC do so without ruling on this exemption request.

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cc: See next page

ADAMS Accession No.: ML16216A268

NRO-002

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DATE	8/19/16	8/19/16	8/22/16	

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SUBJECT: VIRGIL C. SUMMER NUCLEAR STATION UNITS 2 AND 3 – REQUEST FOR AN  
EXEMPTION FROM 10 CFR 55.40 “WRITTEN EXAMINATIONS AND  
OPERATING TESTS” DATED AUGUST 22, 2016

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(Revised 03/10/2016)

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