



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

PDR

JUL 03 1979

DOCKET NO. 50-312

Sacramento Municipal Utility District
ATTN: Mr. J. J. Mattimoe
Assistant General Manager and Chief Engineer
6201 "S" Street
P.O. Box 15830
Sacramento, California 95813

Gentlemen:

This office has received a copy of your letters dated May 10, 1978 and October 3, 1978, which transmitted Amendments 2 and 3 to the Modified Amended Security Plan (MASP) for the Rancho Seco Nuclear Plant (Facility License DPR-54). It is noted that the MASP submittals included the Contingency Plan required to be submitted for review and approval by the NRC staff pursuant to 10 CFR 50.34(d) and 73.40(b) of the Commission's regulations. Although we did not assess fees for review and approval of the MASP required by 10 CFR 73.55 that was approved on February 23, 1979, Contingency Plans filed on or after March 23, 1978, are subject to the fee requirements of 10 CFR 170.22. As such, requests for approvals and/or license amendments like the Contingency Plans should be classified in the manner set forth in Section 170.22. Section 170.12(c) requires that your company provide a proposed determination of the amendment (approval) class, state the basis therefor, and submit the fee with your application for the approval or amendment.

Based on a preliminary review of your plan which we understand is still pending final review by the NRR review staff, we have determined that it involves consideration of a single safeguards issue requiring a Class III fee of \$4,000 which you should promptly forward to this office. Fees are payable to the U.S. Nuclear Regulatory Commission by check, draft or money order. If after the final evaluation of your plan is completed it is determined that it was incorrectly classified, you will be refunded any overpayment or billed for any additional amount due.

Your current Contingency Plan, and the Guard Training Plans which are to be submitted by August 23, 1979, for review and approval are not considered applications or filings requested by the Commission for its convenience for the purpose of simplifying or clarifying a license or its appended Technical Specifications. Some of the items now required to be submitted for review and approval are as a result of regulations which were promulgated prior to the March 23, 1978 revision of Part 170 which added the new Section 170.22.

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District

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Even though a regulation became effective prior to March 23, 1978, this does not mean that submittals now received and requiring review and approval are exempt from fees.

If we can be of assistance to you, call 301/492-7225.

Sincerely,



Reba M. Diggs
Facilities Program Coordinator
License Fee Management Branch
Office of Administration

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