



SMUD

SACRAMENTO MUNICIPAL UTILITY DISTRICT □ 6201 S Street, P.O. Box 15830, Sacramento CA 95852-1830, (916) 452-3211
AN ELECTRIC SYSTEM SERVING THE HEART OF CALIFORNIA

AGM/NUC 90-268

October 23, 1990

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

Docket No. 50-312
Rancho Seco Nuclear Generating Station
License No. DPR-54

SCHEDULAR WAIVER OF COMPLIANCE TO CERTAIN REQUIREMENTS OF 10 CFR 50.47(b) AND 10 CFR 50 APPENDIX E

- References:
1. D. Keuter (SMUD) to J. Larkins (NRC) letter No. AGM/NUC 90-120, dated April 26, 1990, Long Term Defueled Condition Emergency Plan.
 2. D. Keuter (SMUD) to J. Larkins (NRC) letter No. AGM/NUC 90-209, dated July 24, 1990.
 3. D. Keuter (SMUD) to S. Weiss (NRC) letter No. AGM/NUC 90-238, Dated September 20, 1990.

Attention: Seymour Weiss

The District hereby formally requests a schedular waiver of compliance with certain requirements of 10 CFR 50.47(b), 10 CFR 50, Appendix E, and NRUEG-0654. These regulations and guidance require particular emergency planning activities to take place on an annual basis.

Background:

The District submitted for NRC approval, change 4 to the Rancho Seco Emergency Plan (Ref. 1). Based on continued discussions with the NRC staff since submitting the Plan, the District believed that approval of the Plan would occur during late summer of 1990, or at the latest, by mid-October 1990. However, during the summer of 1990, the District anticipating potential delays for approval of the Plan and faced with the need to begin preparations for an annual exercise in December 1990, submitted an exemption request from portions of 10 CFR 50 related to the annual exercise and notification requirements. The purpose of the request (Ref. 2) was to exempt the District from various pre-exercise milestones until approval of the Plan itself became effective. Since no exemption has been received, and the approval of the Long Term Defueled Emergency Plan is uncertain at this time, the District needs a waiver of compliance until it can complete the necessary actions to comply with the regulations.

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The Request:

The following requirements are part of this waiver request:

- **Annual exercise of Emergency Plan (10 CFR 50 Appendix E, IV. F. 2, 3a, 3b, and 3f)**

The criteria included in 10 CFR 50 Appendix E call for each licensee to annually exercise its emergency plan. The District did not plan for an exercise for calendar year 1990 due to discussions with NRC staff indicating that approval of the Plan (Ref. 1 and 3) or the exemption request (Ref. 2) were imminent.

Since the planning process requires significant lead time to prepare for an exercise, the District will furnish the NRC a schedule (including the required milestones) one month after receipt of the waiver. This schedule will allow for the coordination and planning of all necessary activities with the counties, state, FEMA, and NRC to support a successful annual exercise.

- **Annual activation of the alert and notification system (10 CFR 50.47(b) and FEMA REP-10 "Guide for the Evaluation of the Alert and Notification systems for Nuclear Power Plants").**

Due to the anticipated receipt of an exemption from this requirement, the District had begun planning for the layup and disabling of its alert and notification system.

The District will include a schedule for the necessary activation of the alert and notification system one month after receipt of the waiver.

- **Annual distribution of information to the public (10 CFR 50.47(b)(7), 10 CFR 50 Appendix E, IV.D.2, and NUREG-0654, sections II.G.1 and II.G.2).**

These requirements concern the annual dissemination of information to members of the public in the event of an actual emergency. This information discusses how the Licensee will notify the public as well as what actions the public should take during an event. Due to the necessary lead time for publication of the information prior to dissemination, the District will include its timetable to meet this requirement in the schedule discussed above, one month after receipt of the waiver.

Discussion:

The District has submitted for NRC approval, change 4 to its Emergency Plan entitled "Long Term Defueled Condition Emergency Plan" (Ref. 1 and 3). Based on discussions with the NRC staff, approval of this document will obviate the need for the exemption (Ref. 2) or this waiver of compliance. The District also understands that NRC Staff has tentatively approved the Plan but may defer final approval of the exemptions and possibly the Emergency Plan itself by referring these documents to the Commissioners for a final decision.

Because the actions related to the exemption request (Ref. 2) require significant lead times (i.e., 120, 90, 60 day milestones), the District urges the NRC to either approve the exemption request or more importantly, the Long Term Defueled Condition Emergency Plan (Ref. 1 and 3). Coordination with outside agencies, as well as planned reductions in SMUD personnel, will be jeopardized by continued delay. In the interim, until approval of the exemption or plan becomes effective, the District reiterates its request for expeditious action on this waiver of compliance.

Under separate cover and upon receipt of the waiver, the District will within one month supply the NRC Staff a schedule for holding the exercise. Coordination with State and local emergency preparedness authorities will be necessary before scheduling the exercise. The District will also inform the NRC Staff of the schedule for testing the alert and notification system and the dissemination of information to the public.

Should additional information or clarification be necessary, members of your staff may contact Jim Reese at (209) 333-2935, extension 4506.

Sincerely,



Dan R. Keuter
Assistant General Manager
Nuclear

cc: J. B. Martin, NRC, Walnut Creek
C. Myers, NRC, Rancho Seco