

PDR

[7590-01]

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the matter of)
PUBLIC SERVICE COMPANY OF COLORADO) Docket No. 50-267
(Fort St. Vrain Nuclear Generating)
Station))

EXEMPTION

I.

The Public Service Company of Colorado (PSC or the licensee), is the holder of Possession-Only License (POL) No. DPR-34, which authorizes possession and maintenance of the Fort St. Vrain Nuclear Generating Station (FSV). The license provides, among other things, that the plant is subject to all rules, regulations, and Orders of the U.S. Nuclear Regulatory Commission now or hereafter in effect.

FSV is a high-temperature, gas-cooled reactor that is located at the licensee's site in Weld County, Colorado. FSV is permanently shutdown, defueled, and currently in the process of being decommissioned. All spent fuel has been transferred to the PSC Independent Spent Fuel Storage Installation (ISFSI) that is located onsite, and is licensed under 10 CFR Part 72.

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II.

By letter dated August 9, 1993, the licensee requested an exemption from the training rule requirements for all nine categories of personnel listed in 10 CFR 50.120. This rule states the following:

"...each nuclear power plant licensee, by [October 25, 1993, publication] shall establish, implement, and maintain a training program derived from a systems approach to training as defined in 10 CFR 55.4."

The intent of 10 CFR 50.120 is to ensure that civilian nuclear power plant operating personnel are trained and qualified to safely operate and maintain the facility commensurate with the status of the facility.

III.

The NRC may grant exemptions from the requirements of the regulations which, pursuant to 10 CFR 50.12(a), are: (1) authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security; and (2) when special circumstances are present.

The purpose of 10 CFR 50.120 is to ensure that civilian nuclear power plant operating personnel are trained and qualified to safely operate and maintain the facility commensurate with the status of the facility. The training requirements necessary to assure adequate protection of the public health and safety at a permanently shutdown and defueled facility that is actively being dismantled are significantly less than the training requirements at an operating facility.

Special circumstances were identified by the licensee in their August 9, 1993, letter for FSV, namely: 1) the reactor has been defueled, and the fuel is stored in the ISFSI; 2) the plant is being dismantled in accordance with

an approved Decommissioning Plan (DP); 3) there are no credible accident scenarios that could result in offsite doses greater than a small fraction of the U. S. Environmental Protection Agency's "Protective Action Guidelines;" and 4) the existing training requirements identified in the NRC approved FSV DP addresses the training requirements necessary to protect the public health and safety given the status of the plant.

This exemption would relieve the licensee of the training requirements for all nine categories of personnel listed in 10 CFR 50.120. The nine categories that would be exempted are: 1) non-licensed operators; 2) shift supervisors; 3) shift technical advisor; 4) instrument and control technician; 5) electrical maintenance personnel; 6) mechanical maintenance personnel; 7) radiological protection technician; 8) chemistry technician; and 9) engineering support personnel. An exemption from the requirements of 10 CFR 50.120 does not relieve the licensee of requirements or commitments to train and qualify facility personnel as defined in their approved DP.

The only category of personnel at FSV that performs duties comparable to those required during plant operations is the radiation protection personnel. The training requirements of personnel in this category are defined in the approved DP.

IV.

The staff finds that the special circumstances at FSV presented in Section III above satisfy the requirements of 10 CFR 50.12(a)(2)(ii).

The NRC staff has determined that, pursuant to 10 CFR 50.12(a)(1), an exemption can be authorized by law, and that this exemption will not present an undue risk to the public health and safety and is consistent with the common defense and security. Accordingly, the NRC hereby grants an exemption, pursuant to 10 CFR 50.12, to the training requirements of 10 CFR 50.120 for FSV. This exemption does not relieve the licensee of any other training requirements or commitments that were made to the NRC.

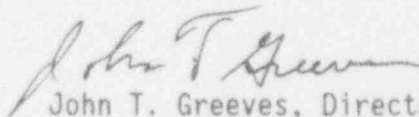
Pursuant to 10 CFR 51.32, the NRC has determined that the granting of this exemption will not have a significant effect on the quality of the human environment (58 FR 61931, dated November 23, 1993).

A copy of the licensee's request for exemption and supporting documentation dated August 9, 1993, and the NRC staff's Safety Evaluation, included in the exemption, are available for public inspection at the NRC's Public Document Room, 2120 L Street, N.W., Washington, DC 20037 and at the Weld Library District - Downtown Branch, 919 7th Street, Greeley, CO 80631.

This exemption is effective upon issuance.

Dated at Rockville, Maryland
this 24th day of November, 1993.

FOR THE NUCLEAR REGULATORY COMMISSION



John T. Greeves, Director
Division of Low-Level Waste Management
and Decommissioning
Office of Nuclear Material Safety
and Safeguards