

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	}	
FLORIDA POWER CORPORATION,	}	Docket No. 50-302
et al.	}	
(Crystal River Unit 3)	}	

EXEMPTION

I.

Florida Power Corporation, et al. (FPC, the licensee) is the holder of Facility Operating License No. DPR-72, which authorizes operation of Crystal River Unit 3 (CR-3, the facility) at steady-state power levels not in excess of 2544 megawatts thermal. The license provides, among other things, that the facility is subject to all rules, regulations, and orders of the Commission now or hereafter in effect. The facility is a pressurized water reactor (PWR) located on the licensee's site in Citrus County, Florida.

The revision to 10 CFR Part 55, "Operators' Licenses," which became effective on May 26, 1987, established requirements for the administration of operating tests on nuclear power plant simulators. These regulations, in conjunction with 10 CFR 50.54(i-1), require facility licensees to use simulation facilities when administering operating tests for initial licensing and requalification. These regulations further require that a certified or NRC-approved simulation facility must be used to administer operating tests after May 26, 1991. By letter dated January 3, 1991, FPC requested an exemption from the schedular requirements for certification of its plant-

referenced simulator. Additionally, FPC requested an exemption from the requirements of 10 CFR 55.45(b)(2)(iv) to allow the simulation facility portion of operating tests to be administered on the CR-3 simulator before it is certified.

II.

The licensee intends to comply with 10 CFR 55.45(b) by certifying a plant-referenced simulator. Section 55.45(b)(2)(iii) of 10 CFR Part 55 requires that facility licensees proposing to use a simulation facility consisting solely of a plant-referenced simulator submit Form NRC-474, "Simulation Facility Certification," no later than 46 months after the effective date of this rule, that is, by March 26, 1991. By letter dated January 3, 1991, FPC requested an exemption from this filing requirement to allow for the submittal of Form NRC-474 after March 26, 1991, but no later than September 27, 1991.

FPC awarded a contract for a plant-referenced simulator in November 1986. The CR-3 simulator was delivered to the FPC Training Center in March 1990. FPC began using the CR-3 simulator for training on May 28, 1990. At that time, simulator time and manpower were allocated to address the following:

- (1) Annual licensed operator requalification training (including FPC-conducted annual requalification operating tests);
- (2) Initial licensed operator training;
- (3) Training material development and validation to support the new requalification examination format;
- (4) Simulator certification package development; and
- (5) Incorporation of plant modifications from the 1990 refueling outage.

Subsequently, the simulator time and resources devoted to operator training activities were increased while those devoted to simulator certification were correspondingly reduced. The following factors contributed to the decision to redirect these resources:

- (1) The Operations Department requested the Training Department to provide as much simulator training as possible;
- (2) FPC monitored other utilities' experience with the revised NRC requalification examinations and concluded that this underscored the need to provide as much simulator time as possible;
- (3) The simulator time and manpower required to develop examination materials to support the requalification process was more than FPC had anticipated.

In accordance with 10 CFR 55.45(b)(5)(vi), any certification report must include, among other things, a description of performance testing completed for the simulation facility. As of January 3, 1991, FPC had determined the scope of performance testing required to support certification and was in the process of developing the required test procedures. Approximately 70% of the procedures had been developed and FPC had commenced the actual performance testing.

The licensee's request for exemptions is based on schedule and manpower constraints and not on actual or anticipated simulator performance problems. FPC has confidence in the ability of the CR-3 simulator to meet all technical certification requirements. This confidence is based on: extensive factory acceptance testing, observed performance since delivery, and positive feedback from operations personnel. Additionally, the CR-3 simulator was used for NRC-administered operating tests for the initial licensing of seven reactor

operator candidates in November 1990 and no problems with the simulator were observed.

Due to the reduced resources available for the conduct of the simulator performance testing and preparation of the certification package, FPC has concluded that the CR-3 simulator may not be ready for certification until after the March 26, 1991 deadline. FPC proposes to comply with 10 CFR 55.45(b) for CR-3 by certifying a plant-referenced simulator by September 27, 1991. During the period from May 26, 1991 until certification of the simulator, one set of requalification operating tests is scheduled. Currently, nine Senior Reactor Operators (SRO) and six Reactor Operators (RO) are scheduled for operating tests during the week of June 24, 1991. FPC proposes to use the CR-3 simulator for these tests even though it may not be certified at that time. No other operating tests are scheduled during the proposed exemption period.

Based on earlier factory acceptance testing, satisfactory performance since delivery, and the acknowledged benefits of using a satisfactory plant-referenced simulator for operator training and testing, the NRC staff has determined that it is acceptable to delay certification until September 27, 1991, and to use the simulator for operator testing prior to that time.

### III.

The Commission has determined, pursuant to 10 CFR 55.11, that these exemptions are authorized by law and will not endanger life or property and are otherwise in the public interest. Furthermore, the Commission has determined, pursuant to 10 CFR 50.12(a), that special circumstances of 10 CFR 50.12(a)(2)(v) are applicable in that the exemptions would provide only temporary relief from

the applicable regulation and the licensee has made good faith efforts to comply with the regulation. This exemption grants a temporary relief period of six months from the March 1991 date for submittal of the CR-3 simulation facility certification. Good faith efforts to comply with the regulation were made as follows:

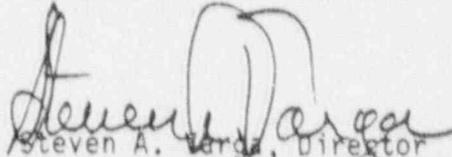
- (1) In November 1986, six months before the effective date of the rule, FPC awarded a contract for the construction of a plant-referenced simulator.
- (2) The ready-for-training date was originally scheduled for August 1989. The CR-3 simulator was actually delivered in March 1990.
- (3) On May 28, 1990, FPC began to use the CR-3 simulator for training.
- (4) FPC intends to use the CR-3 plant-referenced simulator for all future operating tests.

Therefore, the Commission hereby grants an exemption from the schedular requirements of 10 CFR 55.45(b)(2)(iii) for submittal of NRC Form-474, "Simulation Facility Certification." Furthermore, the Commission hereby grants an exemption from the requirement of 10 CFR 55.45(b)(2)(iv), for administration of the simulation facility portion of operating tests only on certified or approved simulation facilities after May 26, 1991, to allow FPC to use the CR-3 simulator for this purpose before it is certified. These exemptions are effective until September 27, 1991.

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of the exemptions will have no significant impact on the environment (56 FR 12565).

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Steven A. Wada, Director  
Division of Reactor Projects I/II  
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland  
this 26 day of March 1991

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of the exemptions will have no significant impact on the environment (56 FR 12565).

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

(Original Signed By)

Steven A. Varga, Director  
Division of Reactor Projects I/II  
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland  
this 26 day of March 1991

OFC	: LA:PDII-2:NRR	: PM:PDII-2:NRR	: D:PDII-NRR	: OGC	: ADR2:NRR	: D:DRP:NRR
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