

MAR 4 1983

Mississippi Power and Light Company
ATTN: Mr. N. L. Stampley
Senior Vice President, Nuclear
P. O. Box 1640
Jackson, MS 39205

Gentlemen:

Your letter dated February 18, 1983, requested NRC concurrence on the interpretation of reporting requirements and the definition of operability. This request has not been treated as a request for a formal interpretation by the Office of the General Counsel. Region II's evaluation of your approach is summarized below:

1. Voluntary entry into an action statement, such as for performing surveillance testing or preventive maintenance, is not reportable under the Licensee Event Report (LER) system. However, this does not apply to those situations in which your activities detect equipment failure. If equipment failure is detected after the plant has been shutdown and the failure cannot be attributed to a specific shutdown activity, the failure should be reported as if the plant had been operating in a degraded mode.
2. Your interpretation of those Technical Specifications that use the phrase "in lieu of any other reporting requirements" is correct. This phrase deletes the requirement to report via the LER system. However, each such specification specifies the time limit after which a "Special Report" must be submitted.
3. Your interpretation of the definition of Operability, Technical Specification 1.26, is consistent with the NRC guidance issued to licensees by Generic Letter dated March 18, 1980. However, this definition must be considered in conjunction with any specific Technical Specification requirements, such as section 3/4.8, Electrical Power Systems, which defines the time limits of the action statement associated with the Limiting Condition for Operation (LCO) for the normal or emergency power source.

The statements above, which were concurred with by telephone by Mr. Robert R. Bottimore, NRR, are considered clarifications of NRC reporting requirements or definitions and do not require MP&L action to revise technical specifications. We hope this is responsive to your request.

Sincerely,

James P. O'Reilly
Regional Administrator

cc: (See page 2)

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MAR 4 1983

cc: J. B. Richard, Managing Director
Middle South Energy, Inc.
C. K. McCoy, Plant Manager

bcc: Document Management Branch
State of Mississippi
NRC Resident Inspector

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BJones:es
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KB
RCButcher
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RII

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FSCantrell
3/3/83

RII

[Signature]
DMVerrelli
3/3/83

RII

[Signature]
JADishinski
3/4/83

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RCLewis
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RDMartin
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