



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

EXEMPTION FROM FINAL SAFETY EVALUATION REPORT UPDATE

REQUIREMENTS OF 10 CFR 50.71(e)(4)

TEXAS UTILITIES ELECTRIC COMPANY

COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2

DOCKET NOS. 50-445 AND 50-446

1.0 INTRODUCTION

By letter dated September 19, 1994, Texas Utilities Electric Company (the licensee) submitted a request for an exemption from the requirements of 10 CFR 50.71(e)(4), "Maintenance of records, making reports." 10 CFR 50.71(e)(4) requires, in part, that "Subsequent revisions [to the Final Safety Analysis Report (FSAR)] must be filed annually or 6 months after each refueling outage provided the interval between successive updates to the FSAR does not exceed 24 months." The two CPSES units share a common FSAR; therefore, this rule requires the licensee to update the same document within 6 months after a refueling outage for either unit.

2.0 EVALUATION

10 CFR 50.71(e)(4) ensures that all licensees update their FSARs at least every refueling outage and no less frequently than every two years. When two units share a common FSAR the rule has the effect of making the licensee update the FSAR roughly every 12 to 18 months; this is contrary to the intent of the rule.

A recent revision to 10 CFR 50.71(e) was intended to provide some reduction in regulatory burden by limiting the frequency of required updates. Unfortunately, the burden reductions provided in the revised regulation can only be realized by single unit facilities, or multiple unit facilities that maintain separate updated FSARs for each unit. For multiple unit facilities with a common updated FSAR, the "each refueling outage" requirement increases rather than decreases the regulatory burden. The authors of the revised rule recognized this concern for multiple unit plants when in response to a petitioner's comment it was stated:

"With respect to petitioner's concern about multiple facilities sharing a common FSAR, licensees will have maximum flexibility for scheduling updates on a case-by-case basis. This final rule does not address multiple facilities." 57 FR 39353 (August 31, 1992)

The requested exemption would require periodic updates annually or once per fuel cycle (based on the unit with the shortest interval between scheduled

refueling outages), but not to exceed 24 months from the last submittal. The requirement that the update be submitted within six months of each outage is not retained. Allowing the exemption would maintain the CPSES FSAR current within 24 months of the last revision and would not exceed the 24-month interval for submission of the 10 CFR 50.59 design change report for either unit.

### 3.0 CONCLUSION

The staff finds that the proposed alternative provides an equivalent level of protection as the existing regulations; therefore, the proposed exemption from 10 CFR 50.71(e)(4) for CPSES, Units 1 and 2 is acceptable.

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Dated: September 25, 1995