

# GENERAL ELECTRIC

NUCLEAR POWER SYSTEMS DIVISION  
GENERAL ELECTRIC COMPANY • 175 CURTNER AVENUE • SAN JOSE, CALIFORNIA 95125

August 10, 1984

50-447

Mr. William J. Dircks  
Executive Director for Operations  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

MFN#115-84

SUBJECT: REQUEST FOR EXEMPTION TO REVISED LICENSE FEE SCHEDULE

General Electric Company hereby requests an exemption to 10CFR170 License Fee Schedule as revised effective June 18, 1984 with regard to the GESSAR II review. The thrust of this request is based on the fact that had the GESSAR II review been completed on the schedule planned by the NRC, the GESSAR II review would have been completed before the new fee schedule was adopted.

The agreements made in March 1982 with the NRC staff for the review of GESSAR II were documented by the NRC in D. G. Eisenhut's letter to G. G. Sherwood dated March 19, 1982, a copy of which is attached. For this review the staff developed two separate schedules, one for the 238 Nuclear Island and a second for the severe accident design. The delay of this review created the fee issue.

The 238 Nuclear Island review was scheduled for completion in May 1983, and indeed the review was conducted as planned and the FDA was issued in July 1983.

The severe accident design review was scheduled for completion in May 1984. However, this review is still underway.

This review was to be based on the "Proposed Commission Policy Statement on Severe Accidents..." SECY-82-1, dated January 4, 1982. At that time the Commission License Fee regulation 10CFR170 of March 23, 1978 was in effect.

Given this agreement GE complied with the Staff's requests for documentation prescribed in the Proposed Commissioners Policy Statement. This included an extensive probabilistic risk assessment, cost benefit studies, etc. In fact the review was conducted almost on schedule until early 1983.

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In April 1983 the Commission again published for comment a "Proposed Commission Policy Statement on Severe Accidents..." (48FR 16014). This revision to the Commissions Policy Statement required additional information for the severe accident review. Of course some schedule time was lost with the review of this additional information.

Subsequent to the April 1983 proposed Policy Statement, the NRC staff issued in January 1984, a working draft of the "Final Commission Policy Statement on Severe Reactor Accidents". This working draft was even more extensive in describing specific evaluations required for a severe accident review. These included the use of new safety information, treatment of uncertainties, etc. Again GE complied with these requirements and again a delay in the severe accident review occurred.

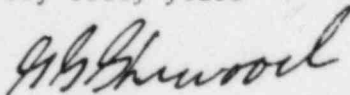
As mentioned above the severe accident review of GESSAR II is still underway and as we are fully aware 10CFR170 License Fee Schedule was revised significantly, effective June 20, 1984.

General Electric believes that an exemption to the new license fee schedule is appropriate since the review of the GESSAR II design was committed under regulations and policies in existence in early 1982. Further, the initial plan and agreement by both the NRC and GE was to complete the severe accident review in May 1984 which is before the June 20, 1984 effective date of the new fee schedule.

As an additional point, it is clear that the NRC staff during this review has gained significant knowledge in evaluating severe accidents. GESSAR II is the first design reviewed for severe accidents. This is clearly in the public interest and supports GE's request for this exemption.

I would like to discuss this further with you at your convenience.

Very truly yours



Glenn G. Sherwood, Manager  
Nuclear Safety and Licensing Operation

cc: H.R. Denton, NRR  
D.G. Eisenhut, DL  
W.O. Miller, LFMB



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

MAR 19 1982

Docket No. STN 50-447

General Electric Company  
ATTN: Glenn G. Sherwood, Manager  
Safety and Licensing  
Operation  
Nuclear Reactor Systems Division  
175 Curtner Avenue, Mail Code 682  
San Jose, California 95125

Dear Mr. Sherwood:

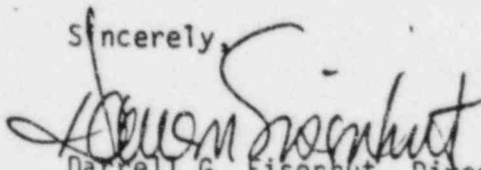
Subject: Review Schedule for GESSAR II

For the review of GESSAR II, the staff has developed two separate schedules - one for the 238 Nuclear Island and a second for the severe accident design. Copies of these two schedules, including key milestones, are enclosed.

The review schedule for the 238 Nuclear Island calls for publication of the staff SER in March, 1983, and issuance of an FDA in May, 1983. To meet this schedule, we shall follow a revised procedure whereby, after docketing, only a single set of questions will be transmitted to GE for responses. Subsequently, a series of meetings between the NRC staff and your representatives will be held to resolve open items and to finalize the SER.

The review schedule for the severe accident design provides approximately a two year review with issuance of an SER in March, 1984 and issuance of an FDA in May, 1984. This schedule was developed assuming receipt by the staff of the supporting probabilistic risk assessment (PRA) in March and submission of the design details of the 238 Nuclear Island modifications in a reasonably, timely manner.

Sincerely,

  
Darrell G. Eisenhut, Director  
Division of Licensing

Enclosures:  
Review Schedules

cc w/enclosures  
See next page

~~82/4/9/12~~

GESSAR II REVIEW SCHEDULE

DOCKET SSAR	LATE 2/82
Q-1 TO PM	7/16/82
Q-1 TO APPLICANT	8/13/82
APPLICANT RESPONSE TO Q-1	11/26/82
SER INPUT TO PM	2/1/83
ISSUE SER	3/2/83
ACRS MEETING	4/83
ISSUE SSER AND FDA (NUCLEAR ISLAND)	5/83

SEVERE ACCIDENT DESIGN REVIEW SCHEDULE\*

DOCKET PRA	3/19/82
BWR TECHNOLOGY UPDATE MEETINGS	5-7/82
Q-1 TO PM	9/1/82
Q-1 TO APPLICANT	10/1/82
APPLICANT RESPONSE TO Q-1	2/1/83
Q-2 TO PM	6/1/83
Q-2 TO APPLICANT	7/1/83
APPLICANT RESPONSE TO Q-2	11/1/83
SER INPUT TO PM	2/1/84
ISSUE SER	3/1/84
ACRS MEETING	4/84
ISSUE SSER AND FDA (SEVERE ACCIDENT DESIGN)	5/84

\* ASSUMES TIMELY RECEIPT OF COMMISSION POLICY GUIDANCE AND  
DIRECTION ON SEVERE ACCIDENT ISSUE