



MISSISSIPPI POWER & LIGHT COMPANY

Helping Build Mississippi

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March 25, 1985 A//: 21

NUCLEAR LICENSING & SAFETY DEPARTMENT

U. S. Nuclear Regulatory Commission
Region II
101 Marietta St., N. W., Suite 2900
Atlanta, Georgia 30323

Attention: Dr. J. Nelson Grace, Regional Administrator

Dear Dr. Grace:

SUBJECT: Grand Gulf Nuclear Station
Unit 1
Docket No. 50-416
License No. NPF-29
File: 15521/15524
Report No. 50-416/85-02, dated
February 19, 1985 (MAEC-85/0054)
AECM-85/0081

This is in response to your letter dated February 19, 1985, which contains a Notice of Violation for violations 50-416/85-02-01 and 50-416/85-02-03. The response to violation 50-416/85-02-01 was transmitted to you on March 21, 1985. Our response to violation 50-416/85-02-03 is attached. As discussed in our letter of March 21, 1985, the due date for this response was extended to March 25, 1985, by Mr. Virgil Brownlee of your office.

MP&L is requesting that your office reconsider and withdraw violation 50-416/85-02-03 for the reasons discussed in the attached response. Additionally, we ask the opportunity to meet with you in order to discuss our position on this issue. Should you have any questions, please contact my office.

Yours truly,

L. F. Dale
Director

RLS/SHH:rw
Attachment

cc: Mr. J. B. Richard (w/a)
Mr. O. D. Kingsley, Jr. (w/a)
Mr. R. B. McGehee (w/a)
Mr. N. S. Reynolds (w/a)
Mr. G. B. Taylor (w/o)

Mr. James M. Taylor, Director (w/o)
Office of Inspection & Enforcement
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

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Response to Violation 50-416/85-02-03

Notice of Violation

10 CFR 50.71(e)(3)(i) requires each licensee periodically update the Final Safety Analysis Report (FSAR) within 24 months of either July 22, 1980, or the date of issuance of the operating license, whichever is later. The licensee's Unit 1 operating license was issued on June 16, 1982.

Contrary to the above, as of January 15, 1985, the licensee had not updated the FSAR per 10 CFR 50.71.

I. ADMISSION OR DENIAL OF THE ALLEGED VIOLATION

Mississippi Power & Light Company (MP&L) admits to the specifics of the alleged violation, in that MP&L did not meet the strict interpretation of 10 CFR 50.71(e)(3)(i). Although MP&L admits to the specifics of the alleged violation, it believes that the uniqueness of the extenuating circumstances as discussed in paragraph II below should form a basis for reconsideration and withdrawal of this violation by NRC Region II.

II. REASONS FOR THE VIOLATION

On February 6, 1984, via letter number AECM-84/0026, MP&L requested an exemption to certain requirements contained in 10 CFR 50.71. During various discussions with the NRC Licensing Project Manager, MP&L was led to believe that relief, in some form, probably would be granted. The latest such conversation was held on May 30, 1984. However, the NRC, via letter dated June 26, 1984, denied the requested schedule and requested MP&L provide a modified exemption request. MP&L was first advised of this decision on June 20, 1984, by the NRC Licensing Project Manager (telephone conversation). This date was four days after the 24 month deadline established by 10 CFR 50.71 and the decision was contrary to the information that MP&L had received until that time.

In preparing the revised request, MP&L held several telephone conversations with the NRC Licensing Project Manager from June through December 1984. The revised exemption request was submitted via MP&L letter number AECM-84/0352 dated December 31, 1984. The NRC granted an exemption until December 1, 1985, via letter dated February 26, 1985.

While MP&L's original exemption request was denied, it was MP&L's understanding that an extension would be granted following the submittal of a clarified exemption request. (Reference conversation with the NRC Licensing Project Manager on June 20, 1984.) Furthermore, the NRC letter denying the original request clearly implied that a delay of up to 12 months was acceptable to the NRC. Consequently, MP&L believed at the time that in view of the record of correspondence and discussions, and good faith efforts to obtain relief, MP&L was not in noncompliance with 10 CFR 50.71.

III. CORRECTIVE STEPS WHICH HAVE BEEN TAKEN AND THE RESULTS ACHIEVED

As noted in II above, by letter dated February 26, 1985, the NRC has granted the relief sought by MP&L. MP&L will submit the Updated FSAR by December 1, 1985.

IV. CORRECTIVE STEPS WHICH WILL BE TAKEN TO AVOID FURTHER VIOLATIONS

MP&L considers the circumstances surrounding and leading to this violation to be unique. While there are no specific additional corrective steps considered necessary as a result of this violation, MP&L has instituted a policy to conduct periodic licensing status meetings with the NRC to enhance communications between our staffs.

V. DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

With the granting of the requested extension in the NRC letter dated February 26, 1985, MP&L is currently in compliance with 10 CFR 50.71(e).