

March 22, 1988

Docket Nos. 50-338
and 50-339

Mr. W. L. Stewart
Vice President - Nuclear Operations
Virginia Electric and Power Company
Post Office Box 26666
Richmond, Virginia 23261

Dear Mr. Stewart:

The Commission has forwarded the enclosed "Notice of Consideration of Issuance of Amendments to Facility Operating Licenses and Proposed No Significant Hazards Consideration Determination and Opportunity for a Hearing" to the Office of the Federal Register for publication.

This notice relates to your application dated March 17, 1988 to modify Section 6 of the Technical Specifications for North Anna, Units 1 and 2.

Sincerely,

Original signed by

Leon B. Engle, Project Manager
Project Directorate II-2
Division of Reactor Projects-I/II
Office of Nuclear Reactor Regulation

Enclosures: As stated

cc w/enclosures:
See next page

DISTRIBUTION

<u>Docket File</u>	D. Miller
NRC & Local PDRs	L. Engle
PD22 Rdg.	OGC-WF
S. Varga	D. Hagan
G. Lainas	ACRS (10)
GPA/PA	Gray File

LA/PDI-2
DAM/er
03/22/88

PM: PDI-2
LEngle:bd
03/22/88

D: PDI-2
HBerkin
03/22/88

8803290014 880322
PDR ADDCK 05000338
PDR

Mr. W. L. Stewart
Virginia Electric & Power Company

North Anna Power Station
Units 1 and 2

cc:

Mr. William C. Porter, Jr.
County Administrator
Louisa County
P.O. Box 160
Louisa, Virginia 23093

Atomic Safety and Licensing Appeal
Board Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Michael W. Maupin, Esq.
Hunton and Williams
P. O. Box 1535
Richmond, Virginia 23212

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

Mr. W. T. Lough
Virginia Corporation Commission
Division of Energy Regulation
P. O. Box 1197
Richmond, Virginia 23209

Mr. E. W. Harrell
P. O. Box 402
Mineral, Virginia 23117

Ellyn R. Weiss, Esq.
Harmon, Weiss and Jordan
2001 S Street NW
Washington, DC 20009

Old Dominion Electric Cooperative
c/o Executive Vice President
Innsbrook Corporate Center
4222 Cox Road, Suite 102
Glen Allen, Virginia 23060

Mr. J. T. Rhodes
Senior Vice President - Power Ops.
Virginia Electric and Power Co.
Post Office Box 26666
Richmond, Virginia 23261

James B. Kenley, M.D., Commissioner
Department of Health
109 Governor Street
Richmond, Virginia 23219

Mr. Patrick A. O'Hare
Office of the Attorney General
Supreme Court Building
101 North 8th Street
Richmond, Virginia 23219

Resident Inspector/North Anna
c/o U.S. NRC
Senior Resident Inspector
Route 2, Box 78
Mineral, Virginia 23117

UNITED STATES NUCLEAR REGULATORY COMMISSION
VIRGINIA ELECTRIC AND POWER COMPANY
DOCKET NOS. 50-338 AND 50-339
NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENTS TO
FACILITY OPERATING LICENSES AND PROPOSED NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND OPPORTUNITY FOR HEARING

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF-4 and NPF-7, issued to Virginia Electric and Power Company (the licensee), for operation of the North Anna Power Station, Units No. 1 and No. 2 (NA-1&2) located in Louisa County, Virginia.

The amendments would revise the NA-1&2 Technical Specifications (TS), Section 6 as follows: (1) delete the organization charts and replace them with a more general description of organizational requirements, (2) replace certain corporate-level position titles with more general position descriptions, and (3) revise certain administrative requirements in order to bring them into closer conformance with the corresponding requirements currently specified in the NRC-approved TS for Westinghouse plants (NUREG-0452, Revision 4, 1981).

On March 8, 1988, the licensee announced Company-wide organizational changes which will become effective in April 1988. Specifically, nuclear operations will be strengthened by bringing the Engineering and Power Operations Departments within a single organization headed by a Senior Vice President. Nuclear Site Services and Nuclear Training will be included in

8803290024 880322
PDR ADDCK 05000338
P PDR

the Nuclear Operations Department. A single group responsible for nuclear transient and fuel analysis will be created within the Engineering Department. Also within the Engineering Department, Inservice Inspection and Non-Destructive Examination services will be combined under a single manager. In addition, the number of system engineers assigned to NA-1&2 will be increased.

The licensee has concluded that organization charts and/or titles by themselves play little or no role in assessing the safety significance of changes for NA-1&2. Conversely, specific operational requirements that bear more directly on safety matters of concern than the organization charts and titles are explicitly provided elsewhere in the NA-1&2 TS. For example, the organizational element responsible for control room command function is identified separately in the TS, as are the requirements for minimum staffing under various operating modes. The organizational management functions for independent reviews and audits, onsite safety review committee, and independent safety engineering group, while revised by this change request to conform more closely with the current acceptable TS for Westinghouse plants, are also specified in other parts of the NA-1&2 TS. Therefore, the organization charts and certain position titles themselves are not needed to support any future finding that the licensee's organization will operate NA-1&2 in a safe manner.

In addition to being required by the NA-1&2 TS, the important organizational features illustrated by organization charts and certain position titles are also required or controlled by other mechanisms subject to NRC control. Specifically, the chapter entitled "Conduct of Operations" of the NA-1&2 Updated Final Safety Analysis Reports (UFSAR) contains a detailed organizational structure and a description of the conduct of operations. The information in this chapter is required by 10 CFR 50.71(e) to be maintained and updated

annually. In addition, the licensee's Topical Report, "Quality Assurance Program Operations Phase," is required by 10 CFR 50, Appendix B, to include similar information relating to the organizational structure, and is required by 10 CFR 50.54 to be maintained in a current status.

Before issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the request for amendments involves no significant hazards considerations. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facilities in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

The licensee has stated that the proposed changes to the NA-1&2 TS involve no significant hazards considerations because operation of NA-1&2 in accordance with these changes would not:

- (1) Involve a significant increase in the probability or consequences of an accident previously evaluated. The changes merely reflect administrative considerations and do not change the plant design or operations. As in the past, the Commission will continue to be informed of organizational changes through other required controls. The Code of Federal Regulations, Title 10, Part 50.34(b)(6)(i) requires that the licensee's organizational structure be included in the UFSAR. Accordingly, the "Conduct of Operations" chapter of the UFSAR provides a description of the organization and detailed

organization charts. As required by 10 CFR 50.71(e), the Company submits annual updates to the UFSAR. Finally, Appendix B to 10 CFR Part 50 and 10 CFR 50.54(a)(3) govern changes to organization described in the Quality Assurance Topical Report.

- (2) Create the possibility of a new or different kind of accident from any accident previously evaluated, because as noted above, neither the plant design nor operation is affected by these changes.
- (3) Involve a significant reduction in a margin of safety. These changes do not alter the functions, responsibilities, or minimum shift crew composition of the staff as defined by the Administrative Controls of the NA-1&2 TS. Through strong quality assurance programs and commitment to maintain only qualified personnel in positions of responsibility, it is assured that safety functions performed by the on-site and the corporate organizations will continue to be performed at a high level of competence.

The NRC staff agrees that the proposed changes to the Technical Specifications meet the criteria specified in 10 CFR 50.92(c) and, hence, proposes to determine that they involve no significant hazards considerations.

The Commission is seeking public comments on this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Written comments may be submitted by mail to the Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments

may also be delivered to Room 4000, Maryland National Bank Building, 7735 Old Georgetown Road, Bethesda, Maryland, from 8:15 a.m. to 5:00 p.m. Copies of written comments received may be examined at the NRC Public Document Room, 1717 H Street, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene are discussed below.

By April 27, 1988, the licensee may file a request for a hearing with respect to issuance of the amendments to the subject facility operating licenses and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a request for hearing and a written petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition, and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR §2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may

be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first pre-hearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene, which must include a list of the contentions that are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendments under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards considerations. The final determination will serve to decide when the hearing is held.

If the final determination is that the request for amendments involves no significant hazards considerations, the Commission may issue the amendments and make them effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendments.

If the final determination is that the amendments involve significant hazards considerations, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendments until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of one or both of the facilities, the Commission may issue the license amendments before the expiration of the 30-day notice period, provided that its final determination is that the amendments involve no significant hazards considerations. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Herbert N. Berkow: (petitioner's name and telephone number); (date petition was mailed); (plant name); and (publication date and page number of this FEDEPAL REGISTER notice. A copy of the petition should also be sent

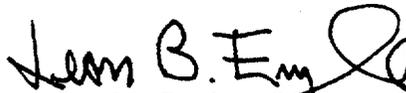
to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Michael W. Maupin, Esq., Hutton and Williams, P. O. Box 1535, Richmond, Virginia 23212, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board, designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated March 17, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. 20555, and at the Board of Supervisors Office, Louisa County Courthouse, Louisa, Virginia 23093 and the Alderman Library, Manuscripts Department, University of Virginia, Charlottesville, Virginia 22901.

Dated at Rockville, Maryland, this 22nd day of March, 1988.

FOR THE NUCLEAR REGULATORY COMMISSION



Leon B. Engle, Project Manager
Project Directorate II-2
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation