

October 24, 1990

Docket Nos. 50-338
and 50-339

Mr. W. L. Stewart
Senior Vice President - Nuclear
Virginia Electric and Power Company
5000 Dominion Blvd.
Glen Allen, Virginia 23060

Dear Mr. Stewart:

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SUBJECT: NORTH ANNA UNITS 1 AND 2 - TECHNICAL SPECIFICATION (TS) CHANGE REQUEST
REGARDING SUPERINTENDENT OPERATIONS

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.

The notice relates to your August 22, 1990 application to amend the Technical Specifications to allow the Supervisor Shift Operations to be the individual specified for holding the management-level Senior Reactor Operator's license in lieu of the Superintendent Operations.

Sincerely,

SIGNED BY:

BART C. BUCKLEY/for

Leon B. Engle, Project Manager

Project Directorate II-2

Division of Reactor Projects - I/II

Office of Nuclear Reactor Regulation

Enclosure:

As stated

cc w/enclosure:

See next page

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

North Anna Power Station
Units 1 and 2

cc:

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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 U.S. 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 1 and 2 (NA-1&2) located in Louisa County, Virginia.

The proposed change to the NA-1&2 TS 6.3 specifies an exception to ANS-3.1 (12/79 Draft) and would allow the Supervisor Shift Operations to be the individual specified for holding the management-level Senior Reactor Operator's (SRO) license in lieu of the Superintendent Operations. Also, a proposed change to the NA-1&2 TS 6.2.3 and 6.4.1 would change the title of the Nuclear Safety Engineering (NSE) group to Station Nuclear Safety (SNS) to reflect a change in the title of the safety review group at NA-1&2.

ANS-3.1 (12/79 Draft), which is cited in the NA-1&2 TS 6.3 for establishing the qualification requirements of the plant's staff, requires that the individual fulfilling the function of the "Operations Manager" hold a current SRO license. The Superintendent Operations is the equivalent position in the licensee's organization and therefore that position has been filled by persons holding SRO licenses.

The SRO requirement makes it difficult for the Superintendent Operations to perform certain management functions. Specifically, the ability to monitor the quality of operating shift qualification and requalification programs is substantially impaired. The superintendent is not free to fully examine the training programs in progress because he is also a trainee and is thus restricted from obtaining certain information. In addition, a substantial part of the Superintendent Operations' time is consumed in maintaining the SRO license in an active status and requires 60 days of requalification time each year. Therefore, to relieve the Superintendent Operations of this burden and yet satisfy the requirement for an "Operations Manager," a position would be instituted directly subordinate to the Superintendent Operations that has cognizance over all of the NA-1&2 plant operating shifts. The incumbent in this position would be required to maintain a current and active SRO license and would fulfill the functional and qualification requirements of the "Operations Manager" as required by ANS-3.1 (12/79 Draft).

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 amendment involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility 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 evaluated the proposed change request against the standards provided above and has determined that:

- (1) The changes to the NA-1&2 TS 6.3 will not result in a significant increase in the probability or consequences of an accident previously evaluated. These changes are made only to the staff organization position of the individual designated to perform the "Operations Manager" functions as described in ANS-3.1 (12/79 Draft) without changing the required levels of training and qualification for that individual. The levels of responsibility and authority of the "Operations Manager" will remain as the individual immediately superior to the operating shift supervisors. The changes will not have any effect on the operation of the plant or any plant components or equipment.

The changes to TS 6.2.3 and 6.4.1 will not result in a significant increase in the probability or consequences of an accident previously evaluated. These changes are administrative in nature, reflecting only a change in nomenclature. The changes will not have any effect on the operation of the plant or any plant components or equipment.

- (2) The changes to the NA-1&2 TS 6.3 will not create the possibility of a new or different kind of accident. These changes are made only to the staff organization position of the individual designated to perform the "Operations Manager" functions as described in ANS-3.1 (12/79 Draft) without changing the required levels of training and qualification for that individual. The levels of responsibility and authority of the "Operations Manager" will remain as the individual immediately superior to the operating shift supervisors. The changes will not have any effect on the operation of the plant or any plant components or equipment.

The changes to TS 6.2.3 and 6.4.1 will not create the possibility of a new or different kind of accident. These changes are administrative in nature reflecting only a change in nomenclature. The changes will not have any effect on the operation of the plant or any plant components or equipment.

- (3) The changes to the NA-1&2 TS 6.3 will not result in a significant reduction in the margin of safety. These changes are made only to the staff organization position of the individual designated to perform the "Operations Manager" functions as described in ANS-3.1 (12/79 Draft) without changing the required levels of training and qualification for that individual. The levels of responsibility and authority of the "Operations Manager" will remain as the individual immediately superior to the operating shift supervisors. The changes will not have any effect on the operation of the plant or any plant components or equipment.

The changes to TS 6.2.3 and 6.4.1 will not result in a significant reduction in the margins of safety. These changes are administrative in nature reflecting only a change in nomenclature. The changes will not have any effect on the operation of the plant or any plant components or equipment.

The NRC staff has made a preliminary review of the licensee's analyses of the proposed changes and agrees with the licensee's conclusion that the three standards in 10 CFR 50.92(c) are met. Therefore, the staff proposes to determine that the proposed amendments to do not involve a significant hazards consideration.

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 Regulatory Publications Branch, Division of Freedom of Information and Publications Services, 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 P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland, from 7:30 a.m. to 4:15 p.m. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. The filing of requests for hearing and petitions for leave to intervene is discussed below.

By November 28, 1990 , 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 written petition for leave to intervene. Request 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. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the Alderman Library, Special Collections Department, University of Virginia,

Charlottesville, Virginia 22903-2498. 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 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 prehearing 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 which are sought to be litigated in the matter. Each contention must consist of a specific statement of

the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. 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 consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the request for amendment involves no significant hazards consideration, 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 a final determination is that the amendments involve a significant hazards consideration, 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 the facility, 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 consideration. 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 a 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 Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L 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 1-(800) 325-6000 (in Missouri 1-(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 FEDERAL REGISTER notice). A copy of the petition

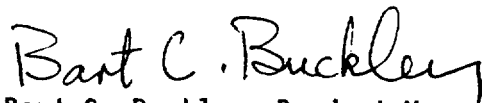
should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Michael W. Maupin, Esq., Hunton and Williams, P.O. Box 1535, Richmond, Virginia 23212, attorney for the licensee.

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 that the petition and/or request should be granted 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 amendments dated August 22, 1990, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555 and at the Local Public Document Room located at the Alderman Library, Special Collections Department, University of Virginia, Charlottesville, Virginia 22903-2498.

Dated at Rockville, Maryland, this 24th day of October 1990.

FOR THE NUCLEAR REGULATORY COMMISSION


Bart C. Buckley, Project Manager
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation