

January 8, 2002

Mr. J. A. Price  
Vice President - Nuclear Technical Services - Millstone  
Dominion Nuclear Connecticut, Inc.  
c/o Mr. David A. Smith  
Rope Ferry Road  
Waterford, CT 06385

SUBJECT: DENIAL OF PROPOSED REVISIONS TO THE NORTHERN NUCLEAR  
ENERGY COMPANY QUALITY ASSURANCE PROGRAM FOR MILLSTONE  
NUCLEAR POWER STATION, UNITS 2 & 3 (TAC NOS. MB1105 AND MB1106)

Dear Mr. Price:

On January 26, 2001, Northern Nuclear Energy Company (NNECO) submitted proposed changes to Revision 22 of the Northeast Utilities Quality Assurance Program (NUQAP) Topical Report for Nuclear Regulatory Commission (NRC) review and approval in accordance with 10 CFR 50.54(a)(4). The proposed revisions to Section 18 and Appendix E of the NUQAP would allow NNECO to take credit for "other documented oversight processes" in supplementing regularly scheduled audits.

On March 19, 2001, the NRC issued a request for additional information (RAI) to NNECO involving the proposed change to the NUQAP. By letter dated May 17, 2001, Dominion Nuclear Connecticut (DNC), formally NNECO, provided a response to each of the RAI questions. After reviewing the DNC response, the NRC staff concluded that the proposed changes to the NUQAP do not meet current regulatory requirements described in 10 CFR Part 50, Appendix B, Criterion XVIII and 10 CFR 50.34(b)(6)(ii). The enclosed safety evaluation provides the basis for our conclusion that the changes to the NUQAP are unacceptable.

Sincerely,

**/RA/**

John T. Harrison, Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-336 and 50-423

Enclosure: Safety Evaluation

cc w/encls: See next page

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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
PROPOSED CHANGE TO REVISION 22 OF THE NORTHEAST NUCLEAR ENERGY  
COMPANY QUALITY ASSURANCE PROGRAM TOPICAL REPORT  
MILLSTONE NUCLEAR POWER STATION, UNITS 2 AND 3  
DOCKET NOS. 50-336 AND 50-423

## 1.0 INTRODUCTION

On January 26, 2001, Northern Nuclear Energy Company (NNECO) submitted proposed changes to Revision 22 of the Northeast Utilities Quality Assurance Program (NUQAP) Topical Report for Nuclear Regulatory Commission (NRC) review and approval in accordance with 10 CFR 50.54(a)(4). On March 19, 2001, the NRC issued a request for additional information to NNECO involving the proposed change to the NUQAP. By letter dated May 17, 2001, Dominion Nuclear Connecticut (DNC), formally NNECO, provided a response to each of the RAI questions.

The proposed revisions to Section 18 and Appendix E of the NUQAP would allow NNECO to take credit for "other documented oversight processes" in supplementing regularly scheduled audits.

## 2.0 BACKGROUND

Appendix B to 10 CFR Part 50 contains the NRC's regulations for the quality assurance program to include a comprehensive system of planned and periodic audits to verify compliance with all aspects of the quality assurance program and to determine the effectiveness of the program. The NRC has provided further guidance in Regulatory Guide (RG) 1.144, Revision 1, 1980, "Auditing Quality Assurance Program for Nuclear Power Plants," which conditionally endorses American National Standards Institute/American Society of Mechanical Engineers (ANSI/ASME) N45.2.12-1977, "Requirements for Auditing of QA Programs for Nuclear Power Plants." These standards supplement the Appendix B Criterion XVIII requirements in providing further guidance for audit activities. This guidance, if properly implemented, provides a measure of assurance that the quality assurance program will include a comprehensive system of planned and periodic audits to verify compliance with all aspects of the quality assurance program and to determine the effectiveness of the program.

## 3.0 EVALUATION

Millstone Nuclear Power Station is currently committed to NRC RG 1.144, Revision 1, 1980, "Auditing Quality Assurance Program for Nuclear Power Plants," which conditionally endorses ANSI/ASME N45.2.12-1977, "Requirements for Auditing of QA Programs for Nuclear Power

Plants.” These commitments are described in the Section 18.0 “Audits” of the NUQAP Topical Report. These commitments are used to meet 10 CFR Part 50, Appendix B, Criterion XVIII, “Audits.”

10 CFR Part 50, Appendix B, Criterion XVIII, Audits, states:

*A comprehensive system of planned and periodic audits shall be carried out to verify compliance with all aspects of the quality assurance program and to determine the effectiveness of the program. The audits shall be performed in accordance with the written procedures or check lists by appropriately trained personnel not having direct responsibilities in the areas being audited. Audit results shall be documented and reviewed by management having responsibility in the area audited. Followup action, including reaudit of deficient areas, shall be taken where indicated.*

Currently, Section 18.2 of the NUQAP states:

... Regularly scheduled audits are supplemented by audits for one or more of the following conditions:

- a. When significant changes are made in functional areas of the quality assurance program, such as significant reorganization or procedure revisions;
- b. When it is suspected that the quality of the item is in jeopardy due to deficiencies in the quality assurance program;
- c. When a systematic, independent assessment of program effectiveness is considered necessary;
- d. When necessary to verify implementation of required corrective action.

However, Millstone has proposed to revise Section 18.2 to state:

... Regularly scheduled audits are supplemented by audits **or other documented oversight processes** for one or more of the following conditions:

This proposed revision does not provide adequate assurance that a comprehensive system of planned and periodic audits shall be carried out to verify compliance with all aspects of the quality assurance program and to determine the effectiveness of the program. The four supplemental conditions listed above must be accomplished under an audit program that complies with 10 CFR Part 50, Appendix B, Criterion XVIII. If these four supplemental conditions are not handled under an audit process, then the NRC has no adequate assurance to verify compliance with all aspects of the quality assurance programs and the NRC has no adequate assurance of the effectiveness of the program. Specifically, the “other documented oversight processes” is not described or referenced in the NUQAP Topical Report.

Therefore, the audit process (ANSI/ASME N45.2.12 or acceptable alternative):

1. must be performed in accordance with the written procedures or check lists by

- appropriately trained personnel not having direct responsibilities in the areas being audited;
2. results shall be documented and reviewed by management having responsibility in the area audited;
  3. follow-up action, including re-audit of deficient areas, shall be taken where indicated; and
  4. must be described in the NUQAP Topical Report

#### 4.0 CONCLUSION

Based on the fact the proposed changes do not meet the requirements listed above and described within 10 CFR Part 50, Appendix B, Criterion XVIII and 10 CFR 50.34(b)(6)(ii), the NRC staff has concluded that the proposed revision does not provide adequate assurance that a comprehensive system of planned and periodic audits shall be carried out to verify compliance with all aspects of the quality assurance program and to determine the effectiveness of the program for the four conditions described. Therefore, the proposed changes to Section 18.0 of Revision 22 of the NUQAP are not approved.

#### 5.0 REFERENCES

1. Letter, Northern Nuclear Energy Company (NNECO) to U.S. NRC, "Proposed Change to Revision 22 of the Northeast Utilities Quality Assurance Program (NUQAP) Topical Report to Allow other documented Oversight Processes to be Utilized," dated January 26, 2001.
2. Letter, NRC to NNECO, "Request for Additional Information (RAI) Regarding Review of Proposed Revision to NNECO Quality assurance Program for Millstone Nuclear Power Station, Unit Nos. 2 & 3, (TAC Nos. MB1105 and MB1106," dated March 19, 2001.
3. Letter, Dominion Nuclear Connecticut, Inc. (DNC) to U.S. NRC, "Response to Request for Additional Information, Proposed Change to Quality Assurance Program Topical Report, Utilization of Other Documented Oversight Processes to Supplement Audits," dated May 17, 2001.
4. NRC Regulatory Guide 1.144, Revision 1, 1980, "Auditing Quality Assurance Program for Nuclear Power Plants."
5. American National Standards Institute (ANSI) ANSI N45.2.12-1977, "Requirements for Auditing of Quality Assurance Programs for Nuclear Power Plants."
6. Northeast Utilities Quality Assurance Program (NUQAP) Topical Report, Revision 22.

Principal Contributor: R. McIntyre

Date: January 8, 2002