

January 27, 1988

Docket No. 50-400

Mr. E. E. Utley
Senior Executive Vice President
Power Supply and Engineering & Construction
Carolina Power & Light Company
Post Office Box 1551
Raleigh, North Carolina 27602

Dear Mr. Utley:

SUBJECT: ISSUANCE OF AMENDMENT NO. 3 TO FACILITY OPERATING LICENSE
NO. NPF-63 - SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1,
RELATED TO THE REMOVAL OF ORGANIZATION CHARTS FROM TECHNICAL
SPECIFICATIONS (TAC NO. 65652)

The Nuclear Regulatory Commission has issued the enclosed Amendment No. 3 to Facility Operating License No. NPF-63 for the Shearon Harris Nuclear Power Plant, Unit 1. This amendment consists of changes to the Technical Specifications in response to your request dated June 12, 1987, and clarified by letter dated December 30, 1987.

The amendment replaces the organizational charts in the Technical Specifications with more general organizational requirements. These general requirements capture the essence of those organizational features depicted on the charts necessary for ensuring that the plant be operated safely.

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's regular Bi-weekly Federal Register notice.

Sincerely,

Bart C. Buckley, Senior Project Manager
Project Directorate II-1
Division of Reactor Projects I/II

Enclosures:

1. Amendment No. 3 to NPF-63
2. Safety Evaluation

cc w/enclosures:

See next page

LA: PD21: DRPR
PAnderson
01/17/88

BCB
PM: PD21: DRPR
BBuckley
01/12/88

BCB for
D: PD21: DRPR
EAdensam
01/14/88

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AMENDMENT NO. 3 TO FACILITY OPERATING LICENSE NO. NPF-63 - HARRIS, UNIT 1

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Docket No. 50-400 ✓
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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

CAROLINA POWER & LIGHT COMPANY, et al.

DOCKET NO. 50-400

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 3
License No. NPF-63

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Carolina Power & Light Company (the licensee), dated June 12, 1987, and clarified by letter dated December 30, 1987, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications, as indicated in the attachment to this license amendment; and paragraph 2.C.(2) of Facility Operating License No. NPF-63 is hereby amended to read as follows:

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(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 3, are hereby incorporated into this license. Carolina Power & Light Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

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Elinor G. Adensam, Director
Project Directorate II-1
Division of Reactor Projects I/II

Attachment:
Changes to the Technical
Specifications

Date of Issuance: January 27, 1988

LA:PEZ:DRPR
PAnderson/pa
1/8/88
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BCB
PM:PD21DRPR
BBuckley
1/05/88
12

OTSB RFE
EButcher
1/12/88

OGC
D:PD21DRPR
EAdensam
1/18/88 1/27/88

PEB:PLPQE:NRR
GWatina
01/13/88

ATTACHMENT TO LICENSE AMENDMENT NO. 3

FACILITY OPERATING LICENSE NO. NPF-63

DOCKET NO. 50-400

Replace the following pages of the Appendix A Technical Specifications with the enclosed pages. The revised pages are identified by amendment number and contain vertical lines indicating the area of change.

Remove Pages

xviii

6-1

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6-3

6-4

6-8

Insert Pages

xviii

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6-1a

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6.0 ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

6.1.1 The Plant General Manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.

6.1.2 The Shift Foreman (or, during his absence from the control room, a designated individual) shall be responsible for the control room command function. A management directive to this effect, signed by the Vice President-Harris Nuclear Project shall be reissued to all station personnel on an annual basis.

6.2 ORGANIZATION

6.2.1 Onsite and Offsite Organization

An onsite and an offsite organization shall be established for unit operation and corporate management. The onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant.

- a. Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including all operating organization positions. Those relationships shall be documented and updated, as appropriate, in the form of organizational charts. These organizational charts will be documented in the FSAR and updated in accordance with 10 CFR 50.71(e).
- b. There shall be an individual executive position (corporate officer) in the offsite organization having corporate responsibility for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support in the plant so that continued nuclear safety is assured.
- c. There shall be an individual management position in the onsite organization having responsibility for overall unit safe operation and shall have control over those onsite resources necessary for safe operation and maintenance of the plant.
- d. Although the individuals who train the operating staff and those who carry out the quality assurance functions may report to the appropriate manager onsite, they shall have sufficient organizational freedom to be independent from operating pressures.
- e. Although health physics individuals may report to any appropriate manager onsite, for matters relating to radiological health and safety of employees and the public, the health physics manager shall have direct access to that onsite individual having responsibility for overall unit management. Health physics personnel shall have the authority to cease any work activity when worker safety is jeopardized or in the event of unnecessary personnel radiation exposures.

ADMINISTRATIVE CONTROLS

UNIT STAFF

6.2.2 The unit organization shall be subject to the following:

- a. Each on-duty shift shall be composed of at least the minimum shift crew composition shown in Table 6.2-1;
- b. At least one licensed Operator shall be in the control room when fuel is in the reactor. In addition, while the unit is in MODE 1, 2, 3, or 4, at least one licensed Senior Operator shall be in the control room;
- c. An individual qualified as a Radiation Control Technician* shall be on site when fuel is in the reactor;
- d. All CORE ALTERATIONS shall be observed and directly supervised by either a licensed Senior Operator or licensed Senior Operator Limited to Fuel Handling who has no other concurrent responsibilities during this operation;
- e. The Manager-Operations shall hold a Senior Reactor Operator License. The Operations Supervisor shall hold a Senior Reactor Operator License.

*The Radiation Control Technician composition may be less than the minimum requirements for a period of time not to exceed 2 hours, in order to accommodate unexpected absence, provided immediate action is taken to fill the required positions.

FIGURE 6.2-1
DELETED

FIGURE 6.2-2

DELETED

ADMINISTRATIVE CONTROLS

Qualified Safety Reviewers (Continued)

These individuals shall have a baccalaureate degree in an engineering or related field or equivalent, and 2 years of related experience. Such designation shall include the disciplines or procedure categories for which each individual is qualified. Qualified individuals or groups not on the plant staff may be relied upon to perform safety reviews if so designated by the Plant General Manager.

6.5.1.4 Safety Evaluations and Approvals

6.5.1.4.1 The safety evaluation prepared in accordance with Specification 6.5.1.1.1 shall include a written determination, with basis, of whether or not the procedures or changes thereto, proposed tests and experiments and changes thereto, and modifications constitute an unreviewed safety question as defined in Paragraph 50.59 of 10 CFR Part 50, or whether they involve a change to the Final Safety Analysis Report, the Technical Specifications, or the Operating License.

6.5.1.4.2 The safety evaluation shall be prepared by a qualified individual. The safety evaluation shall be reviewed by a second qualified individual.

6.5.1.4.3 A safety evaluation and subsequent review that conclude that the subject action may involve an unreviewed safety question, a change to the Technical Specifications, or a change to the Operating License, will be referred to the Plant Nuclear Safety Committee (PNSC) for their review in accordance with Specification 6.5.2.6. If the PNSC recommendation is that an item is an unreviewed safety question, a change to the Technical Specifications, or a change to the Operating License, the action will be referred to the Commission for approval prior to implementation. Implementation may not proceed until after review by the Corporate Nuclear Safety Section in accordance with Specification 6.5.3.9.

6.5.1.4.4 If a safety evaluation and subsequent review conclude that the subject action does not involve an unreviewed safety question, a change to the Technical Specification, or a change to the Operating License, the action may be approved by the Plant General Manager or his designee or, as applicable, by the Manager of the primary functional area affected by the action. The individual approving the action shall assure that the reviewers collectively possess the background and qualification in all of the disciplines necessary and important to the specific review for both safety and technical aspects.

6.5.1.4.5 A safety evaluation and subsequent review that conclude that the subject action involves a change in the Final Safety Analysis Report shall be referred to the Corporate Nuclear Safety Section for review in accordance with Specification 6.5.3.9, but implementation may proceed prior to the completion of that review.

6.5.1.4.6 The individual approving the procedure, test, or experiment or change thereto shall be other than those who prepared the safety evaluation or performed the safety review.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
SUPPORTING AMENDMENT NO. 3 TO FACILITY OPERATING LICENSE NO. NPF-63
CAROLINA POWER & LIGHT COMPANY
SHEARON HARRIS NUCLEAR POWER PLANT
DOCKET NO. 50-400

1.0 INTRODUCTION

By letter dated June 12, 1987, and clarified by letter dated December 30, 1987, Carolina Power & Light Company (CP&L) submitted a request for changes to the Shearon Harris Nuclear Power Plant, Unit 1, Technical Specifications (TS). The proposed change requests replacement of the organization charts currently in TS with more general organizational requirements. Most of these elements are already required by regulation, other TS or the Final Safety Analysis Report, as described below. These general requirements capture the essence of those organizational features depicted on the charts that are important to the NRC for ensuring that the plant will be operated safely. Although the December 30, 1987 submittal modifies certain details of the language of the revised specification, it did not change the substance of the proposed amendment as noticed on August 26, 1987, nor did it affect the staff's proposed No Significant Hazards Consideration determination.

2.0 EVALUATION

Section 6.0 of the licensee's TS is required to contain the details of those Administrative Controls necessary to assure safe operation of the facility. CP&L proposes to replace Shearon Harris TS 6.2.1, TS Figure 6.2-1 (the figure showing the offsite organization), and TS Figure 6.2-2 (the figure showing the unit onsite organization) with more general organizational requirements. These general requirements capture the essence of those organizational features depicted on the charts that are important to the NRC for ensuring that the plant will be operated safely.

CP&L stated that the proposed changes are justified because they are administrative in nature and do not affect plant operation. CP&L notes that, in addition to being required by the TS, the important organizational features depicted on organization charts are also required or controlled by other regulatory control mechanisms. Chapter 13 of the Shearon Harris FSAR contains the detailed organizational structure and a description of the conduct of operations. This information is required by 10 CFR 50.71 to be maintained and updated annually. Moreover, CP&L's Quality Assurance (QA) Program for Shearon Harris is required by 10 CFR 50, Appendix B, to include similar information relating to the organizational structure.

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The licensee contends that changes to these charts have resulted in processing unnecessary amendments by both the company and the NRC. The licensee has stated that deletion of the organization charts will, therefore, eliminate needless expenditure of resources for both organizations.

Regulatory Requirements Applicable to Organizational Structure

10 CFR 50.36, "Technical Specifications," which implements Section 182a. of the Atomic Energy Act, was promulgated by the Commission on December 17, 1968 (33 FR 18610). This rule delineates requirements for determining the contents of TS. Technical Specifications set forth the specific characteristics of the facility and the conditions for its operation that are required to provide adequate protection to the health and safety of the public. Specifically, 10 CFR 50.36 requires that:

Each license authorizing operation of a production or utilization facility of a type described in §50.21 or §50.22 will include Technical Specifications. The Technical Specifications will be derived from the analyses and evaluation included in the safety analysis report, and amendments thereto, submitted pursuant to 50.34. The Commission may include such additional TS as the Commission finds appropriate.

The regulation further states that TS will include, among other things, items in the following category:

(5) Administrative Controls: Administrative controls are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner. Each licensee shall submit any reports to the Commission pursuant to approved Technical Specifications as specified in §50.4.

Past Practice

Review of the organization, personnel qualifications, education, experience, training, and their overall capacity to operate a plant safely has always been of concern to the NRC, and its predecessor the AEC. Before a plant is licensed to operate, a finding is made that the applicant's staff is capable of operating the plant safely. In the past, the organization charts were made TS so that changes made after operation began would require prior NRC approval. This was done to preserve certain specific features of the licensed organization.

While the regulation does not specifically require that TS contain organization charts, the practice of including organization charts in TS began in the late 1960s. These charts were used as an aid in depicting the organizational and management relationships thought to be needed to meet the provisions of 10 CFR 50.36(c)(5). The practice of including organization charts in TS has continued since.

Organization charts do depict the reporting chain for some organizational functions that must be independent of scheduling and operating pressures. Until 10 CFR Part 50, Appendix B, - "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," was adopted in 1970, organization charts were partially relied on by the staff for assuring this function.

As stated in 10 CFR, Appendix B, Criterion I, "Organization":

Such persons and organizations performing quality assurance functions shall report to a management level such that this required authority and organizational freedom, including sufficient independence from cost and schedule when opposed to safety considerations, are provided.

Appendix B further acknowledges that the organizational structures may take many forms, but emphasizes that regardless of structure, the individuals assigned the responsibility for execution of any portion of the program shall have access to such levels of management as may be necessary to perform this function. The licensee's required QA Program specifies and depicts these organizational relationships in greater detail than currently exist in TS.

The practice of including organization charts in TS was established before the advent of 10 CFR, Appendix B, - "Quality Assurance Criteria for Nuclear Power Plants and Fuel Processing Plants," and other associated guidance documents, such as the Regulatory Guide 1.70, "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants," and NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants LWR Edition." A general description of the features needed by the staff to make the finding that the applicant is capable of operating the plant safely are now mandated by Appendix B.

Safety Considerations

The fundamental safety issue in this license amendment request is whether there can be reasonable assurance that the organization will operate the plant safely and remain effective without requiring prior staff approval for changes reflected in organization charts.

It has been the staff's experience that organization charts by themselves have been little help to reviewers in assessing the safety significance of changes to the plant and license. Nevertheless, because the charts are in the TS, license amendment requests have been required to effect organizational changes as simple as combining some minor functions under one organizational element shown on the chart. The usefulness of the charts to the staff in recent years has been minimal and the safety relevance of the charts themselves is small.

Specific operational requirements that bear more directly on the safety matters of concern to the staff than the organization charts are required elsewhere in TS. As examples, 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, unit review group, and independent safety engineering groups, and shift technical advisor are also specified in other TS. Thus, the organizational charts themselves are not needed to support the staff's finding that the organization will operate the plant safely.

In summary, the specific details of the operating organization are not essential to the safe operation of the facility; and the staff concludes that the details can be modified in many ways while maintaining adequate operational safety. The staff, over the years of experience with the details of operating organizations, has been able to distill those organizational characteristics which are important to assure plant safety.

The important features of a licensee's organization (currently depicted on the TS organization charts, but not already included in other TS) necessary for the staff to find that the organization will operate the plant safely are stated below. This amendment revises the TS to add statements incorporating these features to replace the organization charts.

- a. Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including all operating organization positions. Those relationships shall be documented and updated, as appropriate in the form of organizational charts, functional descriptions of departmental responsibilities and relationships and job descriptions for key personnel positions or in equivalent forms of documentation. These organizational relationships will be maintained in a document such as the FSAR or QA Manual.
- b. There shall be an individual executive position (corporate officer) in the offsite organization having corporate responsibility for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant so that continued nuclear safety is assured.
- c. There shall be an individual management position in the onsite organization having responsibilities for overall unit safe operation and shall have control over those onsite resources necessary for safe operation and maintenance of the plant.
- d. Although the individuals who train the operating staff and those who carry out the health physics and quality assurance functions may report to the appropriate manager on site, they shall have sufficient organizational freedom to be independent from operating pressures.

- e. Senior Reactor Operator (SRO) and Reactor Operator (RO) licenses shall continue to be required for the positions so indicated on the current TS organization charts.
- f. Other TS which reference the current organization charts shall be revised to reference the appropriate functional responsibility or position.

The proposed changes incorporate these features. Therefore, the staff concludes that the removal of the organization charts from the TS will not prevent the licensee from meeting the standards of 10 CFR 50.36 and the underlying statutory requirements. Moreover, the deletion of unnecessary detail of organization charts will save resources for both the NRC and the licensee and will allow the staff to focus on issues of importance to the plant's safety.

4.0 ENVIRONMENTAL CONSIDERATION

This amendment relates to changes in recordkeeping, or administrative procedures or requirements. The Commission has previously issued a proposed finding that this amendment involves no significant hazards consideration and there has been no public comment on such finding. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need to be prepared in connection with the issuance of this amendment.

5.0 CONCLUSION

The Commission made a proposed determination that the amendment involves no significant hazards consideration, which was published in the Federal Register (52 FR 32195) on August 26, 1987, and consulted with the State of North Carolina. No public comments or requests for hearing were received, and the State of North Carolina did not have any comments.

The staff has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations; and the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors:

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Kulin D. Desai
Frederick R. Allenspach

Dated: January 27, 1988