

May 11, 1999

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Mr. M. L. Marchi
Manager - Nuclear Business Group
Wisconsin Public Service Corporation
P.O. Box 19002
Green Bay, WI 54307-9002

SUBJECT: KEWAUNEE NUCLEAR POWER PLANT - ISSUANCE OF AMENDMENT
RE: ADMINISTRATIVE CONTROLS (TAC NO. MA4865)

Dear Mr. Marchi:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 145 to Facility Operating License No. DPR-43 for the Kewaunee Nuclear Power Plant. This amendment revises the Technical Specifications in response to your application dated February 15, 1999.

The amendment revises Technical Specification Section 6, "Administrative Controls," to reflect organizational changes, to relocate certain review and audit requirements to owner controlled documents, and to eliminate redundant requirements. A copy of the Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's next regular biweekly Federal Register notice.

If you have any questions related to this amendment, please contact the undersigned at 301-415-3026.

Sincerely,

Original signed by:

William O. Long, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-305

Enclosures: 1. Amendment No. 145 to
License No. DPR-43
2. Safety Evaluation-

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DOCUMENT NAME: G:\PD3-3\KEWAUNEE\PA159.AMD *See previous concurrence

OFFICE	PM:PD31	E	LA:PD31	E	HQMB:BC(A)		OGC		TSB:BC		(A)SC:PD3/1	E
NAME	WLong		EBarnhill		RCorreia*		WBeckner*		GDick			
DATE	4/19/99		4/19/99		3/17/99		4/27/99		3/29/99		4/30/99	

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*on line
change
5/1/99*



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

May 11, 1999

Mr. M. L. Marchi
Site Vice President-Kewaunee Plant
Wisconsin Public Service Corporation
P.O. Box 19002
Green Bay, WI 54307-9002

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If you have any questions related to this amendment, please contact the undersigned at 301-415-3026.

Sincerely,

A handwritten signature in black ink, reading "William O. Long", is positioned below the word "Sincerely,".

William O. Long, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-305

Enclosures: 1. Amendment No.145 to
License No. DPR-43
2. Safety Evaluation

cc w/encls: See next page

M. L. Marchi
Wisconsin Public Service Corporation

Kewaunee Nuclear Power Plant

cc:

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Harold Reckelberg, Chairman
Kewaunee County Board
Kewaunee County Courthouse
Kewaunee, WI 54216

Attorney General
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Madison, WI 53702

U.S. Nuclear Regulatory Commission
Resident Inspectors Office
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Kewaunee, WI 54216-9511

Regional Administrator - Region III
U.S. Nuclear Regulatory Commission
801 Warrenville Road
Lisle, IL 60532-4531

James D. Loock, Chief Engineer
Public Service Commission
of Wisconsin
P. O. Box 7854
Madison, WI 53707-7854



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

WISCONSIN PUBLIC SERVICE CORPORATION

WISCONSIN POWER AND LIGHT COMPANY

MADISON GAS AND ELECTRIC COMPANY

DOCKET NO. 50-305

KEWAUNEE NUCLEAR POWER PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 145
License No. DPR-43

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Wisconsin Public Service Corporation, Wisconsin Power and Light Company, and Madison Gas and Electric Company (the licensees) dated February 15, 1999, 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. DPR-43 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 145, are hereby incorporated in the license. The licensees shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance, and is to be implemented when the Operational Quality Assurance Program Description document has been updated and the revisions docketed, not to exceed 180 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



George F. Dick, Jr. Acting Chief, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: May 11, 1999

ATTACHMENT TO LICENSE AMENDMENT NO. 145

FACILITY OPERATING LICENSE NO. DPR-43

DOCKET NO. 50-305

Replace the following pages of the Appendix A Technical Specifications with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

TS iv
TS 6.1-1
TS 6.2-1
TS 6.5-1
TS 6.5-2
TS 6.5-3
TS 6.5-4
TS 6.5-5
TS 6.5-6
TS 6.6-1
TS 6.7-1

INSERT

TS iv
TS 6.1-1
TS 6.2-1
TS 6.5-1 through TS 6.5-6

TS 6.6-1
TS 6.7-1

<u>Section</u>	<u>Title</u>	<u>Page</u>
6.5	Deleted	6.5-1 - 6.5-6
6.6	Deleted	6.6-1
6.7	Safety Limit Violation	6.7-1
6.8	Procedures	6.8-1
6.9	Reporting Requirements	6.9-1
6.9.a	Routine Reports	6.9-1
6.9.a.1	Startup Report	6.9-1
6.9.a.2	Annual Reporting Requirements	6.9-1
6.9.a.3	Monthly Operating Report	6.9-3
6.9.b	Unique Reporting Requirements	6.9-3
6.9.b.1	Annual Radiological Environmental Monitoring Report	6.9-3
6.9.b.2	Radioactive Effluent Release Report	6.9-3
6.9.b.3	Special Reports	6.9-3
6.10	Record Retention	6.10-1
6.11	Radiation Protection Program	6.11-1
6.12	System Integrity	6.12-1
6.13	High Radiation Area	6.13-1
6.14	Post-Accident Sampling and Monitoring	6.14-1
6.15	Secondary Water Chemistry	6.15-1
6.16	Radiological Effluents	6.16-1
6.17	Process Control Program (PCP)	6.17-1
6.18	Offsite Dose Calculation Manual (ODCM)	6.18-1
6.19	Major Changes to Radioactive Liquid, Gaseous and Solid Waste Treatment Systems	6.19-1

7/8.0 Deleted

6.0 ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

- a. The Manager - Kewaunee Plant shall be responsible for overall plant operation and shall delegate in writing the succession of this responsibility during his absence.
- b. The Manager - Kewaunee Plant, or his designee, shall approve prior to implementation, each proposed test, experiment or modification to structures, systems or components that affect nuclear safety.

6.2 ORGANIZATION

a. Off-Site Staff

The off-site organization for plant management and technical support shall be as described in the Operational Quality Assurance Program Description.

b. Facility Staff

The plant organization shall be as described in the Operational Quality Assurance Program Description.

1. Each on-duty shift complement shall consist of at least:
 - A. One Shift Supervisor (SRO)
 - B. Two licensed Reactor Operators
 - C. Two Nuclear Auxiliary Operators
 - D. Deleted
 - E. One Radiation Technologist
2. While above COLD SHUTDOWN, the on-duty shift complement shall consist of the personnel required by TS 6.2.b.1 and an additional SRO.
3. In the event that one of the shift members becomes incapacitated due to illness or injury or the Radiation Technologist has to accompany an injured person to the hospital, reactor operations may continue with the reduced complement until a replacement arrives. In all but severe weather conditions, a replacement is required within two hours.
4. At least one licensed operator shall be in the control room when fuel is in the reactor.
5. Two licensed operators, one of which shall be an SRO, shall be present in the control room when the unit is in an operational MODE other than COLD SHUTDOWN or REFUELING.
6. REFUELING OPERATIONS shall be directed by a licensed SRO assigned to the REFUELING OPERATION who has no other concurrent responsibilities during the REFUELING OPERATION.
7. When the reactor is above the COLD SHUTDOWN condition, a qualified Shift Technical Advisor shall be within 10 minutes of the control room.

6.5 DELETED

TS 6.5-1 through TS 6.5-6

Amendment No. 145

6.6 DELETED

6.7 SAFETY LIMIT VIOLATION

The following actions shall be taken in the event a safety limit is violated:

- a. The reactor shall be shut down and operation shall not be resumed until authorized by the Commission.
- b. The Report shall be prepared in accordance with 10 CFR 50.72 and 10 CFR 50.73.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATING TO AMENDMENT NO. 145 TO FACILITY OPERATING LICENSE NO. DPR-43

WISCONSIN PUBLIC SERVICE CORPORATION

WISCONSIN POWER AND LIGHT COMPANY

MADISON GAS AND ELECTRIC COMPANY

KEWAUNEE NUCLEAR POWER PLANT

DOCKET NO. 50-305

1.0 INTRODUCTION

By application dated February 15, 1999, the Wisconsin Public Service Corporation (WPSC or licensee), acting in behalf of itself and Madison Gas and Electric Company and Wisconsin Power and Light Company, requested an amendment to Operating License DPR-43 which authorized operation of the Kewaunee Nuclear Power Plant. The proposed amendment would revise administrative controls requirements specified in the facility Technical Specifications.

The staff has reviewed the proposed amendment using the guidance provided in Standard Technical Specifications (STS) and in Chapter 13 of the Standard Review Plan. The results of the staff's review are presented below.

2.0 DISCUSSION AND EVALUATION

The licensee has requested five changes to Section 6 of the Technical Specifications (TS), "Administrative Controls." Each change is individually discussed below.

2.1 Plant Manager Responsibility

Existing TS 6.1 Requirement: TS 6.1 states:

6.1 RESPONSIBILITY

The Manager - Kewaunee Plant has overall on-site responsibility for plant operation. In the absence of the Manager - Kewaunee Plant, the succession to this responsibility shall be in the following order:

- a. Assistant Manager - Plant Operations
- b. Assistant Manager - Plant Maintenance

- c. Superintendent - Plant Operations
- d. Superintendent - Plant Instrument and Control
- e. Shift supervisor

Proposed TS 6.1 Requirement: The TS would be revised to read as follows:

6.1 RESPONSIBILITY

- a. The Manager - Kewaunee Plant shall be responsible for overall plant operation and shall delegate, in writing the succession of this responsibility during his absence.
- b. The Manager - Kewaunee Plant, or his designee, shall approve prior to implementation, each proposed test, experiment or modification to structures, systems, or components that affect nuclear safety.

Basis for Change: The licensee states that the elimination of specific titles used in this section of the TS will provide a cost saving because it will eliminate the need for future amendments when organizational or title changes occur. The application states that this will result in a cost benefit to the staff and to the licensee itself.

Associated Staff Position: NUREG-1431, "Standard Technical Specifications - Westinghouse Plants" (STS), provides the recommended wording for this technical specification. The recommended generic wording for the plant manager responsibility TS is quoted below (STS paragraph 5.5.1):

The [Plant Superintendent] shall be responsible for overall unit operation and shall delegate, in writing, the succession to this responsibility during his absence.

The [Plant Superintendent], or his designee, in accordance with approved administrative procedures, shall approve prior to implementation, each proposed test or experiment and proposed changes and modifications to unit systems or equipment that affect nuclear safety.

Conformance of Licensee Request to Staff Position: The licensee's proposed change does not deviate significantly from the staff position.

Evaluation: The licensee's request closely conforms to the staff position and will result in no degradation or weakening of management responsibility and control. It is therefore acceptable.

2.2 Plant Staff Organization

Existing TS 6.2.b.1 Requirement: TS 6.2.b.1 states:

Each on-duty shift complement shall consist of at least:

- A. One Shift Supervisor (SRO)
- B. Two licensed Reactor Operators

- C. One Auxiliary Operator
- D. One Equipment Operator
- E. One Radiation Technologist

Proposed TS 6.2.b.1 Requirement: TS 6.2.b.1 would be revised to read:

Each on-duty shift complement shall consist of at least:

- A. One Shift Supervisor (SRO)
- B. Two licensed Reactor Operators
- C. Two Nuclear Auxiliary Operators
- D. Deleted
- E. One Radiation Technologist

Basis for Change: The licensee has eliminated the title "Equipment Operator." The Equipment Operator position is now titled Nuclear Auxiliary Operator. This change was made to distinguish Kewaunee auxiliary operators from WPSC operators at fossil fueled facilities. The change does not affect the number of auxiliary operators on-shift, or their responsibilities.

Staff Position: The associated staff position is provided in STS paragraph 5.2.2. The STS recommends that two Auxiliary Operators be included in each shift crew.

Conformance of Licensee Request to Staff Position: The licensee's proposed change is consistent with the staff position.

Evaluation: The proposed change to TS 6.2.b.1 is consistent with the staff position. It will not affect the composition or qualifications of the shift crew and is acceptable.

2.3 PORC and NSRAC

Scope of Existing TS 6.5 Requirement: TS 6.5, "Review and Audit," specifies function, composition, alternate member, meeting frequency, quorum, responsibilities, authority, consultant usage, auditing and record keeping requirements for the Plant Operations Review Committee (PORC) and the Nuclear Safety Review and Audit Committee (NSRAC).

Proposed Change: TS 6.5 would be deleted.

Licensee's Basis for Deletion: The licensee proposes to relocate the TS 6.5 requirements to the Operational Quality Assurance Program Description, a licensee-controlled document. This would provide flexibility in revising, refining and improving the PORC and NSRAC implementation requirements, and, by eliminating future amendments, would reduce the administrative burden on plant and NRC personnel.

Staff Position: It is the staff position that administrative controls related to quality assurance can be relocated to licensee-controlled quality assurance documents. The TSs that are being relocated to licensee-controlled documents are not required to be in the TSs under 10 CFR 50.36(c)(5), do not meet any of the four criteria contained in 10 CFR 50.36 for inclusion in the TSs. The staff has determined that the review and audit functions can be adequately addressed

by existing regulations and related QAP requirements. Based upon the relocation of the review and audit TS to the QAP, it is not necessary to include redundant or additional requirements in the TS. The NRC staff has determined that appropriate controls have been established for the specifications, information, and requirements that to be relocated to licensee-controlled documents. Once these items have been relocated the licensee may revise them under the provisions of 10 CFR 50.59 or other NRC staff-approved control mechanisms, which provide appropriate procedural means to control changes. Guidance for licensees was provided by the staff in NRC Administrative Letter 95-06, "Relocation of Technical Specification Administrative Controls Related to Quality Assurance," dated December 12, 1995. The administrative letter states:

The technical specification requirements related to review and audit requirements may be relocated to the quality assurance plan. The review of any license amendments related to the relocation of the review and audit functions can be facilitated by licensee references to an existing quality assurance plan commitment or the simultaneous submittal of a revision to the quality assurance plan including the relocated requirements. Commitments may be incorporated into the quality assurance plan by relocating the existing technical specifications intact or by capturing existing structural and administrative requirements by a description of the review and audit organizations and referencing appropriate industry quality assurance standards such as American National Standards Institute standard N18.7, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants," that explicitly duplicate current technical specification provisions. Subsequent changes to the relocated requirements would be controlled in accordance with 10 CFR 50.54(a).

Conformance to Staff Position: The licensee's application does not include a submittal of a revision to QA plan requirements, but does include a commitment for relocation. This is consistent with the above Administrative Letter 95-06 guidance.

Evaluation: The proposed change is consistent with the staff's Administrative Letter 95-06 guidance and is acceptable. Future review and audit requiring changes will be controlled by 10 CFR 50.54(a). The staff will follow up (by generating a Plant Issues Matrix item) to ensure that the Operational Quality Assurance Program Description (OQAPD) is revised.

2.4 Reportable Events

Existing TS 6.6 Requirement: TS 6.6, "Reportable Events," states:

The following actions shall be taken for REPORTABLE EVENTS:

- a. The Commission shall be notified and a report submitted pursuant to the requirements of 10 CFR 50.73, and
- b. Each Reportable Event shall be reviewed by PORC, and the results of this review shall be submitted to the NSRAC and the Senior Vice President - Nuclear Power.

Proposed Change: TS 6.6 would be deleted from the TS.

Licensee's Basis for Deletion: TS 6.6 is redundant to 10 CFR 50.73, TS 6.5.a.6.I, and TS 6.5.c.7.G.

Staff Position: TS requirements that are redundant to regulations may be deleted from the TS.

Conformance to Staff Position: The proposed change conforms to the staff position.

Evaluation: 10 CFR 50.73 requires that reportable event reports be submitted to the staff within 90 days of the occurrence of the event. The deletion of 6.6.a is acceptable on the basis that it is redundant to the 10 CFR 50.73 requirement. The current TS 6.5.a.6.I requires that the PORC review all reportable events. The current TS 6.5.c.7.G requires that the NSRAC review reports covering all reportable events. These requirements will be relocated to the OQAPD as described in 2.3 above. The TS 6.6 requirement for review of reportable events by the PORC and NSRAC may be deleted on the basis of being redundant to existing TS requirements that will be relocated to the OQAPD. For the existing TS 6.6.b requirement that the results of PORC review of reportable events be submitted to the Senior Vice President - Nuclear Power, the licensee states that the requirement is encompassed by administrative requirements relating to distribution of PORC minutes. Based on elimination of redundancy, the proposed deletion of TS 6.6 is acceptable.

2.5 Safety Limit Evaluation

Existing TS 6.7 Requirement: TS 6.7 states:

The following actions shall be taken in the event a safety limit is violated:

- a. The reactor shall be shut down and operation shall not be resumed until authorized by the Commission.
- b. The report shall be prepared in accordance with TS 6.6.

Proposed Change: TS 6.7.b would be revised to replace "TS 6.6" with "10 CFR 50.72 and 10 CFR 50.73."

Licensee's Basis for Deletion: TS 6.6 is being deleted.

Staff Position: The corresponding STS requirement states that in the event of a safety limit violation:

- 2.2.5 Within 30 days a Licensee Event report (LER) shall be prepared, pursuant to 10 CFR 50.73. The LER shall be submitted to the NRC, the [Offsite reviewers specified in Specification 5.5.2], and the [Plant Superintendent and Vice President - Nuclear Operations].

Conformance to Staff Position: The direct replacement of a reference to "TS 6.6" with a

reference to "10 CFR 50.72 and 10 CFR 50.73" is consistent with the STS staff position.

Evaluation: Based on consistency with the 2.4 change above, it is necessary and appropriate that the "TS 6.6" reference be replaced by a reference to the applicable regulation. The proposed change is therefore acceptable. With regard to the staff position that LERs be submitted to the "Plant Superintendent and Vice President - Nuclear Operations" (i.e., Manager - Kewaunee Plant and Vice President - Nuclear), it is noted that the existing TS 6.6 does not include such a requirement. The licensee did not request that such a requirement be included in the revised TS. Further, the staff finds that the proposed change is acceptable on the basis that the Manager - Kewaunee Plant, and Vice President - Nuclear are on-site management personnel who would be cognizant of the circumstances associated with any Safety Limit Violation due to the associated shutdown/restart limitations.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Wisconsin State official was notified of the proposed issuance of the amendment. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

This amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 or changes a surveillance requirement. The staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluent that may be released offsite and that there is no significant increase in individual or cumulative occupational radiation exposure. 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 (64 FR 17031). Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

5.0 CONCLUSION

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, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) 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 Contributor: W. Long

Date: May 11, 1999