



Ref: 10CFR50.90

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CPSES-200200415
Log # TXX-02033
File # 00236

March 27, 2002

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

**SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION (CPSES)
DOCKET NOS. 50-445 AND 50-446
LICENSE AMENDMENT REQUEST (LAR) 02-04
REVISION TO TECHNICAL SPECIFICATION (TS) 5.3, "Unit Staff
Qualifications"**

Gentlemen:

Pursuant to 10CFR50.90, TXU Generation Company LP (TXU Energy) hereby requests an amendment to the CPSES Unit 1 Operating License (NPF-87) and CPSES Unit 2 Operating License (NPF-89) by incorporating the attached change into the CPSES Unit 1 and 2 Technical Specifications. This change request applies to both units.

The proposed change will revise TS 5.3 entitled "Unit Staff Qualifications." This amendment application would revise Technical Specification 5.3, "Unit Staff Qualifications," to revise requirements that have been superseded due to the accreditation of the licensed operator training program by the Institute for Nuclear Power Operations and promulgation of the revised 10CFR55, "Operators' Licenses", which became effective on May 26, 1987.

Attachment 1 provides a detailed description of the proposed changes, a safety analysis of the proposed changes, TXU Energy's determination that the proposed changes do not involve a significant hazard consideration, a regulatory analysis of the proposed changes and an environmental evaluation. Attachment 2 provides the affected Technical Specification pages marked-up to reflect the proposed changes. Attachment 3 provides retyped Technical Specification pages which incorporate the requested changes. Attachment 4 provides marked-up pages of the Final Safety Analysis Report (for information only) to reflect the proposed changes to the FSAR.

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TXU Energy requests approval of the proposed License Amendment by September 1, 2002, to be implemented within 30 days of issuance of the license amendment. This approval date was selected in order to support the continued processing of candidates for the operator license examination scheduled to begin on November 8, 2002. The proposed Technical Specification change provides the needed flexibility for candidates to complete the licensed operator training program who meet the experience eligibility requirements of an accredited program consistent with 10CFR55.31, "How to apply," but who may not meet the American National Standards Institute (ANSI) or ANSI/American Nuclear Society (ANS) or Regulatory Guide 1.8, Revision 2, "Qualification and Training of Personnel for Nuclear Power Plants," experience requirements referenced in the current Technical Specification 5.3.1.

In accordance with 10CFR50.91(b), TXU Energy is providing the State of Texas with a copy of this proposed amendment.

This communication contains no new or revised commitments.

Should you have any questions, please contact Mr. Robert A. Slough at (254) 897-5727

I state under penalty of perjury that the foregoing is true and correct.

Executed on March 27, 2002.

Sincerely,

TXU Generation Company LP

By: TXU Generation Management Company LLC
Its General Partner

C. L. Terry
Senior Vice President and Principal Nuclear Officer

By: 
Roger D. Walker
Regulatory Affairs Manager

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Attachments

1. Description and Assessment
2. Markup of Technical Specifications pages
3. Retyped Technical Specification Pages
4. Proposed FSAR changes (for information)

c - E. W. Merschoff, Region IV
William D. Johnson, Region IV
D. H. Jaffe, NRR
Resident Inspectors, CPSES

Mr. Authur C. Tate
Bureau of Radiation Control
Texas Department of Public Health
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**ATTACHMENT 1 to TXX-02033
DESCRIPTION AND ASSESSMENT**

LICENSEE'S EVALUATION

1. DESCRIPTION
2. PROPOSED CHANGE
3. BACKGROUND
4. TECHNICAL ANALYSIS
5. REGULATORY SAFETY ANALYSIS
 - 5.1. No Significant Hazards Consideration
 - 5.2. Applicable Regulatory Requirements/criteria
6. ENVIRONMENTAL CONSIDERATION
7. REFERENCES

1.0 DESCRIPTION

By this letter, TXU Generation Company LP (TXU Energy) requests an amendment to the CPSES Unit 1 Operating License (NPF-87) and CPSES Unit 2 Operating License (NPF-89) by incorporating the attached change into the CPSES Unit 1 and 2 Technical Specifications. Proposed change LAR-02-04 is a request to revise Technical Specifications (TS) 5.3, "Unit Staff Qualifications" for Comanche Peak Steam Electric Station (CPSES) Units 1 and 2. This amendment request would revise TS 5.3 to revise requirements that have been superseded due to the accreditation of the licensed operator training program by the Institute for Nuclear Power Operations and promulgation of the revised 10CFR55, "Operators' Licenses", which became effective on May 26, 1987 (Reference 1).

Proposed FSAR change (for information only):

See Attachment 4

2.0 PROPOSED CHANGE

The proposed change would revise TS 5.3.1 to specify an exception that requires licensed operators to comply with the requirements of Regulatory Guide 1.8, "Qualification and Training of Personnel for Nuclear Power Plants", Revision 3 rather than Revision 2. Specification 5.3.1 will be revised to state:

Each member of the unit staff, with the exception of Licensed Operators and Senior Operators, shall meet or exceed the minimum qualifications of Regulatory Guide 1.8, Revision 2, 1987.

The following new Technical Specification 5.3.2 will be added:

Licensed Operators and Senior Operators shall meet or exceed the minimum qualifications of Regulatory Guide 1.8, Revision 3, May 2000.

The current Specification 5.3.2 will be renumbered to 5.3.3.

The proposed Technical Specification change provides the needed flexibility for license candidates to complete the licensed operator training program who meet the experience eligibility requirements of an accredited program consistent with 10CFR55.31, "How to apply", but who may not meet the American National Standards Institute (ANSI) or ANSI/American Nuclear Society (ANS) or Regulatory Guide 1.8, Revision 2, "Qualification and Training of Personnel for Nuclear Power Plants," experience requirements referenced in the current Technical Specification 5.3.1.

3.0 BACKGROUND

On March 20, 1985, the NRC issued the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel (Reference 2) which endorsed the training accreditation program developed by the Institute for Nuclear Power Operations (INPO), in association with its National Academy for Nuclear Training (NANT). Subsequently, in NRC Generic Letter 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing 10CFR55 and Conforming Amendments," (Reference 3) and NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators' Licenses," (Reference 4), the NRC indicated it would accept a licensee's licensed operator training program if it is accredited and based on a systematic approach to training. This accreditation obviates the need to conform to the guidance of either ANSI N18.1-1971 (Reference 5) or ANSI/ANS 3.1-1978 (Reference 6). Reference 4 notes that References 5 and 6 may be superseded by INPO accreditation in accordance with the revised 10CFR55, and that licensees may submit a request to the NRC for an administrative change to their Technical Specifications to revise or delete, as appropriate, the TS requirements which have been superseded.

In addition, the NRC has published NRC Regulatory Issue Summary 2001-01, "Eligibility of Operator License Applicants," dated January 18, 2001 (Reference 7), "...to familiarize addressees with the NRC's current guidelines for the qualification and training of reactor operator (RO) and senior operator (SO) license applicants." This document again acknowledges that 10CFR55.31(a)(4), as amended on March 25, 1987, states that, "...the Commission may accept a certification that the applicant has successfully completed a Commission-approved training program that is based on a systems approach to training..." Regulatory Issue Summary (RIS) 2001-01 further makes the following statements:

"...a facility licensee's training program would be considered approved by the NRC when it is accredited by the National Nuclear Accrediting Board (NNAB)."

"The fact that every licensee has voluntarily obtained and periodically renewed the accreditation of its licensed operator training program suggests that every facility licensee is implementing the experience and education guidelines endorsed by the NNAB. The NRC staff understands that the current version of those guidelines are outlined by the National Academy for Nuclear Training (NANT) in its 'Guidelines for Initial Training and Qualification of Licensed Operators,' (NANT 2000 guidelines) which were issued in January 2000."

". . .the NANT's guidelines for education and experience (those that were in effect in 1987 or those that were issued in January 2000) outline acceptable methods for implementing the Commission's regulations in this area."

"The staff encourages all facility licensee's to review their requirements and commitments related to RO and SO education and experience and to update their documentation (e.g., FSAR, TS, and training program descriptions) to enhance consistency and minimize confusion."

4.0 TECHNICAL ANALYSIS

Licensed operator qualifications and training can have an indirect impact on accidents previously evaluated. However, the NRC considered this impact during the rulemaking process, and by promulgation of the revised 10CFR55 rule, determined that this impact remains acceptable when licensees have an accredited licensed operator training program that is based on a systems approach to training. The NRC has concluded in References 4 and 7 that the standards and guidelines applied by INPO in their training accreditation program are equivalent to those put forth or endorsed by the NRC. Therefore, maintaining an INPO accredited, systems based licensed operator training program is equivalent to maintaining an NRC approved licensed operator training program which conforms with applicable NRC Regulatory Guides or NRC endorsed industry standards.

The licensed operator qualification and training program will continue to comply with the requirements of 10CFR55. The TXU Energy licensed operator training program is accredited by INPO and is based on a systems approach to training.

Since the proposed TS change is administrative in nature, it does not affect plant design, hardware, system operation, or procedures.

Based on the above discussion, the proposed TS change is consistent with 10CFR55 and does not adversely affect nuclear safety or plant operations.

5.0 REGULATORY SAFETY ANALYSIS

5.1 No Significant Hazards Consideration

TXU Energy has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10CFR50.92, "Issuance of amendment," as discussed below:

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No

The proposed TS change is an administrative change to clarify the current requirements for licensed operator qualifications and licensed operator training program. These changes conform to the current requirements of 10CFR55. The TS requirements for all other unit staff qualifications remain unchanged.

Although licensed operator qualifications and training may have an indirect impact on accidents previously evaluated, the NRC considered this impact during the rulemaking process, and by promulgation of the revised 10CFR55 rule, concluded that this impact remains acceptable as long as the licensed operator training program is certified to be accredited and is based on a systems approach to training. TXU Energy's licensed

operator training program is accredited by INPO and is based on a systematic approach to training.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No

The proposed TS change is an administrative change to clarify the current requirements for licensed operator qualifications and licensed operator training program and to conform to the revised 10CFR55. The TS requirements for all other unit staff qualifications remain unchanged.

As noted above, although licensed operator qualifications and training may have an indirect impact on the possibility of a new or different kind of accident from any accident previously evaluated, the NRC considered this impact during the rulemaking process, and by promulgation of the revised rule, concluded that this impact remains acceptable as long as the licensed operator training program is certified to be accredited and based on a systems approach to training. As previously noted, TXU Energy's licensed operator training program is accredited by INPO and is based on a systems approach to training.

Additionally, the proposed TS change does not affect plant design, hardware, system operation, or procedures. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed change involve a significant reduction in a margin of safety?

Response: No

The proposed TS change is an administrative change to clarify the current requirements applicable to licensed operator qualifications and licensed operator training program. This change is consistent with the requirements of 10CFR55. The TS qualification requirements for all other unit staff remain unchanged.

Licensed operator qualifications and training can have an indirect impact on a margin of safety. However, the NRC considered this impact during the rulemaking process, and by promulgation of the revised 10CFR55, determined that this impact remains acceptable when licensees maintain a licensed operator training program that is accredited and based on a systems approach to training. As noted previously, TXU Energy's

licensed operator training program is accredited by INPO and is based on a systems approach to training.

The NRC has concluded, as stated in NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators' Licenses," that the standards and guidelines applied by INPO in their training accreditation program are equivalent to those put forth or endorsed by the NRC. As a result, maintaining an INPO accredited, systems approach based licensed operator training program is equivalent to maintaining NRC approved licensed operator training program which conform with applicable NRC Regulatory Guides or NRC endorsed industry standards. The margin of safety is maintained by virtue of maintaining an INPO accredited licensed operator training program.

In addition, the NRC has recently published NRC Regulatory Issue Summary 2001-01, "Eligibility of Operator License Applicants," dated January 18, 2001, "to familiarize addressees with the NRC's current guidelines for the qualification and training of reactor operator (RO) and senior operator (SO) license applicants." This document again acknowledges that the INPO National Academy for Nuclear Training (NANT) guidelines for education and experience, outline acceptable methods for implementing the NRC's regulations in this area.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

Based on the above, TXU Energy concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c) and, accordingly, a finding of "no significant hazards consideration" is justified.

5.2 Applicable Regulatory Requirements/Criteria

10 CFR 55.4 defines systems approach to training to mean a training program that includes the following five elements:

- (1) Systematic analysis of the jobs to be performed.
- (2) Learning objectives derived from the analysis which describe desired performance after training.
- (3) Training design and implementation based on the learning objectives.
- (4) Evaluation of trainee mastery of the objectives during training.
- (5) Evaluation and revision of the training based on the performance of trained personnel in the job setting.

10CFR55.31(a)(4) specifies in part that the Commission may accept certification that the applicant has successfully completed a Commission-approved training program that is based on a systems approach to training and that uses a simulation facility acceptable to the Commission under 10 CFR 55.45(b). NRC Generic Letter 87-07 and NUREG-1262,

indicated that the NRC would accept a licensee's licensed operator training program if it is accredited and based on a systems approach to training.

The TXU Energy licensed operator training program is accredited by INPO and is based on a systems approach to training. The licensed operator qualifications and training program will continue to comply with the requirements of 10CFR55.

In conclusion, based on the considerations discussed above, (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 the amendment will not be inimical to the common defense and security or to the health and safety of the public.

6.0 ENVIRONMENTAL CONSIDERATION

TXU Energy has evaluated the proposed TS change request consistent with the criteria for identification of licensing and regulatory actions requiring environmental assessment in accordance with 10CFR51.21, "Criteria for and identification of licensing and regulatory actions requiring environmental assessments." TXU Energy has determined that this proposed TS change request meets the criteria for a categorical exclusion set forth in paragraph (c)(10) of 10CFR51.22, "Criterion for categorical exclusion; identification of licensing and regulatory actions eligible for categorical exclusion or otherwise not requiring environmental review." This determination is based on the fact that this change is being proposed as an amendment to a license issued pursuant to 10CFR50, "Domestic Licensing of Production and Utilization Facilities," and it changes recordkeeping, reporting, or administrative procedures or requirements. Therefore, pursuant to 10CFR51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the proposed amendment.

7.0 REFERENCES

1. Volume 52, Federal Register, Page 9453 (52 FR 9453), dated March 25, 1987.
2. "Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel," 50 FR 11147, dated March 20, 1985.
3. NRC Generic Letter 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing 10 CFR 55 and Conforming Amendments," dated March 19, 1987.
4. NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55, "Operators' Licenses," published November 1987.
5. ANSI N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel."
6. ANSI/ANS 3.1- 1978, "Selection, Qualification and Training of Personnel for Nuclear Power Plants.
7. NRC Regulatory Issue Summary 2001-01, "Eligibility of Operator License Applicants," dated January 18, 2001.

ATTACHMENT 2 to TXX-02033
PROPOSED TECHNICAL SPECIFICATION CHANGES (MARK-UP)

Page TS 5.0-5

5.0 ADMINISTRATIVE CONTROLS

5.3 Unit Staff Qualifications

- 5.3.1 Each member of the unit staff, with the exception of licensed Senior Reactor Operators (SRO) and licensed Reactor Operators (RO), shall meet or exceed the minimum qualifications of Regulatory Guide 1.8, Revision 2, 1987.
- 5.3.2 Licensed Senior Reactor Operators (SRO) and licensed Reactor Operators (RO) shall meet or exceed the minimum qualifications of Regulatory Guide 1.8, Revision 3, May 2000.
- 5.3.23 For the purposes of 10CFR55.4, a licensed Senior Reactor Operator (SRO) and a licensed reactor operator (RO) are those individuals who, in addition to meeting the requirements of TS 5.3.12, perform the functions described in 10CFR50.54(m).
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ATTACHMENT 3 to TXX-02033
RETYPEP TECHNICAL SPECIFICATION PAGES
Pages TS 5.0-5

5.0 ADMINISTRATIVE CONTROLS

5.3 Unit Staff Qualifications

- 5.3.1 Each member of the unit staff, with the exception of licensed Senior Reactor Operators and licensed Reactor Operators, shall meet or exceed the minimum qualifications of Regulatory Guide 1.8, Revision 2, 1987.
- 5.3.2 Licensed Senior Reactor Operators (SRO) and licensed Reactor Operators (RO) shall meet or exceed the minimum qualifications of Regulatory Guide 1.8, Revision 3, May 2000.
- 5.3.3 For the purposes of 10CFR55.4, a licensed Senior Reactor Operator (SRO) and a licensed reactor operator (RO) are those individuals who, in addition to meeting the requirements of TS 5.3.2, perform the functions described in 10CFR50.54(m).
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ATTACHMENT 4 to TXX-02033

PROPOSED FSAR CHANGES (FOR INFORMATION ONLY)

Pages 13.1-13
Table 13.1-1

CPSES/FSAR

13.1.2.2 Supervisory Succession

The Plant Manager (see Section 13.1.1.2.1) is responsible for the operation of CPSES. If the Plant Manager is absent or becomes incapacitated, then, unless otherwise designated, the following station staff assume the subject responsibilities in the order listed:

1. Operations Manager
2. Maintenance Manager

During back shift and weekend periods when the station staff is not on site, the Shift Manager is responsible for all activities at CPSES.

13.1.2.3 Shift Crew Composition

The minimum on-duty shift complement for various modes of single and dual unit operation is shown in Table 13.1-2 and is as follows:

Two USNRC Licensed Operators should be in the Control Room for each reactor while undergoing a start-up, scheduled shutdown or reactor trip recovery.

With two units licensed to operate (Both Units in Mode 5 or 6), each shift crew shall have at least six members, including one Shift Manager and two USNRC Licensed Operators.

With two units licensed to operate and one or both operating (Mode 1, 2, 3, 4), each crew shall have at least eight members, including one Shift Manager, one Unit Supervisor and three USNRC Licensed Operators.

An organization chart for CPSES for one and two unit operation is provided in Figure 13.1-3.

13.1.3 QUALIFICATION REQUIREMENTS FOR PLANT PERSONNEL

13.1.3.1 Minimum Qualification Requirements

The minimum qualification requirements for plant personnel licensed Senior Reactor Operators and Reactor Operators are in accordance with Regulatory Guide 1.8 rev. (23) and are displayed in Table 13.1-1. All other plant personnel minimum qualification requirements are in accordance with Regulatory Guide 1.8, Revision 2 and are also displayed in Table 13.1-1.

13.1.3.2 Qualifications of Plant Personnel

Resumes of current key operating organization personnel are provided in Appendix 13.1A.

CPSSES/FSAR

TABLE 13.1-1
(Sheet 1 of 3)
MINIMUM QUALIFICATIONS OF PLANT PERSONNEL IN ACCORDANCE WITH REGULATORY GUIDE 1.8, REVISION 2

NOTE:	H. S. DIPLOMA	B.S. in ENGINEERING OR SCIENCE	POWER PLANT EXPERIENCE	NUCLEAR PLANT EXPERIENCE	EXPERIENCE IN AREA OF EXPERTISE	EQUIVALENT EDUCATIONAL EXPERIENCE	REACTOR OPERATOR LICENSE REQUIRED	SENIOR REACTOR OPERATOR LIC/CERT REQUIRED
(1) Recommended, but not required								
(2) Recommended in addition to experience								
(3) Experience required to independently perform job								
(4) In accordance with Regulatory Guide 1.8, Revision 3, May 2000								
VICE PRESIDENT of NUCLEAR OPERATIONS OR PLANT MANAGER		X	10	3		4		X(1)
OPERATIONS MANAGER		X(1)	8	3		2		X(1)
MAINTENANCE MANAGER		X(1)	7	1		2		
MAINTENANCE DEPARTMENT MANAGERS		X(1)	5	1		4		
SHIFT OPERATIONS MANAGER		X(1)	8	3		2		X
SHIFT MANAGER	X		3(4)	23(4)		2(2)		X
SENIOR REACTOR OPERATOR	X		3(4)	23(4)		2(2)		X
SHIFT TECHNICAL ADVISOR		X		1				
REACTOR OPERATOR	X		32(4)	1			X	
PLANT EQUIPMENT OPERATOR	X							