

December 31, 1990

Docket No. 50-440

Mr. Michael D. Lyster, Vice President
Nuclear-Perry
The Cleveland Electric Illuminating
Company
10 Center Road
Perry, Ohio 44081

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Dear Mr. Lyster:

SUBJECT: AMENDMENT NO. 36 TO FACILITY OPERATING LICENSE NO. NPF-58 -
ADDITION OF CENTERIOR SERVICE COMPANY TO LICENSE (TAC NO. 77637)

The Commission has issued the enclosed Amendment No. 36 to Facility Operating License No. NPF-58 for the Perry Nuclear Power Plant, Unit No. 1. This amendment revises the license and the Technical Specifications in response to your application dated July 17, 1990, as supplemented by letter dated November 30, 1990.

This amendment adds Centerior Service Company (CSC) as a licensee to the Facility Operating License for the Perry Nuclear Power Plant, Unit 1. It authorizes both The Cleveland Electric Illuminating Company (CEI) and CSC to act as agents for the other licensees: The Toledo Edison Company, the Duquesne Light Company, the Ohio Edison Company and the Pennsylvania Power Company. Both CEI and CSC have the exclusive responsibility and control over the construction, operation and maintenance of the facility. In addition, the title of the CEI Vice President - Nuclear Group is changed to CSC Vice President, Nuclear-Perry to reflect the fact that the CEI nuclear organization now reports to Centerior Service Company. (Both CEI and CSC are wholly-owned subsidiaries of Centerior Energy Corporation).

A copy of the Safety Evaluation is also enclosed. Notice of issuance will be included in the Commission's next biweekly Federal Register notice.

Sincerely,

Original Signed By:

James R. Hall, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Enclosures:

- Amendment No. 36 to License No. NPF-58
- Safety Evaluation

cc w/enclosures: See next page

LA:PD33:DRP345
PKreutzer
12/19/90

PM:PD33:DRP345
JRHall/bj
12/19/90

D:PD33:DRP345
JHannon
12/20/90

PTSB:PMAS
DNash
12/21/90

OGC-WF1
EHoller
12/21/90

DOCUMENT NAME: 77637 AMD

concern in licensee conditions, not policy

DLn

EH

DF01/11

CP1

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Enclosures:

1. Amendment No. 36 to License No. NPF-58
2. Safety Evaluation

cc w/enclosures: See next page

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12/20/90

PTS:PMAS
DNash
12/21/90

OGC-WF1
EHoller
12/21/90

*concur in
license conditions
not policy*

John

EH

DOCUMENT NAME: 77637 AMD

Mr. Michael D. Lyster
The Cleveland Electric
Illuminating Company

Perry Nuclear Power Plant
Unit 1

cc: Jay E. Silberg, Esq.
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Ohio Department of Industrial
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Illuminating Company
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The Honorable Lawrence Logan
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Perry, Ohio 44081

Resident Inspector's Office
U.S. Nuclear Regulatory Commission
Parmlly at Center Road
Perry, Ohio 44081

The Honorable Robert V. Orosz
Mayor, Village of North Perry
North Perry Village Hall
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North Perry Village, Ohio 44081

Regional Administrator, Region III
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Painesville, Ohio 44077

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Columbus, Ohio 43212

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Mentor, Ohio 44060

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Agency
DERR--Compliance Unit
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1800 Watermark Drive
ATTN: Zack A. Clayton
Columbus, Ohio 43266-0149

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Toledo, Ohio 43624

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Perry, Ohio 44081

State of Ohio
Public Utilities Commission
180 East Broad Street
Columbus, Ohio 43266-0573



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

THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, ET AL.

DOCKET NO. 50-440

PERRY NUCLEAR POWER PLANT, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 36
License No. NPF-58

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by The Cleveland Electric Illuminating Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company, and Toledo Edison Company (the licensees) dated July 17, 1990, as supplemented by letter dated November 30, 1990 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, Facility Operating License No. NPF-58 is amended as follows:
 - I. Add Centerior Service Company to the title of the NPF-58 license to read:

9101080017 901231
PDR ADOCK 05000440
PDR

CLEVELAND ELECTRIC ILLUMINATING COMPANY

CENTERIOR SERVICE COMPANY

DUQUESNE LIGHT COMPANY

OHIO EDISON COMPANY

PENNSYLVANIA POWER COMPANY

TOLEDO EDISON COMPANY

DOCKET NO. 50-440

PERRY NUCLEAR POWER PLANT, UNIT NO. 1

FACILITY OPERATING LICENSE

License No. NPF-58

- II. Add Centerior Service Company and revise the footnote to paragraph 1.A as follows:
1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for license filed by the Cleveland Electric Illuminating Company* (CEICO) and Centerior Service Company acting on their own behalf and as agents for the Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and the Toledo Edison Company (licensees) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter 1, and all required notifications to other agencies or bodies have been duly made;

The footnote should read:

*Cleveland Electric Illuminating Company and Centerior Service Company (both of which are wholly-owned subsidiaries of Centerior Energy Corporation) are authorized to act as agents for Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and the Toledo Edison Company, and have exclusive responsibility and control over the physical construction, operation and maintenance of the facility. Centerior Service Company was added as a licensee by Amendment No. 36 .

III. Add Centerior Service Company to paragraph 2 as follows:

2. Based on the foregoing findings regarding this facility, the Partial-Initial Decisions issued December 2, 1983 and September 3, 1985 by the Atomic Safety and Licensing Board in regard to this facility (affirmed by ALAB-841 dated July 25, 1986) and pursuant to approval by the Nuclear Regulatory Commission at a meeting on November 7, 1986, Facility Operating License No. NPF-58, which supersedes the license for fuel loading and low power testing, License No. NPF-45, issued on March 18, 1986, is hereby issued to the Cleveland Electric Illuminating Company, Centerior Service Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and Toledo Edison Company (the licensees) to read as follows:

IV. Add a footnote to paragraph 2.B.(1) as follows:

- B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:

- (1) The Cleveland Electric Illuminating Company (CEICO)* pursuant to Section 103 of the Act and 10 CFR Part 50, to possess, use and operate the facility at the designated location in Lake County, Ohio, in accordance with the procedures and limitations set forth in this license;

*The CEICO nuclear organization reports to Centerior Service Company.

V. Revise paragraph 2.C.(3) by identifying the existing paragraph as 2.C.(3).a. and adding new paragraph 2.C.(3).b. as follows:

(3) Antitrust Conditions

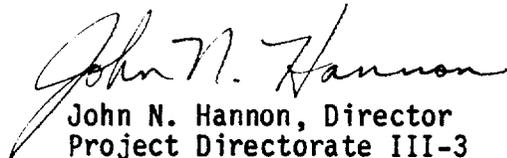
- a. Cleveland Electric Illuminating Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and the Toledo Edison Company shall comply with the antitrust conditions delineated in Appendix C to this license; Appendix C is hereby incorporated into this license.
- b. Centerior Service Company (CSC) shall comply with the antitrust conditions delineated in Appendix C to this license as if named therein. CEICO is responsible and accountable for the actions of CSC to the extent that CSC's actions contravene the antitrust license conditions in Appendix C to this license.

VI. Revise paragraph 2.C.(2) to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 36 are hereby incorporated into this license. The Cleveland Electric Illuminating Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

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



John N. Hannon, Director
Project Directorate III-3
Division of Reactor Projects III/IV/V
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications and License

Date of issuance: December 31, 1990

ATTACHMENT TO LICENSE AMENDMENT NO. 36

FACILITY OPERATING LICENSE NO. NPF-58

DOCKET NO. 50-440

Replace the following pages of the Appendix "A" Technical Specifications with the attached pages. The revised pages are identified by Amendment number and contain vertical lines indicating the area of change. Overleaf pages are provided to maintain document completeness.

Remove

6-1
6-9
6-10
6-11
6-13
6-15

Insert

6-1
6-9
6-10
6-11
6-13
6-15

Retyped license pages 1, 2 and 4 are also provided for convenience.

6.0 ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

6.1.1 The General Manager, Perry Plant Operations Department, 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 Supervisor 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 - Nuclear shall be reissued to all station personnel on an annual basis.

6.2 ORGANIZATION

6.2.1 OFFSITE AND ONSITE ORGANIZATIONS

Onsite and offsite organizations shall be established for unit operation and corporate management, respectively. The onsite and offsite organizations 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. These relationships shall be documented and updated, as appropriate, in the form of organization charts, functional descriptions of departmental responsibilities and relationships, and job descriptions for key personnel positions, or in equivalent forms of documentation. These requirements shall be documented in the USAR and updated in accordance with 10 CFR 50.71(e).
- b. The General Manager, Perry Plant Operations Department (PPOD), shall be responsible for overall unit safe operation and shall have control over those onsite activities necessary for safe operation and maintenance of the plant.
- c. The Vice President - Nuclear shall have corporate responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety.
- d. The individuals who train the operating staff and those who carry out health physics and quality assurance functions may report to the appropriate onsite manager; however, they shall have sufficient organizational freedom to ensure their independence from operating pressures.

ADMINISTRATIVE CONTROLS

6.2.2 UNIT STAFF

- a. Each on duty shift shall be composed of at least the minimum shift crew composition shown in Table 6.2.2-1;
- 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 OPERATIONAL CONDITION 1, 2 or 3, at least one licensed Senior Operator shall be in the control room;
- c. A Health Physics 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; and
- e. Administrative procedures shall be developed and implemented to limit the working hours of unit staff who perform safety-related functions (e.g., licensed Senior Operators, licensed Operators, health physics technicians, auxiliary operators, and key maintenance personnel).

The amount of overtime worked by unit staff members performing safety-related functions shall be limited in accordance with the NRC Policy Statement on working hours (Generic Letter No. 82-12).

*The Health Physics Technician 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.

ADMINISTRATIVE CONTROLS

QUORUM

6.5.1.5 The quorum of the PORC necessary for the performance of the PORC responsibility and authority provisions of these Technical Specifications shall consist of the Chairman or his designated alternate and at least four members including alternates.

RESPONSIBILITIES

6.5.1.6 The PORC shall be responsible for:

- a. Review of all Administrative Procedures;
- b. Review of the safety evaluations for (1) proposed procedures/instructions, (2) changes to procedures/instructions, equipment, systems or facilities, and (3) tests or experiments performed under the provisions of 10 CFR 50.59 to verify that such actions do not constitute an unreviewed safety question;
- c. Review of proposed procedures/instructions and changes to procedures/instructions, equipment, systems or facilities which involve an unreviewed safety question as defined in 10 CFR 50.59;
- d. Review of proposed tests or experiments which involve an unreviewed safety question as defined in 10 CFR 50.59;
- e. Review of proposed changes to Technical Specifications or the Operating License;
- f. Investigation of all violations of the Technical Specifications including the preparation and forwarding of reports covering evaluation and recommendations to prevent recurrence to the Vice President - Nuclear and to the Nuclear Safety Review Committee;
- g. Review of all REPORTABLE EVENTS;
- h. Review of the plant Security Plan and Security Contingency Instructions;
- i. Review of the Emergency Plan and implementing instructions;
- j. Review of changes to the PROCESS CONTROL PROGRAM, the OFFSITE DOSE CALCULATION MANUAL, and Radwaste Treatment Systems;
- k. Review of any accidental, unplanned or uncontrolled radioactive release including the preparation of reports covering evaluation, recommendations, and disposition of the corrective action to prevent recurrence and the forwarding of these reports to the General Manager, Perry Plant Operations Department (PPOD) and the Director, Perry Plant Technical Department (PPTD), the Nuclear Safety Review Committee and the Vice President - Nuclear;
- l. Review of Unit operations to detect potential hazards to nuclear safety;
- m. Investigations or analysis of special subjects as requested by the Chairman of the Nuclear Safety Review Committee; and
- n. Review of the Fire Protection Program and implementing procedures.

ADMINISTRATIVE CONTROLS

RESPONSIBILITIES (Continued)

6.5.1.7 The PORC shall:

- a. Recommend in writing to the General Manager, PPOD/Director, PPTD, approval or disapproval of items considered under Specifications 6.5.1.6a. through e., h., i., j., and k., above prior to their implementation;
- b. Render determinations in writing with regard to whether or not each item considered under Specifications 6.5.1.6b. through e., above, constitutes an unreviewed safety question; and
- c. Provide written notification within 24 hours to the Vice President - Nuclear and the Nuclear Safety Review Committee of disagreement between the PORC and the General Manager, Perry Plant Operations Department; however, the General Manager, Perry Plant Operations Department, shall have responsibility for resolution of such disagreements pursuant to Specification 6.1.1 above.

RECORDS

6.5.1.8 The PORC shall maintain written minutes of each PORC meeting that, at a minimum, document the results of all PORC activities performed under the responsibility provisions of these Technical Specifications. Copies shall be provided to the Vice President - Nuclear and the Nuclear Safety Review Committee.

6.5.2 NUCLEAR SAFETY REVIEW COMMITTEE (NSRC)

FUNCTION

6.5.2.1 The NSRC shall function to provide independent review and audit of designated activities in the areas of:

- a. Nuclear power plant operations,
- b. Nuclear engineering,
- c. Chemistry and radiochemistry,
- d. Metallurgy,
- e. Instrumentation and control,
- f. Radiological safety,
- g. Mechanical and electrical engineering,
- h. Quality assurance practices and administrative controls, and
- i. Nondestructive testing.

The NSRC shall report to and advise the Vice President - Nuclear on those areas of responsibility specified in Specifications 6.5.2.7 and 6.5.2.8.

ADMINISTRATIVE CONTROLS

COMPOSITION

6.5.2.2 The membership of the NSRC shall be composed of at least eight personnel appointed by the Vice President - Nuclear to provide collective experience and competency in the following areas:

- Nuclear power plant operations
- Nuclear engineering
- Chemistry and radiochemistry
- Metallurgy
- Nondestructive testing
- Instrumentation and control
- Radiological safety
- Mechanical and electrical engineering
- Administrative controls and quality assurance practices

The Chairman, appointed by the Vice President - Nuclear shall have 10 years of power plant experience, of which 3 years shall be nuclear power plant experience. The NSRC members shall hold a bachelors' degree in an engineering or physical science field, or equivalent experience, and a minimum of 5 years of technical experience of which a minimum of 3 years shall be in one or more of the disciplines in Specification 6.5.2.1. Competent alternates may be designated in advance and consultants may be used for in-depth expertise if desired by the committee.

ALTERNATES

6.5.2.3 All alternate members shall be appointed in writing by the NSRC Chairman to serve on a temporary basis; however, no more than two alternates shall participate as voting members in NSRC activities at any one time.

CONSULTANTS

6.5.2.4 Consultants shall be utilized as determined by the NSRC Chairman to provide expert advice to the NSRC.

MEETING FREQUENCY

6.5.2.5 The NSRC shall meet at least once per calendar quarter during the initial year of unit operation following fuel loading and at least once per 6 months thereafter.

QUORUM

6.5.2.6 The quorum of the NSRC necessary for the performance of the NSRC review and audit functions of these Technical Specifications shall consist of the Chairman or his designated alternate and at least four but not less than one-half of the NSRC members including alternates. No more than a minority of the quorum shall have line responsibility for operation of the unit.

ADMINISTRATIVE CONTROLS

REVIEW

6.5.2.7 The NSRC shall be responsible for the review of:

- a. The safety evaluations for (1) changes to procedures, instructions, equipment, or systems; and (2) tests or experiments completed under the provision of 10 CFR 50.59 to verify that such actions did not constitute an unreviewed safety question;
- b. Changes or proposed changes to procedures, instructions, equipment, or systems which involve an unreviewed safety question as defined in 10 CFR 50.59;
- c. Tests or experiments or proposed tests or experiments which involve an unreviewed safety question as defined in 10 CFR 50.59;
- d. Proposed changes to Technical Specifications or this Operating License;
- e. Violations of codes, regulations, orders, Technical Specifications, license requirements, or of internal procedures or instructions having nuclear safety significance;
- f. Significant operating abnormalities or deviations from normal and expected performance of unit equipment that affect nuclear safety;
- g. All REPORTABLE EVENTS;
- h. All recognized indications of an unanticipated deficiency in some aspect of design or operation of structures, systems, or components that could affect nuclear safety; and
- i. Reports and meeting minutes of the PORC.

AUDITS

6.5.2.8 Audits of unit activities shall be performed under the cognizance of the NSRC. These audits shall encompass:

- a. The conformance of unit operation to provisions contained within the Technical Specifications and applicable license conditions at least once per 12 months;
- b. The performance, training and qualifications of the entire unit staff at least once per 12 months;
- c. The results of actions taken to correct deficiencies occurring in unit equipment, structures, systems, or method of operation that affect nuclear safety, at least once per 6 months;

ADMINISTRATIVE CONTROLS

AUDITS (Continued)

- d. The performance of activities required by the Operational Quality Assurance Program to meet the criteria of Appendix B, 10 CFR Part 50, at least once per 24 months;
- e. The fire protection programmatic controls including the implementing procedures at least once per 24 months by qualified licensee QA personnel;
- f. The fire protection equipment and program implementation at least once per 12 months utilizing either a qualified corporate licensee fire protection engineer(s) or an outside independent fire protection consultant. An outside independent fire protection consultant shall be utilized at least every third year;
- g. The radiological environmental monitoring program and the results thereof at least once per 12 months;
- h. The OFFSITE DOSE CALCULATION MANUAL and implementing procedures at least once per 24 months;
- i. The PROCESS CONTROL PROGRAM and implementing procedures at least once per 24 months;
- j. The performance of activities required by the Quality Assurance Program for effluent and environmental monitoring at least once per 12 months; and
- k. Any other area of unit operation considered appropriate by the NSRC or the Vice President - Nuclear.

RECORDS

6.5.2.9 Records of NSRC activities shall be prepared, approved, and distributed as indicated below:

- a. Minutes of each NSRC meeting shall be prepared, approved, and forwarded to the Vice President - Nuclear within 14 days following each meeting.
- b. Reports of reviews encompassed by Specification 6.5.2.7 shall be prepared, approved, and forwarded to the Vice President - Nuclear within 14 days following completion of the review.
- c. Audit reports encompassed by Specification 6.5.2.8 shall be forwarded to the Vice President - Nuclear and to the management positions responsible for the areas audited within 30 days after completion of the audit by the auditing organization.

ADMINISTRATIVE CONTROLS

6.5.3 TECHNICAL REVIEW AND CONTROL

ACTIVITIES

6.5.3.1 Activities which affect nuclear safety shall be conducted as follows:

- a. Procedures/instructions required by Specification 6.8 and other procedures/instructions which affect plant nuclear safety, and changes thereto, shall be prepared, reviewed and approved. Each such procedure/instruction or procedure/instruction change shall be reviewed by a qualified individual(s) other than the individual(s) which prepared the procedure/instruction or procedure/instruction change, but who may be from the same section as the individual(s) which prepared the procedure/instruction or procedure/instruction change. Instructions shall be approved by appropriate management personnel as designated in writing by PORC, and approved by the appropriate managers, Perry Plant Departments. Both the General Manager, PPOD, and the Director, PPTD, shall approve Administrative Procedures.
- b. Proposed modifications to plant structures, systems and components that affect nuclear safety shall be reviewed by individuals designated by the Director, Nuclear Engineering Department. Each such modification shall be reviewed by a qualified individual(s) other than the individual(s) which designed the modification, but who may be from the same section as the individual(s) which designed the modifications. Proposed modifications to plant structures, systems and components that affect nuclear safety shall be reviewed by PORC and approved prior to implementation by both the General Manager, PPOD/Director, PPTD.
- c. Proposed tests and experiments which affect plant nuclear safety shall be prepared, reviewed, and approved. Each such test or experiment shall be reviewed by a qualified individual(s) other than the individual(s) which prepared the proposed test or experiment. Proposed tests and experiments shall be approved before implementation by both the General Manager, PPOD/Director PPTD.
- d. Sections responsible for reviews, including cross-disciplinary reviews, performed in accordance with Specifications 6.5.3.1a. and 6.5.3.1c., shall be designated in writing by PORC and approved by the General Manager, PPOD, or the Director, PPTD, as appropriate. The individual(s) performing the review shall meet or exceed the qualification requirements of appropriate section(s) of ANSI N18.1-1971;
- e. Each review shall include a determination pursuant to 10 CFR 50.59 of whether or not the potential for an unreviewed safety question exists. If such a potential does exist, a safety evaluation per 10 CFR 50.59 to determine whether or not an unreviewed safety question is involved shall be performed. Pursuant to 10 CFR 50.59, NRC approval of items involving unreviewed safety questions shall be obtained prior to implementation; and

ADMINISTRATIVE CONTROLS

ACTIVITIES (Continued)

- f. The Plant Security Plan and Emergency Plan, and implementing instructions, shall be reviewed at least once per 12 months. Recommended changes to the implementing instructions shall be approved by the Director, Nuclear Support Department, or Director, Perry Plant Technical Department, as appropriate. Recommended changes to the Plans shall be reviewed pursuant to the requirements of Specification 6.5.1.6 and approved by the General Manager, Perry Plant Operations Department, and either the Director, Nuclear Support Department, or the Director, Perry Plant Technical Department, as appropriate. NRC approval shall be obtained as appropriate.

6.6 REPORTABLE EVENT ACTION

6.6.1 The following actions shall be taken for REPORTABLE EVENTS:

- a. The Commission shall be notified and a report submitted pursuant to the requirements of Section 50.73 to 10 CFR Part 50, and
- b. Each REPORTABLE EVENT shall be reviewed by the PORC and the results of the review submitted to the NSRC and the Vice President - Nuclear.

6.7 SAFETY LIMIT VIOLATION

6.7.1 The following actions shall be taken in the event a Safety Limit is violated:

- a. The NRC Operations Center shall be notified by telephone as soon as possible and in all cases within 1 hour. The Vice President - Nuclear and the NSRC shall be notified within 24 hours.
- b. A Safety Limit Violation Report shall be prepared. The report shall be reviewed by the PORC. This report shall describe (1) applicable circumstances preceding the violation, (2) effects of the violation upon unit components, systems, or structures, and (3) corrective action taken to prevent recurrence.
- c. The Safety Limit Violation Report shall be submitted to the Commission, the NSRC, and the Vice President - Nuclear within 30 days of the violation.
- d. Critical operation of the unit shall not be resumed until authorized by the Commission.

6.8 PROCEDURES/INSTRUCTIONS AND PROGRAMS

6.8.1 Written procedures/instructions shall be established, implemented, and maintained covering the activities referenced below:

- a. The applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978.

ADMINISTRATIVE CONTROLS

6.8 PROCEDURES/INSTRUCTIONS AND PROGRAMS (Continued)

- b. The applicable procedures required to implement the requirements of NUREG-0737 and supplements thereto.
- c. Security Plan implementation.
- d. Emergency Plan implementation.
- e. PROCESS CONTROL PROGRAM implementation.
- f. OFFSITE DOSE CALCULATION MANUAL implementation.
- g. Radiological Environmental Monitoring Program implementation.
- h. Fire Protection Program implementation.

6.8.2 Each administrative procedure of Specification 6.8.1, and changes thereto, shall be reviewed by the PORC and shall be approved by the General Manager, PPOD, and the Director, PPTD, prior to implementation. All procedures/instructions shall be reviewed periodically as set forth in administrative procedures.

6.8.3 Temporary changes. Temporary changes to procedures/instructions which do not change the intent of the approved procedures/instructions shall be approved for implementation by two members of the plant management staff, at least one of whom holds a Senior Operator license. These temporary changes shall be documented. The temporary changes shall be approved by the original approval authority within 14 days. For changes to procedures/instructions which may involve a change in intent of the procedures/instructions, the original approval authority shall approve the change prior to implementation.

6.8.4 The following programs shall be established, implemented, and maintained:

a. Primary Coolant Sources Outside Containment

A program to reduce leakage from those portions of systems outside containment that could contain highly radioactive fluids during a serious transient or accident to as low as practical levels. The systems include the HPCS, RHR, RCIC, LPCS, feedwater leakage control system, the hydrogen analyzer portion of Combustible Gas Control, and post-accident sampling systems. The program shall include the following:

- 1. Preventive maintenance and periodic visual inspection requirements, and
- 2. Integrated leak test requirements for each system at refueling cycle intervals or less.



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

CLEVELAND ELECTRIC ILLUMINATING COMPANY

CENTERIOR SERVICE COMPANY

DUQUESNE LIGHT COMPANY

OHIO EDISON COMPANY

PENNSYLVANIA POWER COMPANY

TOLEDO EDISON COMPANY

DOCKET NO. 50-440

PERRY NUCLEAR POWER PLANT, UNIT NO. 1

FACILITY OPERATING LICENSE

License No. NPF-58

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for license filed by the Cleveland Electric Illuminating Company* (CEICO) and Centerior Service Company acting on their own behalf and as agents for the Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and the Toledo Edison Company (licensees) complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations set forth in 10 CFR Chapter I, and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the Perry Nuclear Power Plant, Unit No. 1 (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-148 and the application, as amended, the provisions of the Act, and the regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission, (except as exempted from compliance in Section 2.D below);
 - D. There is reasonable assurance: (i) that the activities authorized by this operating license 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 set forth in 10 CFR Chapter I (except as exempted from compliance in Section 2.D below);

*Cleveland Electric Illuminating Company and Centerior Service Company (both of which are wholly-owned subsidiaries of Centerior Energy Corporation) are authorized to act as agents for Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and the Toledo Edison Company, and have exclusive responsibility and control over the physical construction, operation and maintenance of the facility. Centerior Service Company was added as a licensee by Amendment No. 36.

- E. The Cleveland Electric Illuminating Company is technically qualified to engage in the activities authorized by this license in accordance with the Commission's regulations set forth in 10 CFR Chapter I;
 - F. The licensees have satisfied the applicable provisions of 10 CFR Part 140 "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
 - G. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. After weighing the environmental, economic, technical and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of this Facility Operating License No. NPF-58, subject to the conditions for protection of the environment set forth in the Environmental Protection Plan attached as Appendix B, is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied; and
 - I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40 and 70.
2. Based on the foregoing findings regarding this facility, the Partial-Initial Decisions issued December 2, 1983 and September 3, 1985 by the Atomic Safety and Licensing Board in regard to this facility (affirmed by ALAB-841 dated July 25, 1986) and pursuant to approval by the Nuclear Regulatory Commission at a meeting on November 7, 1986, Facility Operating License No. NPF-58, which supersedes the license for fuel loading and low power testing, License No. NPF-45, issued on March 18, 1986, is hereby issued to the Cleveland Electric Illuminating Company, Centerior Service Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and Toledo Edison Company (the licensees) to read as follows:
- A. The license applies to the Perry Nuclear Power Plant, Unit No. 1, a boiling water nuclear reactor and associated equipment (the facility), owned by the Cleveland Electric Illuminating Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and the Toledo Edison Company. The facility is located on the shore of Lake Erie in Lake County, Ohio, approximately 35 miles northeast of Cleveland, Ohio and is described in the licensees' Final Safety Analysis Report, as supplemented and amended, and in the licensees' Environmental Report, as supplemented and amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:
 - (1) The Cleveland Electric Illuminating Company (CEICO)* pursuant to Section 103 of the Act and 10 CFR Part 50, to possess, use and operate the facility at the designated location in Lake County, Ohio, in accordance with the procedures and limitations set forth in this license;

*The CEICO nuclear organization reports to Centerior Service Company.

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, as revised through Amendment No. 36 are hereby incorporated into this license. Cleveland Electric Illuminating Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Antitrust Conditions

- a. Cleveland Electric Illuminating Company, Duquesne Light Company, Ohio Edison Company, Pennsylvania Power Company and the Toledo Edison Company shall comply with the antitrust conditions delineated in Appendix C to this license; Appendix C is hereby incorporated into this license.
- b. Centerior Service Company (CSC) shall comply with the antitrust conditions delineated in Appendix C to this license as if named therein. CEICO is responsible and accountable for the actions of CSC to the extent that CSC's actions contravene the antitrust license conditions in Appendix C to this license.

(4) Post-Fuel Loading Initial Test Program (Section 14, SSER #3)*

Any changes to the Initial Test Program described in Section 14 of the FSAR made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(5) Inservice Inspection Program (Section 6.6.3, SSER #7)

Within six (6) months after exceeding 5% of rated thermal power, CEICO shall submit the Initial Inservice Inspection Program required by 10 CFR 50.55(a) for the NRC staff's review and approval.

(6) Fire Protection (Section 9.5, SER, SSER #1, 2, 3, 4, 7 and 8)

CEICO shall comply with the following requirements of the fire protection program: CEICO shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report as amended, for the Perry Nuclear Power Plant and as approved in the Safety Evaluation Report (NUREG-0887) dated May 1982 and Supplement Nos. 1 thru 10 thereto, subject to the following provisions:

- a. CEICO may make changes to the approved fire protection program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

*The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report (SER) and/or its supplements wherein the license condition is discussed.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 36 TO FACILITY OPERATING LICENSE NO. NPF-58

THE CLEVELAND ELECTRIC ILLUMINATING COMPANY, ET AL.

PERRY NUCLEAR POWER PLANT, UNIT NO. 1

DOCKET NO. 50-440

1.0 INTRODUCTION

By letter dated July 17, 1990, as supplemented by letter dated November 30, 1990, the Cleveland Electric Illuminating Company (CEI or CEICO) proposed an amendment to Facility Operating License No. NPF-58 for the Perry Nuclear Power Plant, Unit 1 (PNPP). The proposed amendment would add Centerior Service Company (CSC) as a licensee to the Facility Operating License. It would authorize both CEI and CSC to act as agents for the other licensees, and grant both the exclusive responsibility and control over the construction, operation and maintenance of the facility. The proposed changes would more accurately reflect the current organizational relationship, as discussed below. On October 3, 1990, the Commission published a proposed finding that the amendment involved no significant hazards consideration. This proposed finding remains unchanged with respect to the licensees' November 30, 1990 supplemental submittal, which simply added the requirements that CSC shall comply with the antitrust conditions of the license, and that CEI will be responsible and accountable for the actions of CSC to the extent that CSC's actions contravene those antitrust conditions.

2.0 DISCUSSION

On April 24, 1990, the Board of Directors of Centerior Energy Corporation adopted a reorganization plan for the Corporation, its operating company subsidiaries--The Cleveland Electric Illuminating Company and the Toledo Edison Company, and its existing service company subsidiary--Centerior Service Company. Under this reorganization, the CEI nuclear organization reports to Centerior Service Company. To reflect the change in reporting, the title of the Vice President in charge of the nuclear organization has been changed from the CEI Vice President-Nuclear Group to the CSC Vice President, Nuclear-Perry.

Under the reorganization, CSC assumes senior management responsibility for nuclear activities at the PNPP, Unit 1. The CEI nuclear organization reports through the CSC Vice President, Nuclear-Perry to the CSC Executive Vice President-Power Generation, who in turn reports to CSC's President and Chief Operating Officer, and ultimately to CSC's Chairman and Chief Executive

Officer. All other PNPP personnel remain employees of CEI. The reorganization makes no changes in the technical or financial qualifications for the PNPP. The sources of funding for the PNPP remain as they were prior to the reorganization.

The proposed changes are intended to reflect the consolidation of Centerior Energy Corporation's nuclear plants (Perry and Davis-Besse) under a common management to allow for improved oversight, control and uniformity of operations. The changes consist of the addition of CSC as a licensee, and grant CSC the authority, along with CEI, to act as agents for the other licensees and to have the exclusive responsibility and control over the construction, operation and maintenance of the facility. The proposed license changes further specify that CSC shall comply with the antitrust conditions of Appendix C to the license as if named therein, and that CEI is responsible and accountable for CSC's actions with respect to those antitrust conditions. A proposed footnote indicates that the CEI nuclear organization reports to CSC. In addition, the title "Vice President-Nuclear Group" would be revised to read "Vice President-Nuclear" wherever it appears in the Technical Specifications, to properly reflect the current title of the senior manager having corporate responsibility for the overall nuclear safety of the PNPP. The NRC staff has reviewed the proposed changes, as discussed below.

3.0 EVALUATION

The proposed amendment would not affect the technical qualifications necessary to operate the PNPP, which will continue to be provided by the CEI nuclear organization. While there is a change in reporting at the senior management levels, there will continue to be clear and direct lines of authority, responsibility and communication from the highest management levels to all operating organization positions involved in activities affecting plant safety, as currently required by the plant Technical Specifications (TSs).

The Nuclear Regulatory Commission's (NRC) financial qualifications requirements remain satisfied by virtue of the fact that the ownership of the plant by the electrical utilities is unchanged.

The reorganization of Centerior Energy Corporation, in bringing the nuclear organizations of the electric utilities under a common senior management (CSC), will provide long-term benefits inherent to an integrated nuclear company. These benefits will include sharing of nuclear operating experience and expertise and more effective communication.

To address potential antitrust concerns due to the addition of Centerior Service Company to the license, CEI proposed a revision to License Condition 2.C.(3), to add the following language: "Centerior Service Company (CSC) shall comply with the antitrust conditions delineated in

Appendix C to this license as if named therein. CEICO is responsible and accountable for the actions of CSC to the extent that CSC's actions contravene the antitrust license conditions in Appendix C to this license." The NRC staff finds that these conditions will be sufficient to limit the role of CSC in the marketing or brokering of power or energy in the regions affected by the associated utilities. CEI will have a substantial vested interest in assuring that CSC adheres to the antitrust conditions, based on the revised license conditions. Therefore, the NRC staff concludes that the enhanced license conditions are sufficient to prohibit the Centerior Service Company from actions that will cause antitrust concerns, relative to CSC's role as a licensee for the Perry Nuclear Power Plant, Unit 1. The plant owners and CSC will be subject to the same existing antitrust license conditions and CEI will be responsible and accountable for the actions of CSC, relative to those antitrust conditions.

In addition, the PNPP Unit 1 Technical Specifications (TSs) will be revised to reflect the change in the title of the CEI Vice President-Nuclear Group to the CSC Vice President Nuclear-Perry. The actual change deletes the word "Group" from the title "Vice President-Nuclear Group," wherever it appears, as it is clear that the Vice President-Nuclear referred to in the TSs is the Vice President, Nuclear for the PNPP. The footnote added to License Condition 2.B.(1) further clarifies that the CEI nuclear organization reports to CSC.

On the bases discussed above, the NRC staff finds the proposed changes acceptable.

4.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32, and 51.35, an environmental assessment and finding of no significant impact has been prepared and published in the Federal Register on December 24, 1990 (55 FR 52912). Accordingly, based upon the environmental assessment, the Commission has determined that the issuance of this amendment will not have a significant effect on the quality of the human environment.

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, 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 Contributor: J. R. Hall, NRR

Dated: December 31, 1990