

December 31, 2002

MEMORANDUM TO: A. Randolph Blough, Director  
Division of Reactor Projects, Region I

FROM: Ledyard B. (Tad) Marsh, Deputy Director **/RA by SRichards for/**  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

SUBJECT: RESPONSE TO THE TASK INTERFACE AGREEMENT (TIA 2002-02)  
REGARDING THE MINIMUM ON-SHIFT AND AUGMENTATION  
STAFFING FOR RADIOLOGICAL EMERGENCIES AT R.E. GINNA  
NUCLEAR POWER PLANT (TAC NO. MB5460)

By memorandum dated June 19, 2001, you requested that the Office of Nuclear Reactor Regulation (NRR) staff review the adequacy of emergency plan on-shift and augmentation staffing levels at Ginna. Specifically, you requested that NRR provide an assessment of both the on-shift and augmentation staffing commitments contained in the Ginna Emergency Plan. You also requested a course of action if NRR's review showed that the current staffing for emergency responders is inadequate.

In response to your request, the NRR staff reviewed the Ginna Emergency Plan relative to on-shift and augmentation staffing levels. The staff also reviewed the extensive background information you provided, which included the licensee's basis and justification for their current on-shift and augmentation staffing levels and Nuclear Regulatory Commission (NRC) Inspection Report 50-244/02-09, dated May 16, 2002.

Based upon our review of the information, it appears that the Ginna Emergency Plan on-shift and augmentation levels have been essentially the same since the early 1980's. However, it also appears that the current on-shift and augmentation staffing levels described in the Ginna Emergency Plan fail to meet Title 10 of the *Code of Federal Regulations* (CFR) Part 50 (10 CFR 50.47(b)(2)). Specifically, 10 CFR 50.47(b)(2) states that adequate staffing to provide initial facility accident response in key functional areas be maintained at all times and timely augmentation of response capabilities be available. Regulatory Guide (RG) 1.101, "Emergency Planning and Preparedness for Nuclear Power Reactors," Revision 2, provides additional guidance to licensees relative to meeting the standards in 10 CFR 50.47. RG 1.101 states that the criteria and recommendations contained in Revision 1 to NUREG-0654, "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants," are considered by the NRC staff to be generally acceptable methods for complying with the standards in 10 CFR 50.47 that must be met in onsite and offsite emergency response plans. RG 1.101 also states that except in those cases in which the licensee proposes acceptable alternative practices or methods for complying with

specific portions of the Commission's regulations, the practices or methods described in RG 1.101 will be used as a basis for evaluating the adequacy of the emergency plans.

Contrary to the requirements of 10 CFR 50.47(b)(2), the licensee's on-shift staffing and augmentation levels described in the Ginna Emergency Plan appear to be deficient in the following areas:

1. The licensee has not specified a dedicated individual to perform the on-shift chemistry/radio-chemistry task. The Rad/Chem Technician position is identified as a non-collateral task in Table B-1 of NUREG-0654.
2. The licensee has not described measures taken to compensate for not providing the eleven 30-minute responders, specified in NUREG-0654, who are to perform the following tasks/functions: one communicator; an individual with senior health physics expertise to perform dose assessment; six health physics technicians to perform offsite surveys, onsite (out-of-plant) surveys, and in-plant surveys; one individual to perform the core/thermal hydraulics technical support function; and two electrical maintenance/instrumentation and control (I&C) technicians to perform repair and corrective action tasks.
3. The licensee has not described in the Ginna Emergency Plan who will fill the following positions/functions for seven 60-minute responders or described an acceptable alternative: one of two communicators; a health physics technician to perform onsite surveys, two health technicians to perform onsite (out-of-plant) surveys and in-plant surveys; two individuals to perform the electrical maintenance/I&C technician function for repair and corrective actions, and a radiological waste operator.

Therefore, based upon the information the NRR staff has reviewed to date, it appears that the on-shift and augmentation staffing levels described in the Ginna Emergency Plan, Revision 20, fail to meet the requirements of 10 CFR 50.47(b)(2). Also, the current content of the Ginna Emergency Plan is not considered an acceptable alternative practice or method relative to the on-shift staffing and augmentation levels referred to in RG 1.101.

Although the staff believes there is a basis for a compliance backfit at this time, the staff will be interfacing with the Office of the General Counsel to determine the legal status of previous correspondence. The NRR staff will also communicate/meet with the licensee as necessary. Concurrent with the two actions described above, the basis for a compliance backfit is being

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drafted in accordance with the guidance provided in NRR Office Letter 901, Revision 1, "Procedures for Managing Plant-Specific Backfits and 10 CFR 50.54(f) Information Requests," as a tool to document the evaluation. It can later be processed as a compliance backfit, if that is determined to be appropriate.

This completes NRR action on TAC No. MB5460.

cc: L. Plisco, RII  
G. Grant, RIII  
A. Howell, RIV

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\*\*See previous concurrence

Accession Number: ML023570398

\*No major changes to input

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