



FirstEnergy Nuclear Operating Company

Perry Nuclear Power Plant  
10 Center Road  
Perry, Ohio 44081

William R. Kanda  
Vice President - Nuclear

440-280-5579  
Fax 440-280-8029

January 14, 2003  
PY-CEI/NRR-2657L

United States Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555

Perry Nuclear Power Plant  
Docket No. 50-440  
License Amendment Request Pursuant to 10CFR50.90: Revising the Requirement for the Plant Manager to Approve Administrative Procedures/Offsite Dose Calculation Manual; Clarifying the Reporting Time Pursuant to 10CFR50.73

Ladies and Gentlemen:

Nuclear Regulatory Commission review and approval of a license amendment request for the Perry Nuclear Power Plant (PNPP) is requested. PNPP proposes a change to Technical Specifications 5.1.1, 5.4.1, and 5.5.1 that would replace the requirement for the plant manager to approve administrative procedures and the Offsite Dose Calculation Manual. The plant manager approval signature will be replaced with the signature of a procedurally authorized individual who would be the more appropriate authority for approval of the activity. Additionally, a change is proposed to revise License Condition 2.F to replace the 30-day reporting period with a direct reference to the 10CFR50.73 subsection that contains the reporting period. The License Condition already references 10CFR50.73 for use in reporting plant issues. Both changes are considered administrative in nature and will still maintain an acceptable level of program control. The proposed changes will reduce unnecessary administrative burden to the PNPP staff in the areas of administrative procedure control and event reporting.

The proposed change which eliminates the Plant Manager signature from administrative procedures, is similar to one approved for the Davis-Besse Nuclear Power Station on November 2, 2001 (ADAMS Accession Number ML 012410159).

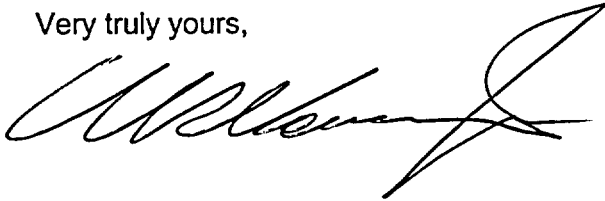
Approval of the license amendment is requested prior to May 1, 2003, with the amendment being implemented 90 days following the approval of the amendment. The approval date was administratively selected to allow for NRC review, however, the plant does not require this amendment to allow continued safe full power operation.

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There are no regulatory commitments contained in this letter or its attachments. If you have questions or require additional information, please contact Mr. Vernon K. Higaki, Manager - Regulatory Affairs, at (440) 280-5294.

Very truly yours,

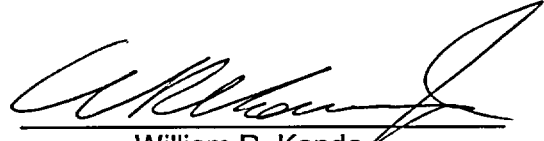
A handwritten signature in black ink, appearing to read 'Vernon K. Higaki', written in a cursive style.

Attachments:

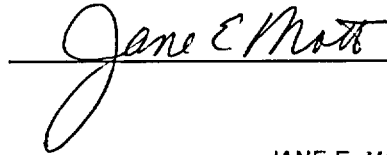
1. Notarized Affidavit
2. Evaluation of the Change, Including a Summary, Description of the Proposed Technical Specification and Operating License Changes, Analysis, and Environmental Consideration
3. Significant Hazards Consideration
4. Technical Specification and Operating License Pages Annotated with Proposed Changes

cc: NRC Project Manager  
NRC Resident Inspector  
NRC Region III  
State of Ohio


I, William R. Kanda, hereby affirm that (1) I am Vice President - Perry, of the FirstEnergy Nuclear Operating Company, (2) I am duly authorized to execute and file this certification as the duly authorized agent for The Cleveland Electric Illuminating Company, Toledo Edison Company, Ohio Edison Company, and Pennsylvania Power Company, and (3) the statements set forth herein are true and correct to the best of my knowledge, information and belief.

  
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William R. Kanda

Subscribed to and affirmed before me, the 14<sup>th</sup> day of January 2003

  
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JANE E. MOTI  
Notary Public, State of Ohio  
My Commission Expires Feb. 20, 2005  
(Recorded in Lake County)



## **SUMMARY**

This license amendment proposes to replace the requirement for the Plant Manager to approve administrative procedures and the Offsite Dose Calculation Manual (ODCM) as contained in Technical Specifications (TS) 5.1.1 and 5.5.1. This approval would be replaced by an approval from a procedurally authorized individual who is the more appropriate authority for the activity. The requirement for this approval will be located in Technical Specification 5.4.1. Additionally, a change is proposed to revise License Condition 2.F to eliminate a specific time period of reporting pursuant to 10CFR50.73. License Condition 2.F references reporting pursuant to 10CFR50.73. Since the reporting periodicity is integral to the regulation, eliminating the periodicity in the License Condition eliminates duplication. Both changes are considered administrative in nature and will still maintain an acceptable level of program control.

## **DESCRIPTION OF THE PROPOSED TECHNICAL SPECIFICATION AND OPERATING LICENSE CHANGES**

The following are the proposed TS changes:

TS 5.1, "Responsibility", Item 5.1.1, delete the phrase "and all administrative procedures", after the words "equipment that affect nuclear safety."

TS 5.4.1, "Scope", insert as a new section, "Responsibility", then add the sentence, "The above procedures will be approved by procedurally authorized individuals."

TS 5.5.1, "Offsite Dose Calculation Manual (ODCM)", delete the term "of the plant manager" after the words "Shall become effective after review and acceptance including approval", and replace with the term "by the procedurally authorized individual".

The proposed change to License Condition 2.F of the Operating License deletes the phrase "within thirty (30) days" and adds subsection "(a)(1)" after the regulation 10CFR50.73 within the License Condition.

There are no Technical Specification Bases changes associated with this license amendment.

## **ANALYSIS**

### **TS 5.1, 5.4.1, and 5.5.1**

The proposed change to replace the plant manager's approval with "procedurally authorized individuals" as the approval authority will allow for other Perry Nuclear Power Plant (PNPP) management personnel to approve activities when their position is designated as the approval authority. This will improve ownership and effectiveness in the control of site activities since the individual who is responsible for activity implementation will be the direct authority for activity approval. At the PNPP, the ODCM is controlled as a procedure. Therefore, this amendment request will not differentiate between procedures and the ODCM.

Regulatory Guide (RG) 1.33, "Quality Assurance Program Requirements (Operation)", provides guidance for administrative controls for nuclear power plants. The RG endorses ANSI N18.7-1976/ANS-3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants." This standard provides acceptable processes for the development and implementation of administrative controls associated with site activities. As documented in the FirstEnergy Nuclear Operating Company (FENOC) Quality Assurance Program Manual, PNPP is committed to this RG and ANSI standard.

Section 5.2.15 of ANSI N18.7-1976/ANS 3.2, entitled "Review, Approval and Control of Procedures", provides guidance for the development, review, and approval of site procedures. The standard states that procedures will be approved by "authorized individuals." Though the standard does not define who the "authorized individuals" are, it can be inferred from Section 5.2.15 that these individuals would be personnel who are knowledgeable in the area affected by the procedure. The standard does not require the plant manager to approve plant procedures.

The PNPP intends to designate section managers, superintendents, and supervisors as the approval authority for site procedures. Individuals in these positions are required to satisfy the qualification requirements of ANSI N18.1-1971, "Standard for Selection and Training of Personnel for Nuclear Power Plants", as stated in TS 5.3, "Unit Staff Qualifications", and the Updated Safety Analysis Report (USAR) Table 13.1-1, "Perry Staff Titles and ANSI N18.1-1971 Equivalent." The proposed change will not change these qualification requirements.

Guidance for assigning the procedure approval authority is contained within an upper-tier plant procedure. This will provide a measure of control, since this will aid in ensuring that the proper individuals will be assigned to approve procedures. This is consistent with the guidance contained within ANSI N18.7-1976/ANS-3.2.

As part of the PNPP procedure program, procedures are independently reviewed prior to approval. The individuals that perform this function are certified as independent reviewers. The certification process involves individuals possessing a set measure of background educational and work experience, completion of a training course with an examination, and certification as a 10CFR50.59 evaluator. Procedure program controls define the scope of review these individuals perform, e.g., the reviewer is independent from the procedure preparer, verifies the documents are correct, and cross-discipline review is appropriately performed. The performance of an independent review is consistent with ANSI N18.7-1976/ANS-3.2. The proposed TS change will not affect this independent review process.

Therefore, replacing the plant manager's approval of procedures with "procedurally authorized individuals" is consistent with the requirements of RG 1.33 and ANSI N18.7-1976/ANS-3.2.

#### License Condition 2.F

The proposed change will replace the listed time frame associated with reporting pursuant to 10CFR50.73 with a direct reference to the 10CFR50.73 subsection that contains the reporting time period. The License Condition references the use of 10CFR50.73 for the reporting of various events. The reporting periodicity is a requirement of the regulation.

The proposed change will not affect what items need to be reported or the periodicity of reporting since the License Condition maintains compliance with 10CFR50.73.

### **ENVIRONMENTAL CONSIDERATION**

The proposed Technical Specification change request was evaluated against the criteria of 10CFR51.22 for environmental considerations. The proposed change does not significantly increase individual or cumulative occupational radiation exposures, does not significantly change the types or significantly increase the amounts of effluents that may be released off-site, and as discussed in Attachment 3, does not involve a significant hazards consideration. Based upon the preceding discussion it has been concluded that the proposed Technical Specification change meets the criteria given in 10 CFR 51.22(c)(9) for categorical exclusion from the requirement for an Environmental Impact Statement.

## **SIGNIFICANT HAZARDS CONSIDERATION**

The proposed amendment is requesting Nuclear Regulatory Commission review and approval of changes to the Perry Nuclear Power Plant (PNPP) Technical Specifications and Operating License. The amendment proposes to replace the requirement for the plant manager to approve administrative procedures and the Offsite Dose Calculation Manual (ODCM) with the requirement for approval by an authorized individual who is the more appropriate approval authority for the activities. Additionally, the amendment proposes to simplify License Condition 2.F by eliminating the duplication of the time frame of reporting since the time frame is a key factor in 10CFR50.73, which is already referenced within the License Condition.

The standards used to arrive at a determination that a request for amendment involves no significant hazards considerations are included in the Nuclear Regulatory Commission's Regulation, 10CFR50.92, which states that the operation of the facility in accordance with the proposed amendment would not: (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any previously evaluated; or (3) involve a significant reduction in a margin of safety.

The proposed amendment has been reviewed with respect to these three factors and it has been determined that the proposed change does not involve a significant hazard because:

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

The proposed change to replace the plant manager's approval with approval by an authorized individual is consistent with the requirements of Regulatory Guide 1.33 and ANSI N18.7-1976/ANS 3.2. The authorized individuals are management and supervisory personnel who satisfy the requirements of ANSI N18.1-1971. Use of ANSI N18.1-1971 is consistent with the requirements of the existing Technical Specifications and Updated Safety Analysis Report. The change is administrative and does not impact or otherwise affect the physical plant.

The proposed change to the License Condition to delete the reporting time frame eliminates duplication of a requirement that is already an integral part of 10CFR50.73 which is referenced in the License Condition. The proposed change is administrative and does not impact or otherwise affect the physical plant.

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

2. The proposed change would not create the possibility of a new or different kind of accident from any previously evaluated.

The proposed administrative changes do not involve any physical modifications to the facility nor add new equipment. The methods of plant operation have not been altered. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. The proposed changes will not involve a significant reduction in the margin of safety.

The proposed changes are administrative in nature. The proposed changes have no direct impact upon any plant safety analyses. Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

On the basis of the above, it has been determined that the license amendment request does not involve a significant hazards consideration.



## 5.0 ADMINISTRATIVE CONTROLS

### 5.1 Responsibility

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5.1.1 The plant manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.

The plant manager, or his designee, shall approve, prior to implementation, each proposed test, experiment, or modification to systems or equipment that affect nuclear safety, and all ~~administrative procedures.~~

5.1.2 The shift supervisor (SS) shall be responsible for the control room command function. During any absence of the SS from the control room while the unit is in MODE 1, 2, or 3, an individual with an active Senior Reactor Operator (SRO) license shall be designated to assume the control room command function. During any absence of the SS from the control room while the unit is in MODE 4 or 5, an individual with an active SRO license or Reactor Operator license shall be designated to assume the control room command function.

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## 5.0 ADMINISTRATIVE CONTROLS

### 5.4 Procedures

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#### 5.4.1 Scope

Written procedures/instructions shall be established, implemented, and maintained covering the following activities:

- a. The applicable procedures recommended in Regulatory Guide 1.33, Revision 2, Appendix A, February 1978;
  - b. The emergency operating procedures required to implement the requirements of NUREG-0737 and NUREG-0737, Supplement 1;
  - c. Quality assurance for effluent and environmental monitoring; and
  - d. All programs specified in Specification 5.5.
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#### 5.4.2 Responsibility

The above procedures will be approved by procedurally authorized individuals.

New  
Section

5.0 ADMINISTRATIVE CONTROLS

5.5 Programs and Manuals

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The following programs and manuals shall be established, implemented, and maintained.

5.5.1 Offsite Dose Calculation Manual (ODCM)

- a. The ODCM shall contain the methodology and parameters used in the calculation of offsite doses resulting from radioactive gaseous and liquid effluents, in the calculation of gaseous and liquid effluent monitoring alarm and trip setpoints, and in the conduct of the radiological environmental monitoring program; and
- b. The ODCM shall also contain the radioactive effluent controls and radiological environmental monitoring programs, and descriptions of the information that should be included in the Annual Radiological Environmental Operating and Radioactive Effluent Release reports.

Licensee initiated changes to the ODCM:

- a. Shall be documented and records of reviews performed shall be retained. This documentation shall contain:
  1. sufficient information to support the change(s) together with the appropriate analyses or evaluations justifying the change(s), and
  2. a determination that the change(s) maintain the levels of radioactive effluent control required by 10 CFR 20.1302, 40 CFR 190, 10 CFR 50.36a, and 10 CFR 50, Appendix I, and not adversely impact the accuracy or reliability of effluent, dose, or setpoint calculations;

- b. Shall become effective after review and acceptance including approval ~~of the plant manager; and~~  
*by the procedurally authorized individual; and*  
(continued)
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- D. FENOC is exempted from: 1) the requirements of Section III.D.2(b)(ii), containment airlock testing requirements, Appendix J to 10 CFR Part 50, due to the special circumstance described in Section 6.2.6 of SER Supplement No. 7 authorized by 10 CFR 50.12(a)(2)(iii); and 2) the requirements of Section IV.F., Full Participation Exercise, of Appendix E to 10 CFR Part 50, due to the special circumstance described in the Exemption dated November 6, 1986. These exemptions are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security. The exemptions are hereby granted pursuant to 10 CFR 50.12. With the granting of these exemptions, the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.
- E. FENOC shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans, including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Perry Nuclear Power Plant Physical Security Plan," with revisions submitted through September 11, 1987; "Perry Nuclear Power Plant Guard Training and Qualification Plan," with revisions submitted through August 12, 1986; and "Perry Nuclear Power Plant Safeguards Contingency Plan" (Chapter 8 of the Security Plan), with revisions submitted through May 15, 1986. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.
- F. Except for Section 2.C.(2), FENOC shall report any violations of the requirements contained in Section 2.C of this license in the following manner: Initial notification shall be made within 24 hours to the NRC Operations Center via the Emergency Notification System with written followup ~~within thirty (30) days~~ in accordance with the procedures described in 10 CFR 50.73(b), (c), and (e).
- G. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.