NMC
Committed to Nuclear Excellence
Nuclear Management Company, LLC

April 30, 2003

10 CFR 50.90

U S Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

KEWAUNEE NUCLEAR POWER PLANT
DOCKET No. 50-305
LICENSE No. DPR-43

PALISADES NUCLEAR PLANT
DOCKET No. 50-255
LICENSE No. DPR-20

POINT BEACH NUCLEAR PLANT
DOCKET Nos. 50-266 and 50-301
LICENSE Nos. DPR-24 and DPR-27

LICENSE AMENDMENT REQUEST (LAR)
CLARIFICATION OF LICENSED OPERATOR QUALIFICATIONS

In accordance with the provisions of 10 CFR 50.90, Nuclear Management Company, LLC (NMC), the holder of Operating Licenses DPR-43, DPR-20, DPR-24 and DPR-27 for Kewaunee Nuclear Power Plant, Palisades Nuclear Plant and Point Beach Nuclear Plant, Units 1 and 2, respectively, hereby proposes amendments to the Technical Specifications (TS) contained in Appendix A of the Operating Licenses.

NMC proposes amendments that will revise the Facility Staff Qualification requirements contained within TS 5.3 or TS 6.3, as applicable for each plant. These staff qualification requirements have been superseded based on licensed operator training programs being accredited by the National Nuclear Accrediting Board, and issuance of the revised 10 CFR 55, "Operators' Licenses," which became effective on May 26, 1987.

NMC requests approval of the proposed license amendment by October 1, 2003, with the amendment being implemented within 45 days. The approval date was administratively selected to allow for NRC review, but the plants do not require this amendment to allow continued safe full power operation.

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M003

In accordance with 10 CFR 50.91, a copy of this letter, with attachments, is being provided to the designated state official for each of the units included in these proposed amendments.

If you have any questions or require additional information, please contact Mr. Roger Scott at (920) 755-7255.

I declare under penalty of perjury that the foregoing is true and accurate. Executed on April 30, 2003.

Edward J. Weinkam
Director, Regulatory Services
Nuclear Management Company, LLC

cc: Regional Administrator - Region III, NRC
NRC Resident Inspector, Kewaunee Nuclear Power Plant
NRC Resident Inspector, Palisades Nuclear Plant
NRC Resident Inspector, Point Beach Nuclear Plant
NRR Project Manager, NRC
Lou Brandon, State of Michigan
Ave M. Bie, Public Service Commission of Wisconsin

Attachments:
A - Licensee Evaluation
B-1 - Marked Up Technical Specification Pages, Kewaunee Nuclear Power Plant
B-2 - Marked Up Technical Specification Pages, Palisades Nuclear Plant
B-3 - Marked Up Technical Specification Pages, Point Beach Nuclear Plant
C-1 - Revised Technical Specification Pages, Kewaunee Nuclear Power Plant
C-2 - Revised Technical Specification Pages, Palisades Nuclear Plant
C-3 - Revised Technical Specification Pages, Point Beach Nuclear Plant

ATTACHMENT A

LICENSEE EVALUATION

Clarification of Licensed Operator Qualifications

1.0 DESCRIPTION

In accordance with the provisions of 10 CFR 50.90, Nuclear Management Company, LLC (NMC), the holder of Operating Licenses DPR-43, DPR-20, DPR-24 and DPR-27 for Kewaunee Nuclear Power Plant, Palisades Nuclear Plant and Point Beach Nuclear Plant, Units 1 and 2, respectively, hereby proposes amendments to the Technical Specifications (TS) contained in Appendix A of the Operating Licenses.

NMC proposes amendments that will revise the Facility Staff Qualification requirements contained within TS 5.3 or TS 6.3, as applicable, for each plant. These staff qualification requirements have been superseded based on licensed operator training programs accredited by the National Nuclear Accrediting Board (NNAB), and issuance of the revised 10 CFR 55, "Operators' Licenses," which became effective on May 26, 1987.

2.0 PROPOSED CHANGE

A description of the proposed amendments is provided below along with a discussion of the justification for each change. The specific wording changes to the TS are provided in attachments B and C.

The facility staff qualifications for each plant, TS 5.3 or TS 6.3, as applicable, will be revised to specify an exception to the current TS minimum qualifications. This exception requires licensed operators to meet the education and experience eligibility requirements of the National Academy for Nuclear Training (NANT) (ACAD 00-003), "Guidelines for Initial Training and Qualification of Licensed Operators," dated January 2000. Institute for Nuclear Power Operations (INPO) letter dated August 13, 2002, from W. J. Hastie, INPO, to D. B. Pinckney, Nuclear Regulatory Commission (NRC), provided ACAD 00-003 for placement in the Public Document Room.

Candidates who meet the experience eligibility requirements of an accredited training program consistent with 10 CFR 55.31, "How to apply," paragraph 4, may not meet the Regulatory Guide (RG) or American National Standards Institute (ANSI) experience requirements referenced in the current TS. The proposed TS amendments provide the needed flexibility for candidates to complete the licensed operator training program.

The bracketed dates in attachment C refer to the NRC safety evaluation that documents the approval of the education and experience eligibility requirements for license applicants referenced within this TS amendment request. The date of the NRC's safety evaluation approving the proposed TS amendments will be inserted in place of the bracketed date.

3.0 BACKGROUND

On March 20, 1985, the NRC issued the "Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel," which endorsed the training accreditation program developed by the Institute for Nuclear Power Operations, in association with NANT. Subsequently, in NRC Generic Letter 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing – 10 CFR 55 and Conforming Amendments" and NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators' Licenses," the NRC indicated it would accept a licensee's licensed operator training program, if it is accredited and based on a systems approach to training. This accreditation obviates the need to conform to the guidance of either Regulatory Guide 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," or ANSI N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel," which are currently referenced in the applicable plants' TS. NUREG-1262 notes that Regulatory Guide 1.8 and ANSI N18.1-1971 may be superceded by NNAB accreditation in accordance with the revised 10 CFR 55, and that licensees may submit a request to the NRC for an administrative change to their TS to revise or delete, as appropriate, the TS requirements which have been superceded.

On January 18, 2001, the NRC issued Regulatory Issue Summary (RIS) 2001-01, "Eligibility of Operator License Applicants," 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 RIS acknowledges that 10 CFR 55.31(a)(4), as amended on March 25, 1987, states 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 . . ." The RIS 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 facility licensee has voluntarily obtained and periodically renewed the accreditation of its licensed operator training program suggests that every facility is implementing the education and experience guidelines endorsed by the NNAB. The NRC staff understands that the current version of these guidelines are outlined by the National Academy for Nuclear Training (NANT) in its "Guidelines for Initial Training and Qualification of License 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 licensees to review their requirements and commitments related to RO and SO education and experience and to update their documentation (e.g., [Final Safety Analysis Report] FSAR, TS, and training program descriptions) to enhance consistency and minimize confusion.

To accomplish this, in part, NMC is proposing amendments to TS 5.3, Specification 5.3.1 or TS 6.3, as applicable, to clarify education and experience eligibility requirements for license operator applicants. These TS amendments do not propose to change the qualifications and training programs for any other plant staff.

The NRC has previously approved similar changes for numerous other nuclear power plants including: Millstone Nuclear Power Station, Units 2 and 3 by NRC Safety Evaluation dated December 5, 2001 (TAC NOS. MB2829 and MB2319), Byron Station, Units 1 and 2, and Braidwood Station, Units 1 and 2 by NRC Safety Evaluation dated September 24, 2002 (TAC NOS. MB2683, MB2684, MB2685, and MB2686), and Wolf Creek Generating Station by NRC Safety Evaluation dated November 26, 2002 (TAC NO. MB3017).

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 issuance of the revised 10 CFR 55 rule, determined that this impact remains acceptable when licensees have an accredited licensed operator training program, which is based on a systems approach to training. The NRC has concluded in NUREG-1262 and RIS 2001-01 that the standards and guidelines applied by NANT in their training accreditation program are equivalent to those put forth or endorsed by the NRC. Therefore, maintaining a NNAB accredited, systems based, licensed operator training program is equivalent to maintaining an NRC approved licensed operator training program, which conforms to applicable NRC Regulatory Guides or NRC endorsed industry standards.

The licensed operator qualifications and training programs will continue to comply with the requirements of 10 CFR 55. NMC licensed operator training programs are accredited by NNAB and are based on a systems approach to training. Since the proposed TS changes are administrative in nature, they do not affect plant design, hardware, system operation, or procedures, and therefore, do not adversely affect nuclear safety.

These amendments are proposed in consideration of the guidance of RIS 2001-01, which encouraged licensees to update their documentation (including TS) to current operator education and experience requirements. RIS 2001-01 indicates that this type of change, updating the plant licensing basis for eligibility requirements for operator license applicants, would be considered administrative in nature. Therefore, the proposed amendments to the TS are acceptable.

5.0 REGULATORY ANALYSIS

5.1 No Significant Hazards Consideration

The Nuclear Management Company, LLC (NMC) has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10 CFR 50.92, "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 Technical Specification (TS) amendments are administrative changes to clarify the current requirements for licensed operator qualifications and licensed operator training program. With these amendments, the TS continue to meet the current requirements of 10 CFR 55.

   Although licensed operator qualifications and training may have an indirect impact on accidents previously evaluated, the Nuclear Regulatory Commission (NRC) considered this impact during the rulemaking process, and by issuance of the revised 10 CFR 55 rule, concluded that this impact remains acceptable, as long as the licensed operator training programs are certified to be accredited and are based on a systems approach to training. NMC licensed operator training programs are accredited by the National Nuclear Accrediting Board (NNAB) and are based on a systems approach to training. The proposed TS amendments take credit for the NNAB accreditation of the licensed operator training programs. The TS requirements for all other facility staff qualifications remain unchanged.

   Therefore, the proposed changes do 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 amendments are administrative changes to clarify the current requirements for licensed operator qualifications and licensed operator training programs and to conform to the revised 10 CFR 55.

As discussed 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 issuance of the revised rule, concluded that this impact remains acceptable, as long as licensed operator training programs are certified to be accredited and based on a systems approach to training. As previously noted, NMC licensed operator training programs are accredited by NNAB and are based on a systems approach to training. The proposed TS amendments take credit for the NNAB accreditation of the licensed operator training programs. The TS requirements for all other facility staff qualifications remain unchanged.

Additionally, the proposed TS amendments do not affect plant design, hardware, system operation, or procedures. Therefore, the proposed changes do 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 amendments are administrative changes to clarify the current requirements applicable to licensed operator qualifications and licensed operator training programs. With these changes the TS continue to be consistent with the requirements of 10 CFR 55. The TS qualification requirements for all other facility 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 issuance of the revised 10 CFR 55, 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, NMC licensed operator training programs are accredited by NNAB and are 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 the Institute for Nuclear Power Operations in their training accreditation program are equivalent to those put forth or endorsed by the NRC. As a result, maintaining NNAB accredited, systems approach based, licensed operator training programs is equivalent to maintaining NRC approved licensed operator training programs, which conform to applicable NRC Regulatory Guides or NRC endorsed industry standards. The margin of safety is maintained by virtue of maintaining the NNAB accredited licensed operator training programs.

In addition, the NRC 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 acknowledges that the National Academy for Nuclear Training 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, the NMC concludes that the proposed amendments present 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

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 describes 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.

The NMC licensed operator training programs are accredited by NNAB and are based on a systems approach to training. The licensed operator qualifications and training programs will continue to comply with the requirements of 10 CFR 55.

10 CFR 55.31

10 CFR 55.31 (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, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing – 10 CFR 55 and Conforming Amendments," 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 NMC licensed operator training programs are accredited by NNAB and are based on a systems approach to training. The licensed operator qualifications and training programs will continue to comply with the requirements of 10 CFR 55.

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

The NMC has evaluated the proposed TS amendments consistent with the criteria for identification of licensing and regulatory actions requiring environmental assessment in accordance with 10 CFR 51.21, "Criteria for and identification of licensing and regulatory actions requiring environmental assessments." The proposed amendments are confined to (i) changes to surety, insurance, and/or indemnity requirements, or (ii) changes to record keeping, reporting, or administrative procedures or requirements. Accordingly, the proposed changes meet the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(10). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the proposed amendments.

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 on Operators' License," published November 1987.

5. Regulatory Guide 1.8, Revision 1, September 1975, "Qualification and Training of Personnel for Nuclear Power Plants."

6. ANSI N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel."

7. NRC Regulatory Issue Summary 2001-01, "Eligibility of Operator License Applicants," dated January 18, 2001.

ATTACHMENT B-1

KEWAUNEE NUCLEAR POWER PLANT

License Amendment Request
Clarification of Licensed Operator Qualifications

Marked Up Technical Specification Page
(Additions double-underlined, deletions strikethrough)

TS 6.3-1

6.3 PLANT STAFF QUALIFICATIONS

a. Qualification of each member of the Plant Staff shall meet or exceed the minimum acceptable levels of ANSI N18.1-1971 for comparable positions, except for:

1. tThe Radiation Protection Manager who shall meet or exceed the recommendation of Regulatory Guide 1.8, Revision 1-R, September 1975, or their equivalent as further clarified in Attachment 1 to the Safety Evaluation Report enclosed with Amendment No. 46 to Facility Operating License DPR-43.

2. The education and experience eligibility requirements for operator license applicants, changes thereto, shall be those previously reviewed and approved by the NRC, specifically those referenced in NRC Safety Evaluation letter dated [Date] (K-03-xxx).

b. The Shift Technical Advisor shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in the design of the Kewaunee Plant and plant transient and accident analysis.

ATTACHMENT B-2

PALISADES NUCLEAR PLANT

License Amendment Request
Clarification of Licensed Operator Qualifications

Marked Up Technical Specification Page
(Additions double-underlined, deletions strikethrough)

5.0-4

5.0 ADMINISTRATIVE CONTROLS

5.3 Plant Staff Qualifications

5.3.1 Each member of the plant staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions except for the education and experience eligibility requirements for operator license applicants, and changes thereto, shall be those previously reviewed and approved by the NRC, specifically those referenced in NRC Safety Evaluation dated [Date].

5.3.2 The radiation safety manager shall meet the qualifications of a Radiation Protection Manager as defined in Regulatory Guide 1.8, September 1975. For the purpose of this section, "Equivalent," as utilized in Regulatory Guide 1.8 for the bachelor's degree requirement, may be met with four years of any one or combination of the following: (a) Formal schooling in science or engineering, or (b) operational or technical experience and training in nuclear power.

5.3.3 The individual, required by Specification 5.2.2g, assigned to provide advisory technical support to the plant operations shift crew, shall meet the qualifications specified by the Commission Policy Statement on Engineering Expertise on Shift (Published in Federal Register 50 FR 43621, October 28, 1985).

5.3.4 The plant staff who perform reviews which ensure compliance with 10 CFR 50.59 shall meet or exceed the minimum qualifications of ANS 3.1-1987, Section 4.7.1 and 4.7.2. A Senior Reactor Operator license or certification shall be considered equivalent to a bachelors degree for the purpose of this specification.

ATTACHMENT B-3

POINT BEACH NUCLEAR PLANT

License Amendment Request
Clarification of Licensed Operator Qualifications

Marked Up Technical Specification Page
(Additions double-underlined, deletions strikethrough)

5.3-1

5.0 ADMINISTRATIVE CONTROLS

5.3 Facility Staff Qualifications

5.3.1 Each member of the facility staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971, as supplemented by Regulatory Guide 1.8, Revision 1, September 1975, for comparable positions, except for the education and experience eligibility requirements for license applicants, and changes thereto, shall be those previously reviewed by the NRC, specifically those referenced in NRC Safety Evaluation letter dated [Date].

5.3.2 For the purpose of 10 CFR 55.4, a licensed Senior Reactor Operator (SRO) and a licensed reactor operator (RO) are those individuals who, in addition to meeting the requirements of TS 5.3.1, perform the functions described in 10 CFR 50.54(m).

5.3.3 In the event the position of Health Physicist is vacated and the proposed replacement does not meet all the qualifications of TS 5.3.1, but is determined to be otherwise well qualified, the concurrence of NRC shall be sought in approving the qualification of that individual.

ATTACHMENT C-1

KEWAUNEE NUCLEAR POWER PLANT

License Amendment Request
Clarification of Licensed Operator Qualifications

Revised Technical Specification Page

TS 6.3-1

6.3 PLANT STAFF QUALIFICATIONS

a. Qualification of each member of the Plant Staff shall meet or exceed the minimum acceptable levels of ANSI N18.1-1971 for comparable positions, except for:

   1. The Radiation Protection Manager who shall meet or exceed the recommendation of Regulatory Guide 1.8, Revision 1-R, September 1975, or their equivalent as further clarified in Attachment 1 to the Safety Evaluation Report enclosed with Amendment No. 46 to Facility Operating License DPR-43.

   2. The education and experience eligibility requirements for operator license applicants, changes thereto, shall be those previously reviewed and approved by the NRC, specifically those referenced in NRC Safety Evaluation letter dated [Date] (K-03-xxx).

b. The Shift Technical Advisor shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in the design of the Kewaunee Plant and plant transient and accident analysis.

ATTACHMENT C-2

PALISADES NUCLEAR PLANT

License Amendment Request
Clarification of Licensed Operator Qualifications

Revised Technical Specification Page

5.0-4

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5.3.2 The radiation safety manager shall meet the qualifications of a Radiation Protection Manager as defined in Regulatory Guide 1.8, September 1975. For the purpose of this section, "Equivalent," as utilized in Regulatory Guide 1.8 for the bachelor's degree requirement, may be met with four years of any one or combination of the following: (a) Formal schooling in science or engineering, or (b) operational or technical experience and training in nuclear power.

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ATTACHMENT C-3

POINT BEACH NUCLEAR PLANT

License Amendment Request
Clarification of Licensed Operator Qualifications

Revised Technical Specification Page

5.3-1

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