

October 2, 2003

Mr. Thomas Coutu
Site Vice President
Kewaunee Nuclear Power Plant
Nuclear Management Company, LLC
N490 Highway 42
Kewaunee, WI 54216-9511

SUBJECT: KEWAUNEE NUCLEAR POWER PLANT - ISSUANCE OF AMENDMENT
(TAC NO. MB8934)

Dear Mr. Coutu:

The U.S. Nuclear Regulatory Commission has issued the enclosed Amendment No. 170 to Facility Operating License No. DPR-43 for the Kewaunee Nuclear Power Plant. This amendment revises the Facility Operating License No. DPR-43 in response to your application dated April 30, 2003.

The amendment revises Kewaunee Nuclear Power Plant, Technical Specification Section 6.3, "Plant Staff Qualifications." The amendment updates requirements that have been outdated based on licensed operator training programs being accredited by the National Academy for Nuclear Training and promulgation of the revised 10 CFR 55, "Operators' Licenses."

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

Sincerely,

/RA/

Anthony C. McMurtray, Senior Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-305

Enclosures: 1. Amendment No. 170 to
License No. DPR-43
2. Safety Evaluation

cc w/encls: See next page

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ADAMS ACCESSION NUMBER: ML032530427

***Provided SE input by memo**

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DATE	09/26/03	09/13/03	08/28/03	09/30/03	10/01/03

OFFICIAL RECORD COPY

Kewaunee Nuclear Power Plant

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NUCLEAR MANAGEMENT COMPANY, LLC

DOCKET NO. 50-305

KEWAUNEE NUCLEAR POWER PLANT

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 170
License No. DPR-43

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Nuclear Management Company, LLC (the licensee), dated April 30, 2003, 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, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-43 is hereby amended to read as follows:

Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 170, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of its date of its issuance and shall be implemented within 45 days.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

L. Raghavan, Section Chief, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical Specifications

Date of Issuance: October 2, 2003

ATTACHMENT TO LICENSE AMENDMENT NO. 170

FACILITY OPERATING LICENSE NO. DPR-43

DOCKET NO. 50-305

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

REMOVE

TS 6.3-1

INSERT

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. 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.

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATING TO AMENDMENT NO. 170 TO FACILITY OPERATING LICENSE NO. DPR-43
NUCLEAR MANAGEMENT COMPANY, LLC
KEWAUNEE NUCLEAR POWER PLANT
DOCKET NO. 50-305

1.0 INTRODUCTION

By application dated April 30, 2003, Nuclear Management Company, LLC (the licensee), requested a change to the Technical Specifications (TSs) for the Kewaunee Nuclear Power Plant. The proposed change would revise TS Section 6.3, "Plant Staff Qualifications." The amendment updates requirements that have been outdated based on licensed operator training programs being accredited by the National Academy for Nuclear Training (NANT) and promulgation of the revised Title 10 of *the Code of Federal Regulations* Part 55 (10 CFR 55), "Operators' Licenses."

2.0 REGULATORY EVALUATION

On March 20, 1985, the U. S. Nuclear Regulatory Commission (NRC) issued the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, which endorsed the NANT and its training accreditation process. In Generic Letter 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing 10 CFR 55 and Conforming Amendments," dated March 19, 1987, and in NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators' Licenses," published November 1987, the NRC indicated it would accept a facility's licensed operator training program if the facility certified in writing that the program was accredited and based on a systems approach to training (SAT). This certification would supersede the requirements of American National Standards Institute (ANSI) N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel," and ANSI/American Nuclear Society (ANS)-3.1-1978, "Selection, Qualification and Training of Personnel for Nuclear Power Plants." Facility licensees were advised to submit a request to the NRC for an administrative change to their licensing documents to revise or delete, as appropriate, the requirements that had been superseded.

In 1992, the NRC published its proposed rule 10 CFR 50.120, "Training and Qualification of Nuclear Power Plant Personnel." The proposed rule stated that, if adopted, the rule would supersede the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel and would not result in any change to accredited programs. The NRC concluded that accredited programs that are implemented consistent with industry objectives and criteria would be in compliance with 10 CFR 50.120. In April 1993, the NRC published its

final rule on training and qualification of nuclear power plant personnel. The rule requires nuclear power plant licensees to establish, implement, and maintain SAT-based training programs for nine non-licensed positions. Accreditation of these nine training programs is an acceptable means of meeting the requirements of 10 CFR 50.120.

On January 18, 2001, the NRC issued Regulatory Issue Summary (RIS) 2001-01, "Eligibility of Operator License Applicants," to familiarize licensees with the NRC's current guidelines for the qualification and training of reactor operator and senior operator license applicants. RIS 2001-01 acknowledged that 10 CFR 55.31(a)(4) allows the NRC to accept an application for an operator's license if the facility licensee certifies that the applicant has successfully completed a Commission-approved training program that is based on a systems approach to training. In addition, RIS 2001-01 stated that: (1) a training program would be considered approved by the NRC when it receives or renews accreditation from the National Nuclear Accrediting Board (NNAB); (2) accreditation of operator training programs suggests that facilities are implementing the education and experience guidelines endorsed by the NNAB; (3) NANT guidelines for education and experience (those in effect in 1987 or those issued in January 2000) outline acceptable methods for implementing the Commission's regulations; and (4) the NRC staff encourages all facility licensees to review their requirements and commitments related to licensed operator and senior operator education and experience and to update their documentation (e.g., Final Safety Analysis Report, TSs, and training program descriptions) to "enhance consistency and minimize confusion."

3.0 TECHNICAL EVALUATION

The licensee has proposed to revise TS Section 6.3, which describes the requirements for plant staff qualifications. The proposed revision would update requirements that have been outdated based on licensed operator training programs being accredited by the NANT and promulgation of the revised 10 CFR Part 55. The proposed revision conforms to the current requirements of 10 CFR Part 55. The TS requirements for all other plant staff qualifications would remain unchanged.

The NRC staff concludes that the licensee's proposed revision to the qualification requirements in TS Section 6.3 are acceptable as the revised requirements conform with the reactor operator and senior reactor operator license eligibility criteria and standards acceptable to the NRC staff.

The proposed revision to TS 6.3 is consistent with 10 CFR Part 55 and does not adversely affect nuclear safety or plant operations. Therefore, the NRC finds the proposed revision to TS Section 6.3 acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Wisconsin State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment relates to changes in recordkeeping, reporting, or administrative procedures or

requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission 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, (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.

Principal Contributor: R. Pelton

Date: October 2, 2003