

September 1, 2005

Mr. Edward J. Weinkam
Director Regulatory Services
Nuclear Management Company, LLC
700 First Street
Hudson, WI 54016

SUBJECT: APPROVAL OF CHANGE TO THE NUCLEAR MANAGEMENT COMPANY
QUALITY ASSURANCE TOPICAL REPORT (TAC NOS. MC7585, MC7587,
MC7588, MC7589, MC7590, MC7591, MC7592)

Dear Mr. Weinkam:

By letter dated June 17, 2005, Nuclear Management Company, LLC, (NMC, the licensee) submitted a change to its Quality Assurance Topical Report (QATR) for review and approval by the U.S. Nuclear Regulatory Commission (NRC) staff in accordance with Title 10 of the *Code of Federal Regulations*, Part 50.54(a)(4).

Previous NRC correspondence dated March 24, 2005, contains the NRC staff approval of the consolidation of the quality assurance programs for Duane Arnold, Monticello, Palisades, Point Beach and Prairie Island nuclear stations into a common QA program. Review of the licensee's proposed reduction in commitment regarding offsite review committees (Enclosure 6 of the licensee's submittal dated October 31, 2003, which was replaced in its entirety by Enclosure 3 by licensee's letter dated July 23, 2004), was previously approved by separate NRC correspondence dated January 13, 2005.

The enclosed safety evaluation documents the basis for our conclusion that the change to the licensee's quality assurance program described in QATR, NMC-1, is acceptable. The proposed reduction in commitment, submitted by letter dated June 17, 2005, clarifies a potential conflict between QATR fire protection commitments and the plant-specific license conditions.

E. J. Weinkam

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The NRC staff finds the reduction in QATR commitments is acceptable and that the revised quality assurance program as revised by licensee letter dated June 17, 2005, meets the criteria of Appendix B to Title 10 of the *Code of Federal Regulations*, Part 50.54(a)(4) and is, therefore, acceptable.

Sincerely,

/RA/

Deirdre W. Spaulding, Project Manager, Section 1
Project Directorate III
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-331, 50-263, 50-255,
50-266, 50-301, 50-282,
and 50-306

Enclosure: Safety Evaluation

cc w/encl: See next page

E. J. Weinkam

-2-

The NRC staff finds the reduction in QATR commitments is acceptable and that the revised quality assurance program as revised by licensee letter dated June 17, 2005, meets the criteria of Appendix B to Title 10 of the *Code of Federal Regulations*, Part 50.54(a)(4) and is, therefore, acceptable.

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Enclosure: Safety Evaluation

cc w/encl: See next page

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OFFICIAL RECORD COPY

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January 2005

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November 2004

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

CHANGE TO THE QUALITY ASSURANCE PROGRAM

DUANE ARNOLD ENERGY CENTER

MONTICELLO NUCLEAR GENERATING PLANT

PALISADES NUCLEAR PLANT

POINT BEACH NUCLEAR PLANT UNITS 1 AND 2

PRAIRIE ISLAND NUCLEAR GENERATING PLANT UNITS 1 AND 2

DOCKET NOS. 50-331, 50-263, 50-255, 50-266, 50-301, 50-282, 50-306

1.0 INTRODUCTION

By letter dated June 17, 2005, Nuclear Management Company, LLC, (NMC, the licensee) submitted a change to its Quality Assurance Topical Report (QATR) for review and approval by the U.S. Nuclear Regulatory Commission (NRC) staff in accordance with Title 10 of the *Code of Federal Regulations*, Part 50.54(a)(4). The licensee's change is a proposed reduction in commitment which clarifies a potential conflict between the QATR fire protection commitments and the plant-specific license conditions.

2.0 REGULATORY EVALUATION

The licensee's QA program description conforms to the format and meets the acceptance criteria of the Standard Review Plan (NUREG-0800), SRP Section 17.3. Reference B.1 of SRP 17.3 states that "fire protection QA controls are to be in accordance with Regulatory Positions 2 and 4 of Branch Technical Position CMEB 9.5-1 as given in SRP Section 9.5.1," (Position 2 addresses administrative controls; Position 4 addresses quality assurance).

3.0 EVALUATION

Section A.7.3 of the QATR makes the following commitment:

- "Branch Technical Position CMEB 9.5-1, Revision 2, July 1981 (Positions C.2 and C.4) – NMC complies with the administrative control and quality assurance provisions of the cited sections for fire protection activities. Application of the provisions of this QATR to fire protection activities provides elements of control consistent with position C.4. Compliance with the remainder of the [technical] positions of NUREG 0800, Section 9.5.1 and CMEB 9.5-1 is site specific, as addressed in each plant UFSAR [Updated Final Safety Analysis Report] or Fire Protection Program."

During detailed implementation reviews, the licensee found that potentially conflicting commitments may exist between the QATR and site-specific operating license conditions. The licensee proposes to defer to site-specific license commitments if conflicts arise, by clarifying the above commitment to read:

- “Branch Technical Position CMEB 9.5-1, Revision 2, July 1981 (Positions C.2 and C.4) – NMC provisions for administrative controls for Fire Protection comply with site specific commitments, or with the provisions of Position C.2 of CMEB 9.5-1, Rev. 2, as specified in NRC approved site fire protection programs and the applicable NRC Safety Evaluations Reports. Application of the provisions of this QATR to fire protection activities provides elements of quality assurance that comply with site specific fire protection quality assurance commitments or with CMEB 9.5-1, Revision 2, Position C.4.”

In support of the proposed change, the submittal includes a list of NRC safety evaluations and supplements applicable to the fire protection programs for NMC facilities. The safety evaluations document staff approval of amendments to the site-specific operating licenses. The amendments were issued in the 1980s following changes to the fire protection requirements implemented through changes to the regulations at 10 CFR 50.48 and Appendix R to 10 CFR Part 50. The staff finds the licensee’s proposed precedence of fire protection requirements incorporated in the operating licenses to be appropriate and acceptable. Changes to these requirements would be made through the license amendment process.

4.0 CONCLUSION

Based on review of the change to the quality assurance program, the staff concludes that the quality assurance program described in the NMC QATR continues to satisfy the QA requirements of Appendix B to 10 CFR Part 50. The proposed change is, therefore, acceptable.

Principal Contributors: Ken Heck

Date: September 1, 2005