

May 15, 2006

Mr. John M. Heffley
Chief Nuclear Officer
Constellation Generation Group, LLC
1997 Annapolis Exchange Parkway, Suite 310
Annapolis, MD 21401

SUBJECT: CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2, NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2, AND R.E. GINNA NUCLEAR POWER PLANT - REQUEST FOR ADDITIONAL INFORMATION REGARDING COMMON QUALITY ASSURANCE PROGRAM (TAC NOS. MC9180, MC9181, MC9182, MC9183, AND MC9184)

Dear Mr. Heffley:

By letter dated December 5, 2005, Constellation Generation Group, LLC, submitted a common Quality Assurance Topical Report (QATR), pursuant to Section 50.54(a) of Part 50 to Title 10 of the *Code of Federal Regulations* (10 CFR 50.54(a), for Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Nine Mile Point Nuclear Station, Unit Nos. 1 and 2, and R.E. Ginna Nuclear Power Plant. The program described in the QATR would be applied to licensed activities under 10 CFR Parts 50, 71, and 72.

The Nuclear Regulatory Commission (NRC) staff has reviewed the information provided in support of the application and has determined that additional information is needed to complete its review. Enclosed is the NRC staff's request for additional information (RAI). This RAI was discussed with your staff on May 4, 2006, and it was agreed that your response would be provided within 60 days from the date of this letter.

If you have any questions, please contact me at 301-415-1457.

Sincerely,

/RA/

Patrick D. Milano, Sr. Project Manager
Plant Licensing Branch I-1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-317, 50-318, 50-220,
50-410, and 50-244

Enclosure:
RAI

cc w/encl: See next page

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ACCESSION NUMBER: ML061230392

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Constellation Energy Generation Group

Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2
R.E. Ginna Nuclear Power Plant
Nine Mile Point Nuclear Station, Unit Nos. 1 and 2

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REQUEST FOR ADDITIONAL INFORMATION
REGARDING COMMON QUALITY ASSURANCE PROGRAM
CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2
DOCKET NOS. 50-317 AND 50-318
NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2
DOCKET NOS. 50-220 AND 50-410
R.E. GINNA NUCLEAR POWER PLANT
DOCKET NO. 50-244

By letter dated December 5, 2005 (Agencywide Documents Access and Management System Accession No. ML053470094), Constellation Generation Group, LLC (CGG), submitted a common Quality Assurance Topical Report (QATR), pursuant to 10 CFR 50.54(a), for Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2, Nine Mile Point Nuclear Station, Unit Nos. 1 and 2, and the R.E. Ginna Nuclear Power Plant. The program described in the QATR would be applied to licensed activities under 10 CFR Parts 50, 71, and 72.

The Nuclear Regulatory Commission (NRC) staff reviewed the QATR in accordance with the requirements of Appendix B to 10 CFR Part 50. The discussion below is organized by the attachments of the QATR, as indicated in each heading.

Attachment 1, Quality Assurance Topical Report

1. Standard Review Plan (SRP) Section 17.3, "Quality Assurance Program Description," specifies, in Part II.A.7, the regulatory commitments the licensee must meet for the QATR to be found acceptable. In its QATR, CGG states that a commitment to a particular Regulatory Guide (RG) does not constitute a commitment to other RGs or other standards that may be referenced therein.

Provide an explanation of how this is acceptable.

2. SRP Section 17.3 specifies, in Part II.A.2, that a licensee's program must contain independence between persons and organizations executing performance activities and those executing verification and self-assessment activities.

Provide an explanation of why the use of conference calls as an alternative means to hold meetings is acceptable for the Nuclear Safety Review Board.

3. SRP Section 17.3 specifies, in Part II.C.2, that a program of planned and periodic assessments is to be established.

Provide the definition in the QATR for the terms audit, self-assessment, and independent assessment.

Enclosure

Attachment 2, Program Comparison Matrix

1. The Calvert Cliffs Quality Assurance Policy states that the Plant General Manager has the final responsibility for the overall evaluation of shutting down an operating unit. The staff was not able to find this responsibility in the QATR.

Provide where the QATR has established the responsibility of shutting down an operating unit.

Attachment 3, Table Comparing ANSI N18.7-1976/ANS-3.2 to NQA-1-1994 and the CGG QATR

1. The CGG QATR definition for off-normal condition procedures does not have the same definition as in American National Standards Institute (ANSI) N18.7-1976/American Nuclear Standard (ANS) 3.2.

The QATR must adopt the ANSI N18.7-1976/ANS-3.2 definition.

2. ANSI N18.7-1976/ANS-3.2 states that temporary procedures shall be approved by the management representative assigned approval authority. CGG states that this statement is found in the QATR Section B.14, "Document Control." The NRC staff reviewed Section B.14 and found only temporary changes were mentioned. In Appendix B of the QATR, the staff found, under the definition of "Test and Inspection Procedures," a definition for "temporary procedures."

Explain how approval of temporary procedures are captured in the QATR.

3. The comments under Section 5.2.17, "Inspections," states that "Inspection records under NQA-1, may be a part of the work documents."

Provide clarification of what is meant by this statement. Additionally, state the definition of a "work document," and how this is consistent with NQA-1 Basic Requirement 17.

Attachment 4, Table of CGG QATR Exception and Alternatives

1. For each of the exceptions and alternatives mentioned in Attachment 4, provide a basis for the applicability of the exception for each CGG facility.
2. Exception to Supplement 2S-1 states that, "Inspections, examinations and tests may be performed by individuals in the same organization as that which performed the work,..."

Explain why this exception is taken under personnel training and qualification and not under inspection.

Additionally, the QATR states in Section B.10, "Inspections," that "inspections are carried out by properly qualified persons independent of those who performed or directly supervised the work."

Explain why this statement is not in conflict with the exception.

3. For the exception taken under Supplement 2S-1 regarding the three levels of qualification/certification of inspectors, provide the initial qualification requirements for inspectors. Refer to Dominion QA Consolidation submittal, Attachment 2, "Description of Changes," and the associated supplemental document dated August 24, 2004, and May 5, 2005, respectively, for an example.
4. The Supplement 2S-2 alternative regarding the qualification of non-destructive examination personnel should also specify Section III of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code.
5. For the Supplement 2S-3 alternative regarding the requirements for lead auditors, CGG mentions that this alternative is consistent with the approved alternative for the Nuclear Management Company (NMC). The NMC basis for this alternative was taken from the Palisades Quality Program Description, Revision 21, approved by the staff on April 18, 1997. The approval of this alternative was based on the following requirements: (1) the prospective lead auditor effectively demonstrates ability to lead and implement audit process; (2) the licensee describes the demonstration process in written procedures; and (3) the prospective lead auditor shall have participated in at least one nuclear audit in the last year. In addition, this alternative was based on individuals that have related experience and are capable of demonstrating the ability to lead audits in fewer than five audits.

Provide an explanation of your basis for this exception, and how its relates to the approved basis. Note that in order to use this alternative all bases need to be met and the statement must read: "The prospective lead auditor shall demonstrate his/her ability to properly implement the audit process, as implemented accordingly to Section C.2 of the QATR, to effectively organize and report results, including participation in at least one nuclear audit with in the year preceding the date of qualification."

6. For the alternative to RG 1.28, Revision 3, Regulatory Position C.3.2.2 regarding annual supplier evaluation, provide an explanation for the evaluation of a supplier to which no periodic (more than a year) supplies are received in order to implement an ongoing receipt inspection, operating experience, and a supplier evaluation program.
7. For the exception to RG 1.116, Regulatory Position C.3, provide the basis for using RG 1.116 as an alternative to RG 1.68. Additionally, for the new reactor licensing process, RG 1.68 must be used.
8. For the Supplement 4S-1, Section 2.3 alternative regarding procurement documents applying other NRC endorsed standards, CGG's basis for this alternative must be that for existing long-term plant purchases that have imposed ANSI N45.6, or other endorsed quality standards that can be shown to be equivalent to NQA-1, the licensee is not required to change the procurement document. For new procurement documents, the licensee must specify the requirements of NQA-1 or Appendix B to 10 CFR Part 50. However, the licensee may accept vendors implementing another NRC endorsed standard that are shown to be equivalent to NQA-1 or Appendix B to 10 CFR Part 50 program.

9. The NRC staff described in Generic Letters (GLs) 89-02 and 91-05 the expectations for an effective commercial-grade dedication program. GL 91-05 discusses the characteristics of effective procurement and dedication programs previously discussed in GL 89-02 and provides examples of specific failures by licensees to effectively implement these characteristics for dedicating and ensuring the suitability of commercial-grade products for safety-related applications. For the alternative to Supplement 4S-1 and Supplement 7S-1 regarding the use of the guidance contained in GL 89-02 to procure commercial grade items, the NRC staff recommends adding the guidance contained in GL 91-05.