



FPL Energy

Point Beach Nuclear Plant

April 15, 2008

NRC 2008-0024

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Point Beach Nuclear Plant, Units 1 and 2
Dockets 50-266 and 50-301
Renewed License Nos. DPR-24 and DPR-27

Quality Assurance Topical Report Inconsistencies With Site License Basis Quality Assurance Program Requirements

- References:
- (1) NRC Letter and Associated Safety Evaluation, Approval of Nuclear Management Company Quality Assurance Topical Report (TAC Nos. MC1309, MC1310, MC1311, MC1312, MC1313, MC1314, MC1315, MC1316), dated March 24, 2005 (ML050700416)
 - (2) Nuclear Management Company, LLC Letter dated January 16, 2007, Notification of Changes to Nuclear Management Company (NMC) Quality Assurance Topical Report NMC-1, Revision 3 (ML Not Available)
 - (3) NMC Letter, Point Beach Nuclear Plant, Units 1 and 2, Application for Order and Conforming License Amendments to Transfer Facility Operating Licenses, dated January 26, 2007 (ML070290206)
 - (4) NRC Letter, Point Beach Nuclear Plant, Issuance of Conforming Amendments Re: Transfer of Facility Operating License and Operating Authority (TAC Nos. MD4112 and MD 4113) (ML071560037) dated September 28, 2007

Reference (2) submitted Revision 3 to the Nuclear Management Company, LLC (NMC) Quality Assurance Topical Report (QATR), NMC-1. Subsequent to the issuance of this revision to the QATR, Reference (3) submitted an application for Order and Conforming License Amendments was submitted to transfer ownership for Point Beach Nuclear Plant (PBNP) Units 1 and 2. The application contained provisions for FPLE Point Beach, LLC to adopt the quality assurance program that was implemented by NMC. Reference (4) provided NRC approval and issuance of conforming amendments to the PBNP Units 1 and 2 Operating Licenses on September 28, 2007. The NMC QATR was reissued to reflect change in ownership and designated as the FPL Energy Point Beach QATR (FPLEPB-1).

Prior to the transfer of ownership (Reference 4), a review of NMC-1 was performed to ensure that needed revisions to the document to reflect the transition to FPLE Point Beach were consistent with the site's licensing basis. During the course of this review, a number of inconsistencies were identified in the original NMC submittals to the NRC to adopt a common QATR. The NMC QATR was approved by the Commission via Reference (1). The inconsistencies identified by PBNP were discussed with NMC corporate Regulatory Affairs and Nuclear Oversight management.

The enclosure of this letter provides a summary of the inconsistencies and a description of the interim corrective actions taken to address the identified issues. The long-term corrective action to resolve these issues is the implementation of the Florida Power and Light Company, FPL Energy Seabrook, LLC, and FPL Energy Duane Arnold, LLC common QATR (FPL-1) at PBNP. FPL-1 is being revised accordingly. The anticipated date for implementation of the FPL QATR at PBNP is August 22, 2008.

Regulatory Commitments

This letter establishes the following Regulatory Commitment:

- The FPL QATR will be adopted and implemented at Point Beach Nuclear Plant August 22, 2008.

Very truly yours,

FPL Energy Point Beach, LLC



James H. McCarthy
Site Vice President

Enclosure

cc: Regional Administrator, Region III
USNRC Project Manager, Point Beach Nuclear Plant
Senior Resident Inspector, USNRC, Point Beach Nuclear Plant

ENCLOSURE

FPL ENERGY POINT BEACH, LLC POINT BEACH NUCLEAR PLANT UNITS 1 AND 2 DOCKETS 50-266 AND 50-301

QUALITY ASSURANCE TOPICAL REPORT INCONSISTENCIES WITH POINT BEACH NUCLEAR PLANT LICENSE BASIS QUALITY ASSURANCE PROGRAM REQUIREMENTS

Background

Prior to transfer of the Operating Licenses and ownership of Point Beach Nuclear Plant, Units 1 and 2, a review was conducted by Point Beach Nuclear Plant (PBNP) Nuclear Oversight and Regulatory Affairs of the Nuclear Management Company, LLC (NMC) Quality Assurance Topical Report (QATR), NMC-1 (Reference 2). The purpose of this review was to determine whether revisions would need to be made to the QATR to reflect the change in ownership and transfer of the Operating Licenses requested via the NMC application for Order and Conforming Amendments to Transfer Facility Operating Licenses (Reference 3). As stated in Reference (3), it was not anticipated that changes made to the QA program via issuance of FPLPB-1 would result in a reduction in the commitments in the QA program descriptions previously accepted by the NRC.

Review Results

The review disclosed that there were no changes needing to be made to the QA program upon adoption of FPLPB-1 that would result in a reduction in the commitments in QA program descriptions previously accepted by the NRC as they related to NMC-1. FPLPB-1 was implemented at PBNP concurrent with the license transfer and change in plant ownership.

The review, however, identified that there were inconsistencies between the information contained in the original NMC October 31, 2003, submittal to the NRC for approval of a common QATR via Reference (6). Enclosure 2, Number 5 of that submittal (Reference 6) provided a QA program comparison matrix for PBNP. Reference (7) contained PBNP QA program requirements at the time of submittal of Reference (6). Reference (8) contained the QA program requirements immediately prior to NRC approval of the NMC QATR via Reference (9). Both revisions of the FSAR were reviewed to determine whether there had been changes to the QA program that could have resulted in an unintended impact upon the new quality assurance license basis. It was determined there were no substantive changes between these two documents that impacted the QA license basis.

The inconsistencies identified by this review were documented in the site's corrective action program. A causal evaluation was performed and it was concluded that the event occurred as a result of inadequate project management of the QATR project and inadequate knowledge of the QA license basis for PBNP by project members, most of whom were not assigned to PBNP. A review of the identified discrepancies shows they can be binned into two major categories as follows:

- Instances where PBNP implementation of the NMC QATR via Reference (9) was less than adequate.
- Instances where the evaluation of information contained in Reference (6) potentially resulted in a QATR commitment that was less conservative than the current PBNP licensing basis because the evaluation of the change may have been less than adequate.

The following discussion provides details of the findings and immediate corrective actions taken:

1. There were six instances where QA program commitments to Regulatory Guides (RGs) were not fully incorporated into site programs and procedures:

- RG 1.39, Housekeeping Requirements for Water-Cooled Nuclear Power Plants, Revision 2
- RG 1.54, Quality Assurance for Protective Coatings Applied to Nuclear Power Plants, Revision 0
- RG 4.15, Design Guidance for Radioactive Waste Management Systems, Structures and Components Installed in Light Water-Cooled Nuclear Power Plants, Revision 2.
- RG 7.10, Establishing Quality Assurance for Packaging used in the Transport of Radioactive Material, Revision 1.
- RG 1.143, Design Guidance for Radioactive Waste Management Systems, Structures and Components installed in Light-Water-Cooled Nuclear Power Plants, Revision 2

Additional reviews determined there was reasonable assurance that the QA provisions of these Regulatory Guides had been incorporated, however, the references and bases of the documents had not been adequately revised. Actions were created and entered into the corrective action program to address these discrepancies.

- RG 1.38, Quality Assurance Requirements for Packaging, Shipping, Receiving, Storage and Handling of Items for Water-Cooled Nuclear Power Plants.

The concern raised was that a "special" or "engineered" lift at 110% of crane capability was not well defined. The issue was entered into the corrective action program and resolved. There have been no special lifts performed since implementation of NMC-1.

2. NMC-1 was less conservative than the PBNP licensing basis when it eliminated the commitment to perform biennial reviews of emergency and abnormal operating procedures and infrequently performed tests and evolutions. The QATR rationale for elimination of periodic procedure reviews appears to have been inadequate. PBNP did not eliminate the site's more conservative commitment to perform biennial reviews. No further action was required to restore compliance with the site's licensing basis.
3. NMC-1 was less conservative than the PBNP licensing basis when it eliminated the requirement for PORC Chair assignment of Qualified Reviewers (QRs) and revised the process to only require that the QR perform certain procedure reviews and identify the cross-disciplinary reviews that need to be performed. The PBNP license basis required that the qualified review include an assessment for applicability of 10 CFR 50.59 and to ensure that such evaluations are performed when necessary. A review determined there was reasonable assurance that this requirement continued to be implemented at PBNP via the site's administrative process even though the NMC fleet procedure process did not contain the provisions for an assessment of 10 CFR 50.59 applicability. The site procedure was subsequently reactivated. No further action was required to restore compliance with the site's licensing basis on an interim basis.
4. NMC-1 was less conservative than the PBNP licensing basis when it eliminated the requirement for designated PORC chairs (other than the plant manager) to meet or exceed the qualification

requirements specified in Section 4.2.1 of ANSI N18.1-1971 as Plant Manager. There is reasonable assurance that this license basis requirement was maintained at PBNP for the individuals who were designated as PORC chairs since adoption of NMC-1, e.g., Engineering Director, Manager of Projects and Operations Manager.

References

- (1) NRC Letter and Associated Safety Evaluation, Approval of Nuclear Management Company Quality Assurance Topical Report (TAC Nos. MC1309, MC1310, MC1311, MC1312, MC1313, MC1314, MC1315, MC1316), dated March 24, 2005 (ML050700416)
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- (4) NRC Letter, Point Beach Nuclear Plant, Issuance of Conforming Amendments Re: Transfer of Facility Operating License and Operating Authority (TAC Nos. MD4112 and MD 4113) (ML071560037) dated September 24, 2007
- (5) FPLPB-1, FPL Energy Point Beach Quality Assurance Topical Report (QATR)
- (6) NMC Letter, Request for Approval of Nuclear Management Company Quality Assurance Topical Report, dated October 31, 2003
- (7) Quality Assurance Program, Point Beach Nuclear Plant Final Safety Analysis Report, Section 1.4, dated June 2003
- (8) Quality Assurance Program, Point Beach Nuclear Plant Final Safety Analysis Report, Section 1.4, dated June 2004
- (9) NRC Letter and Associated Safety Evaluation, Approval of Nuclear Management Company Quality Assurance Topical Report (TAC Nos. MC1309, MC1310, MC1311, MC1312, MC1313, MC1314, MC1315, MC1316), dated March 24, 2005 (ML050700416)