May 13, 2008

MEMORANDUM TO: Harold K. Chernoff, Chief
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: Richard B. Ennis, Senior Project Manager ***/ra/***
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: HOPE CREEK GENERATING STATION AND SALEM NUCLEAR GENERATING STATION, UNIT NOS. 1 AND 2, DRAFT REQUEST FOR ADDITIONAL INFORMATION (TAC NOS. MD5863, MD5864, AND MD5865)

The attached draft request for information (RAI) was transmitted on May 13, 2008, to Mr. Jeff Keenan of PSEG Nuclear LLC (the licensee). This information was transmitted to facilitate an upcoming conference call in order to clarify the licensee's submittals dated June 20, 2007, August 31, 2007, and October 17, 2007, which provided changes to the Quality Assurance Program (QAP) for Hope Creek Generating Station and Salem Nuclear Generating Station, Unit Nos. 1 and 2.

This memorandum and the attachment do not convey or represent an NRC staff position regarding the licensee's submittals.

Docket Nos. 50-354, 50-272 and 50-311

Attachment: Draft RAI

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DRAFT REQUEST FOR ADDITIONAL INFORMATION

REGARDING CHANGES TO THE QUALITY ASSURANCE PROGRAM

FOR

HOPE CREEK GENERATING STATION

AND SALEM NUCLEAR GENERATING STATION, UNIT NOS. 1 AND 2

DOCKET NOS. 50-354, 50-272 AND 50-311

By letters dated June 20, 2007, August 31, 2007, and October 17, 2007 (Agencywide Documents Access and Management System (ADAMS) Accession Nos. ML071770285, ML072560712, and ML072980678, respectively), PSEG Nuclear, LLC (PSEG or the licensee) submitted changes to the Quality Assurance Program (QAP) for Hope Creek Generating Station (Hope Creek) and Salem Nuclear Generating Station (Salem), Unit Nos. 1 and 2. The Nuclear Regulatory Commission (NRC) staff has reviewed the changes to the QAP and would like to discuss the following to clarify the submittals.

1) As discussed in the licensee's letter dated October 17, 2007, PSEG has developed Revision 78 of the Salem/Hope Creek (SHC) Quality Assurance Topical Report (QATR) which governs the QAP. This version of the SHC QATR, NO-AA-10, replaces the previous version, NO-SH-10, which was submitted to the NRC in PSEG's letter dated June 20, 2007. The document number for the QATR was changed for records management purposes since the previous planned merger with Exelon is no longer planned.

   Each of the licensee's letters dated June 20, 2007, August 31, 2007, and October 17, 2007, indicated that the changes to the QATR did not involve any reductions in commitments and, as such, did not require prior NRC approval in accordance with the requirements in Section 50.54(a)(3) of Title 10 of the *Code of Federal Regulations* (10 CFR).

   Pages 3 through 5 of PSEG's letter dated June 20, 2007, provided the licensee's evaluation of changes made to the QATR, without prior NRC approval, in accordance with the provisions to 10 CFR 50.54(a)(3)(i) and 10 CFR 50.54(a)(3)(ii). One of these changes pertains to QATR Chapter 7, Section 2.4.8, "Acceptance of Calibration Services." This change to the QATR states, in part, that:

   > For suppliers of commercial grade calibration services with accreditation by a nationally recognized accrediting body, a documented review of the supplier's accreditation by the purchaser may be used in lieu of inspections or test following delivery or in-process surveillances during performances of this service. This review shall include, at a minimum, all of the following:

- The accrediting body is either National Voluntary Laboratory Accreditation Program (NVLAP) or an accrediting body recognized by NVLAP through an International Laboratory Accreditation Cooperation (ILAC) Mutual Recognition Arrangement (MRA).

In accordance with 10 CFR 50.54(a)(3)(ii), a licensee may make a change to a previously accepted QAP description included or referenced in the Safety Analysis Report, without prior NRC approval, if the change uses a quality assurance alternative or exception approved by an NRC safety evaluation, provided that the bases of the NRC approval are applicable to the licensee's facility. PSEG's letter dated June 20, 2007, stated that the change regarding calibration services was based on invoking 10 CFR 50.54(a)(3)(ii) as a quality assurance alternative approved by an NRC safety evaluation. Specifically, PSEG cited an NRC safety evaluation dated September 28, 2005, associated with a QAP change submitted by Arizona Public Service (APS).

The APS QAP change, for Palo Verde Nuclear Generating Station (PVNGS), was submitted to the NRC by letter dated September 5, 2004 (ADAMS Accession No. ML042590501). In its letter, APS requested that the NRC approve a change to the PVNGS QAP that would provide for acceptance of accreditation of commercial-grade calibration services by a nationally recognized accrediting body (AB), using procedures consistent with international standards and guidelines. The NRC found APS' proposed change acceptable with clarifying bases as documented in the staff's safety evaluation dated September 28, 2005 (ADAMS Accession No. ML052710224). The staff's approval of APS's proposed change was limited to NVLAP and the American Association for Laboratory Accreditation (A2LA), which were the two US-based signatories to the ILAC MRA at the time.

Although PSEG's justification on page 5 of its letter dated June 20, 2007, acknowledges that the basis for the NRC's approval of the APS request was limited to NVLAP and A2LA, the wording in the QATR (i.e., bullet shown above) could be interpreted to recognize all ABs through the ILAC MRA. Please clarify the intent of this change.