



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

August 4, 2009

Mr. J. R. Morris
Site Vice President
Catawba Nuclear Station
Duke Energy Carolinas, LLC
4800 Concord Road
York, SC 29745

**SUBJECT: CATAWBA NUCLEAR STATION, UNITS 1 AND 2, EVALUATION
OF AMENDMENT 36 TO TOPICAL REPORT ON QUALITY ASSURANCE
PROGRAM (TAC NOS. MD9675 AND MD9676)**

Dear Mr. Morris:

By letter dated September 18, 2008, Duke Energy Carolinas, LLC (the licensee), submitted Amendment 36 to Topical Report, "Duke-1-A, Quality Assurance Program," as it pertains to the Catawba Nuclear Station, Units 1 and 2.

The U.S. Nuclear Regulatory Commission (NRC) staff has completed its review of the changes and concludes that all the proposed changes are acceptable. The NRC staff's safety evaluation is enclosed.

If you have any questions, please call me at 301-415-1345.

Sincerely,

A handwritten signature in black ink that reads "John Stang" with "for" written below it.

John Stang, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-413 and 50-414

Enclosure:
As stated

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
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SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO

AMENDMENT 36 TO TOPICAL REPORT

“DUKE-1-A, QUALITY ASSURANCE PROGRAM”

DUKE ENERGY CAROLINAS, LLC

CATAWBA NUCLEAR STATION, UNITS 1 AND 2

DOCKET NOS. 50-413 AND 50-414

1.0 INTRODUCTION

By letter dated September 18, 2008 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML082670356), Duke Energy Carolinas, LLC (the licensee), submitted Amendment 36 to the Quality Assurance (QA) Topical Report, “Duke -1-A, Quality Assurance Program.” The proposed amendment includes organizational changes, administrative, clarification and editorial changes, and a request for a QA program change previously approved by a U.S. Nuclear Regulatory Commission (NRC) safety evaluation.

The licensee’s QA Program Amendment 36 delineates four changes: organizational changes; elimination of the Independent Safety Engineering Group (ISEG) Function; administrative improvements and clarifications, spelling corrections, punctuation or editorial changes; and organizational changes outside the quality organization.

The organizational and title changes related to QA functions outside the quality organization ensure that persons and organizations performing QA functions continue to have the requisite authority and organizational freedom, including sufficient independence from cost and schedule when opposed to safety considerations. Additionally, the licensee made changes considered as administrative improvements and clarifications, punctuation or editorial items.

The licensee also proposes the elimination of the Independent Safety Engineering Group (ISEG) function. According to the licensee, since the creation of the ISEG organization in the early 1980s, other onsite organizations and processes have matured such that they essentially implement the ISEG functions. These processes include a mature operating experience program, an effective corrective action program, and monitoring of system and component health. The ISEG function will be replaced at each site by the Independent Nuclear Oversight Section (INOS) - Performance Group.

2.0 REGULATORY AND TECHNICAL EVALUATION

NUREG 0737, item I.B.1.2 provides guidance for establishment of the onsite ISEG to perform independent reviews of plant operations. The principal function of the ISEG was to examine plant operating characteristics, NRC issuances, licensing information service advisories, and other appropriate sources of plant design and operating experience information that may indicate areas for improving plant safety. Since creation of ISEG organizations in the early 1980s, the licensee has developed and implemented alternate programs and processes that essentially duplicate ISEG functional responsibilities. The licensee will replace the ISEG function at each site with the INOS - Performance Group. This group will conduct assessments and observations of specific plant operations, processes and records on the basis of their impact and importance relative to safety, reliability and functionality with respect to risk and consequences.

The NRC staff previously received and approved a similar proposal to eliminate the ISEG function from the Tennessee Valley Authority (TVA) Quality Assurance Program on August 26, 1999 (ADAMS Accession No. ML082350974). In the 1999 submittal from TVA, the licensee proposed transferring the responsibility for independent technical review to the site engineering organizations. TVA stated that ISEG functions had become redundant, in that they were accomplished by alternate means and groups at the sites. The NRC staff concluded that the proposed transfer of responsibility for independent technical reviews to the engineering organizations was acceptable.

Based on review of the proposed amendment to the QA Topical Report for Duke Energy Carolinas, LLC, the staff concludes that the licensee's program for operational reviews is consistent with the guidance of ANSI 18.7-1976 and applicable regulatory requirements.

3.0 CONCLUSION

The NRC staff finds that the proposed change with respect to ISEG is acceptable in that the ISEG functions will still be covered by other onsite organizations and processes. Additionally, the ISEG function will be replaced by the INOS - Performance group which will conduct assessments, observations or surveillances of specific plant operations activities, and processes on the basis of their impact and importance relative to safety. The NRC staff determined that the licensee's QA program continues to satisfy the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Appendix B, applicable regulations and regulatory guidance.

The licensee's additional proposed changes (organizational changes, administrative clarification and editorial changes) were evaluated and the NRC staff finds that these changes were not a reduction in commitment in accordance with the guidance contained in NRC regulation 10CFR50.54(a)(3).

Principal Contributor: C. Roguecruz

Date: August 4, 2009

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Sincerely,

/RA by JThompson for/

John Stang, Senior Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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NRR-106

***Memo from Tech Staff dated 2/10/09**

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DATE	8/3/09	8/3/09	2/10/09	8/4/09	8/3/09

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