

Indian Point 3
Nuclear Power Plant
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Joseph E. Russell
Resident Manager

May 16, 1990
IP3-90-043

Docket No. 50-286
License No. DPR-64

Mr. Ronald R. Bellamy, Chief
Facilities Radiological Safety
and Safeguards Branch
Division of Radiation Safety and
Safeguards
U.S. Nuclear Regulatory Commission
Region 1
475 Allendale Road
King of Prussia, PA 19406

SUBJECT: Inspection No. 50-286/90-05 and Associated
Notice of Violation (90-05-01)

Dear Mr. Bellamy:

This letter and Attachment I provide the Authority's response to Inspection Report No. 50-286/90-05 and its associated notice of violation (90-05-01).

The Authority, as stated in Attachment I disagrees with the NRC inspector's interpretation of the Indian Point 3 (IP3) Nuclear Power Plant (NPP) Guard Training and Qualification Plan, and 10CFR73 Appendix B General Criteria for Security Personnel. The Authority believes that an adequate level of protection is achieved and maintained by our existing medical examination program to meet the intent of 10CFR73 Appendix B Section I B.1.b(1) Vision (a) criteria, and IP3 NPP Guard Training and Qualification Plan Section 1.4 annual physical and mental requalification.

The Authority reviewed the administration of the IP3 NPP Guard Training and Qualification Plan Section 1.4, and has concluded that our program maintains an established approach consistent with common medical practice. This plan was submitted to the NRC in 1979 and was reviewed and approved by the NRC as part of the Site Security Plan.

Add: Ron Bellamy

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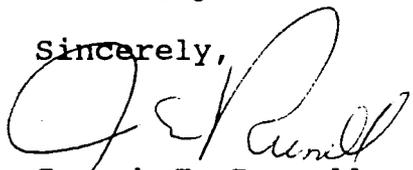
The Authority conferred with the Indian Point 3 Medical Consultant who has provided the following insight on the glaucoma disorder. Chronic glaucoma is an asymptomatic disorder that if untreated can lead to a gradual vision loss over a period of years. An acute glaucoma condition is characterized by a sudden increase in intraocular pressure providing strong indications, including considerable pain, and requires emergency treatment. An acute glaucoma condition would not necessarily be predicted by periodic glaucoma testing. Individuals indicating visual degradation would normally be tested for glaucoma by an ophthalmologist if the examining physician recommends referral. This approach to glaucoma testing is considered common medical practice. The Authority believes our existing program maintains an approach that is in agreement with the acceptance criterion in NUREG-0674 Security Personnel Training and Qualification Criteria, May 1980.

The Authority believes that the violation reflects a new staff position in that testing, in excess of normally accepted medical practice, is not specifically stated in the regulations as required to meet the vision requirement of 10CFR73 Appendix B, Section I, B.1.b(1) Vision (a). The effort and cost incurred to provide additional periodic glaucoma testing on security force individuals at IP-3 is greater than \$100,000 (1990 dollars) for the life of the plant. The Authority believes an evaluation performed in accordance with 10CFR50.109 is necessary before the new staff position can be imposed. Accordingly, the Authority requests that the violation be withdrawn.

The Authority has committed, on an interim basis, to conduct glaucoma testing in the future as a result of the NRC inspector's insistence that such testing is necessary to comply with 10CFR73 Appendix B. The Authority will continue to implement periodic glaucoma testing of security force members pending final NRC action on this item.

Should you or your staff have any questions concerning this matter, please contact Mr. M. Peckham of my staff.

Sincerely,



Joseph E. Russell
Resident Manager
Indian Point 3
Nuclear Power Plant

JRR:DC/rj

Attachment

Attachment I
(50-286/90-05-01)

Violation:

As a result of the inspection conducted on March 12 to March 16, 1990, and in accordance with the NRC Enforcement Policy, (10CFR Part 2, Appendix C), the following violation was identified.

The Indian Point 3 Nuclear Power Plant Guard Training and Qualification Plan, dated August 2, 1982, Revision 3, Section 1.4, states in part, that security force members will be tested at least once every 12 months to ensure they meet the vision, hearing, disease and other physical requirements of 10CFR 73, Appendix B.

Appendix B to 10CFR73, General Criteria for Security Personnel, Section I, B.b(1), Vision (a), states that glaucoma shall be disqualifying, unless controlled by acceptable medical or surgical means.

Contrary to the above, on March 15, 1990, the inspector determined that security personnel were not being tested for glaucoma.

This is a Severity Level V Violation (Supplement III).

Response:

The Authority has reviewed the notice of violation and disagrees with the inspector's interpretation of the testing requirements in: Indian Point 3 Nuclear Power Guard Training and Qualification Plan, and 10CFR73 Appendix B General Criteria for Security Personnel.

Appendix B to 10CFR73, General Criteria for Security Personnel, Section I, B.1.b(1), Vision (a), states in part:

"Glaucoma shall be disqualifying, unless controlled by acceptable medical or surgical means."

The Authority's approved Indian Point 3 Nuclear Power Plant Guard Training and Qualification Plan dated August 2, 1982, Revision 3, Section 1.4, states in part, that security forces members will be tested at least once every 12 months to ensure they meet the vision, hearing, disease and other physical requirements of 10CFR73, Appendix B. The Authority's testing approach is consistent with NRC's established acceptance criteria of NUREG-0674 Security Personnel Training and Qualification Criteria, May 1980. NUREG-0674 identifies the basic criteria for use in

evaluating the responsiveness of guard training plans to Appendix B, 10CFR73 requirements. The NUREG-0674, Section 2.3.1.2 Physical Examination (Appendix B, I.B.1.b), Acceptance Criterion I.B.1.b-2: states in part:

"The licensee must prescribe that all armed security personnel shall meet the visual requirements. Glaucoma shall be disqualifying, unless controlled by acceptable medical or surgical means and provided the visual acuity and field of vision requirements stated above are met. This determination shall be based on recommendations made by the examining physician." (Emphasis supplied)

The Authority's administered medical examination provides results in sufficient detail to permit a final determination by the examining physician that no condition was detected that would render the individual incapable of performing assigned security tasks. The administered examination includes, but is not limited to, a medical screening of patient's medical history (vision-related disorders included) and visual acuity and field of vision testing. Regular physical examinations by a licensed physician allow for adequate identification of the disease. Thus, common medical practice does not call for specific, periodic glaucoma testing.

The Authority's determination of whether an individual meets the vision requirements of Appendix B to 10CFR73, General Criteria for Security Personnel, Section I, B.1.b(1) Vision is based on the examining physician's recommendations. The Indian Point 3 Nuclear Power Plant Guard Training and Qualification Plan, which was reviewed and approved by the NRC, does not specify periodic testing for glaucoma. The Authority continues to believe that the plan is adequate for the purposes of detecting glaucoma. In fact, the Authority's security personnel medical history indicates that no individual has had or has glaucoma. Accordingly, common medical practice of relying upon regular physical examinations to detect glaucoma should be considered adequate to satisfy the requirements.

The Authority's armed security personnel all meet the visual requirements of Appendix B to 10CFR73. Appendix B to 10CFR73 does not specify a requirement to test for glaucoma. The Authority, therefore, believes that it is in full compliance with the intent of the Indian Point 3 Nuclear Power Plant Guard Training and Qualification Plan and with the intent of 10CFR73 Appendix B, General Criteria for Security Personnel.