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10 CFR 50.90

April 26, 2010

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555-0001

Subject: Duke Energy Carolinas, LLC (Duke Energy)
McGuire Nuclear Station, Units 1 and 2
Docket Nos. 50-369, 50-370
Catawba Nuclear Station, Units 1 and 2
Docket Nos. 50-413, 50-414
Oconee Nuclear Station, Units 1, 2 and 3
Docket Nos. 50-269, 50-270 and 50-287
License Amendment Request to Reflect Changes to Organization, Unit Staff Responsibility, and Unit Staff Qualifications

In accordance with 10 CFR 50.90, "Application for amendment of license or construction permit," Duke Energy hereby submits a License Amendment Request (LAR) to request changes to the Technical Specifications (TS), Appendix A of the renewed facility operating licenses. This LAR applies to Administrative Controls, TS Sections 5.1, 5.2, 5.3, and 5.7 concerning Responsibility, Organization, Unit Staff Qualifications, and High Radiation Area, respectively.

This LAR modifies the above TS to reflect changes to organization, unit staff responsibility, and unit staff qualifications. This will achieve a higher level of consistency throughout the Duke Energy fleet and with Standard Technical Specifications. The proposed change concerning unit staff qualifications will change the licensed operator education and experience eligibility requirements to the eligibility requirements contained in National Academy for Nuclear Training (NANT) Academy Document (ACAD) 09-001, "Guidelines for Initial Training and Qualification of Licensed Operators," dated January 2009.

The Enclosure provides a technical and regulatory evaluation of the changes. Proposed TS page markups are included as attachments to the Enclosure. Reprinted TS pages will be provided to the NRC prior to issuance of the approved amendments. This LAR contains no NRC commitments.

Duke Energy requests NRC approval of these proposed changes as soon as reasonably possible. Duke Energy is requesting a 60-day implementation period for these amendments. Revisions to each station's UFSAR will be made in accordance with 10 CFR 50.71(e).

In accordance with Duke Energy internal procedures and the Quality Assurance Topical Report, the proposed amendment has been reviewed and approved by the McGuire, Catawba and Oconee Plant Operations Review Committees.

M003
M006

NRR

Pursuant to 10 CFR 50.91, a copy of this LAR has been forwarded to the appropriate North and South Carolina state officials.

Questions regarding this submittal should be directed to P. T. Vu of Regulatory Compliance at (980) 875-4302.

Very truly yours,

Regis T. Repko

Enclosure: Evaluation of the Proposed Change

xc:

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Regis T. Repko affirms that he is the person who subscribed his name to the foregoing statement, and that all matters and facts set forth herein are true and correct to the best of his knowledge.

Regis T. Repko, Vice President, McGuire Nuclear Station

Subscribed and sworn to me: 4/26/10
Date

, Notary Public

My commission expires: July 1, 2012
Date

ENCLOSURE

Evaluation of the Proposed Change

Subject: License Amendment Request to Reflect Changes to Organization, Unit Staff Responsibility, and Unit Staff Qualifications

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ATTACHMENTS:

1. McGuire Technical Specification Page Markups
2. Catawba Technical Specification Page Markups
3. Oconee Technical Specification Page Markups

1.0 SUMMARY DESCRIPTION

Pursuant to 10 CFR 50.90, Duke Energy Carolinas, LLC (Duke Energy) is requesting a License Amendment Request (LAR) for the McGuire Nuclear Station Units 1 and 2, the Catawba Nuclear Station Units 1 and 2, and the Oconee Nuclear Station Units 1, 2 and 3 Renewed Facility Operating Licenses (FOL) and Technical Specifications (TS). The proposed LAR revises McGuire, Catawba and Oconee TS Administrative Controls Sections 5.1- Responsibility, 5.2 - Organization, 5.3 - Unit Staff Qualifications, and specific to Catawba Section 5.7 - High Radiation Area.

Duke Energy proposes revisions to reflect several onsite and offsite staff titles as they are stated in the Administrative Controls section of TS. The changes more accurately reflect current staff nomenclature and responsibilities, and will achieve organizational consistency within the Duke Energy fleet. The proposed changes are administrative in nature and follow Standard Technical Specifications (STS) (References 2 and 3).

Additionally, the proposed LAR will revise requirements in TS 5.3 that have been superseded based on licensed operator training programs being accredited by the National Academy for Nuclear Training (NANT) and promulgation of the revised 10 CFR 55, "Operators' Licenses," which became effective on May 26, 1987.

2.0 DETAILED DESCRIPTION

The following is a list of the proposed TS revisions, as well as the detailed description of the changes.

TS Section 5.1.2, "Administrative Controls - Responsibility"

Catawba TS:

The title of Shift Supervisor (SS) is replaced with Control Room Supervisor (CRS). All functions of the SS contained in TS Section 5.1.2 are in the context of having the command and control of the control room. This function is owned in the current operations organization by the CRS. Also, the title of Shift Work Manager is replaced with Shift Technical Advisor (STA), as the Shift Work Manager position has become obsolete. The adjective of "relief" is also added to describe the Senior Reactor Operator (SRO) who relieves the CRS so as to emphasize that this person is temporarily relieving the CRS.

An added precondition for the STA only when he or she assumes the control room command function is that the STA's SRO license must be active.

McGuire TS:

The nomenclature change from the obsolete Control Room SRO (CRSRO) to the CRS is being made. An added precondition for the STA only when he or she assumes the control room command function is that the STA's SRO license must be active.

Oconee TS:

Section 5.1.2 is to be added to Oconee TS. This is identical to the first paragraph contained in McGuire and Catawba TS with the updated staff titles of Control Room Supervisor and Shift Technical Advisor.

TS Section 5.2.1, "Administrative Controls - Onsite and Offsite Organizations"

Catawba, McGuire and Oconee TS:

Part c of STS has been developed into the equivalent of Duke Energy's Parts c and d. These two parts are currently redundant in that both the Site and Group Vice Presidents have corporate responsibility for overall nuclear safety. To correct this, "corporate" is being deleted from Part c to denote that the corporate responsibility is with the senior nuclear executive in Part d. Next, Part d is currently outdated due to the Duke Energy recent corporate reorganization. "Group Vice President Nuclear Generation Department" in Oconee and McGuire TS are replaced with "Chief Nuclear Officer."

Oconee TS:

The term "health physics" in TS 5.2.1.e is replaced with "radiation protection" to reflect the currently used terminology and to be consistent with other areas of Oconee TS.

TS Section 5.2.2, "Administrative Controls - Unit Staff"

Oconee TS:

The heading of "Station Staff" is being replaced with "Unit Staff" as this is representative of the term used at Oconee, as well as the term specified in McGuire and Catawba TS.

An introductory statement, "The unit staff organization shall include the following:" is inserted prior to Part a. This is an administrative change and representative of what is currently in STS, McGuire TS, and Catawba TS.

In Part g, the Shift Technical Advisor, who had supported the SS, now provides advisory technical support to the Operations Shift Manager. Also, other associated details regarding the Shift Work Manager are deleted as this position has become obsolete.

McGuire and Catawba TS:

Part b currently states that "At least one licensed Reactor Operator (RO) shall be present in the control room when fuel is in the reactor." The term "per unit" is added after "Reactor Operator" to clarify that the number of Reactor Operators is for each unit. This change is consistent with the requirements of 10 CFR 50.54(m) and Oconee TS 5.2.2.b.

Part f is simplified to be consistent with STS and Oconee TS. Catawba TS 5.2.2.f currently states, "The Operations Superintendent shall hold or have held a SRO license. The Shift Operations Manager, Shift Supervisor, and Assistant Shift Supervisor shall hold an SRO license. The Reactor Operator shall hold a Reactor Operator License." McGuire TS 5.2.2.f

currently states, "The Operations Manager shall hold or have held an SRO license." Both McGuire and Catawba TS 5.2.2.f will specify that the Operations Superintendent or the Shift Operations Manager shall hold an SRO license.

In Part g, the Shift Technical Advisor, who had supported the SS at Catawba or CRSRO at McGuire, now provides advisory technical support to the Operations Shift Manager. Also, other associated details regarding the Shift Work Manager are deleted as this position has become obsolete.

TS Section 5.3.1 "Administrative Controls - Unit Staff Qualifications"

Oconee TS:

The terms "Station Staff" and "station staff" in 5.3 and 5.3.1 are to be changed to "Unit Staff" and "unit staff." This terminology change is being done for consistency within the fleet.

The exceptions of "the Operations Superintendent and the Shift Operations Manager" to ANSI/ANS-3.1-1978 remain the same and are itemized as Items 1 and 2. A third exception is added to specify that the education and experience eligibility requirements for licensed operators (as described in this LAR), and changes thereto, shall be approved by the NRC and described in an applicable station training procedure. These education and experience eligibility requirements correspond to those contained in ACAD 09-001 (Reference 4) due to reasons described later within this section.

McGuire and Catawba TS:

Exception to ANSI-N18.1-1971 for the Radiation Protection Manager remains the same and is itemized as Item 1. Exception for licensed operators is added as Item 2, which states that the education and experience eligibility requirements for licensed operators (as described in this LAR), and changes thereto, shall be approved by the NRC and described in an applicable station training procedure. These education and experience eligibility requirements correspond to those contained in ACAD 09-001 (Reference 4) due to reasons described later within this section.

TS Section 5.7.2, "Administrative Controls - High Radiation Area"

Catawba TS:

The title of Shift Supervisor is being replaced with the Operations Shift Manager. The high radiation area door lock keys were under the administrative control of "the Shift Supervisor on duty or radiation protection personnel." This phrase is to be changed to "the Operations Shift Manager, Radiation Protection Manager, or his or her designee."

Further clarification of changes to TS Section 5.3.1:

On March 20, 1985, the NRC issued the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel (Reference 5), which endorsed the training accreditation program developed by the Institute for Nuclear Power Operations (INPO), in association with NANT. Subsequently, in References 6 and 7, the NRC indicated it would

accept a licensee's licensed operator training program if it is accredited and based on a systems approach to training. This accreditation obviates the need to conform to the guidance of either References 8 and 9 or may be superseded by INPO (NANT) accreditation in accordance with the revised 10 CFR 55, and that licensees may submit a request to the NRC for an administrative change to their TS to revise or delete, as appropriate, the TS requirements which have been superseded.

On January 18, 2001, the NRC issued Regulatory Issue Summary (RIS) 2001-001, "Eligibility of Operator License Applicants," (Reference 10), to familiarize licensees with the NRC's current guidelines for the qualification and training of reactor operator (RO) and senior operator (SO) license applicants. This RIS again acknowledges that "...the Commission may accept certification that the applicant has successfully completed a Commission-approved training program that is based on a systems approach to training..." consistent with 10 CFR 55.31(a)(4), as amended on March 25, 1987. The RIS further makes the following statements:

> "...a facility licensee's training program would be considered approved by the NRC when it is accredited by the National Nuclear Accrediting Board (NNAB)."

Many licensees have been implementing the education and experience guidelines endorsed by the NNAB by voluntarily obtaining and periodically renewing the accreditation of their licensed operator training program. The current version of these guidelines are outlined by the NANT in its "Guidelines for Initial Training and Qualification of License Operators," (NANT 2009 guidelines) which were issued in January 2009.

The staff has encouraged facility licensees to review their requirements and commitments related to RO and SO education and experience and to update their documentation (e.g., Final Safety Analysis Report, Technical Specifications, and training program descriptions) to enhance consistency and minimize confusion. To accomplish this, in part, Duke Energy is proposing changes to TS 5.3.1 to clarify education and experience eligibility requirements for licensed operators.

This LAR does not propose to change the qualifications and training programs for any other plant staff.

3.0 TECHNICAL EVALUATION

Licensed operator qualifications and training can have an indirect impact on accidents previously evaluated. However, the NRC considered this impact during the rulemaking process, and by promulgation of the revised 10 CFR 55 rule, determined that this impact remains acceptable when licensees have an accredited licensed operator training program which is based on a systems approach to training. The NRC has concluded in References 7 and 10 that the standards and guidelines provided by INPO (NANT) in their training accreditation program are equivalent to those put forth or endorsed by the NRC. Therefore, maintaining a NANT accredited, systems based licensed operator training program is equivalent to maintaining an NRC approved licensed operator training program which conforms to applicable NRC Regulatory Guides or NRC endorsed industry standards.

The licensed operator qualifications and training program will continue to comply with the requirements of 10 CFR 55. The Duke Energy licensed operator training program is accredited

by NANT and is based on a systems approach to training. Since the proposed TS changes are administrative in nature, they do not affect plant design, hardware, system operation or procedures.

Based on the above discussion, the proposed TS changes are consistent with 10 CFR 55 and do not adversely affect nuclear safety or plant operations.

These changes are proposed in consideration of the guidance of RIS 2001-001 which encourages licensees to update their documentation (including TS) to current operator education and experience requirements. RIS 2001-001 indicates that this type of change, updating the plant licensing basis for eligibility requirements for operator license applicants, would be considered administrative in nature. Therefore these proposed changes to the TS are acceptable.

A technical evaluation is unnecessary for the remaining changes since they are administrative changes. To clarify these changes are non-technical in nature, detailed below are justifications of the more intricate changes to take place for each TS section.

Sections 5.1, "Responsibility," 5.2, "Unit Staff," and 5.7 (Catawba only), "High Radiation Area," of the Administrative Controls section of each station's TS refers to a Shift Supervisor position in paragraphs 5.1.2, 5.2.2 and 5.7.2. Duke Energy proposes to replace references to this position with the Control Room Supervisor in section 5.1.2 and with the Operations Shift Manager in sections 5.2.2 and 5.7.2. The Shift Supervisor's control room command function is being taken on by the CRS within section 5.1.2, while the OSM is to be advised by the STA within section 5.2.2. McGuire TS is the exception to the SS terminology, as during its LAR (Reference 1) it had changed SS to CRSRO in Sections 5.1.2 and 5.2.2, and in Section 5.7.2 McGuire has already correctly adopted OSM. Also, Oconee does not have TS section 5.7.2; therefore changes are not applicable. The changes are proposed so as to reflect current operations shift nomenclature and responsibilities.

Section 5.1.2 of the TS currently states that the Shift Work Manager shall be allowed to assume the control room command function and serve as the SRO in the control room on occasion when there is a need for both the SS and the SRO to be absent from the control room in MODE 1, 2, 3, or 4 provided, among other things, that the SS is available to return to the control room within 10 minutes. It is proposed to insert the words "the relief" immediately before "SRO" to clarify that this person is only temporarily relieving the SRO. It is also proposed to replace the SS position in paragraph 5.1.2(a) with the phrase "CRS or the relief SRO."

Additionally, paragraphs 5.1.2 and 5.2.2 of the Administrative Controls section of TS refer to a Shift Work Manager position. Duke Energy proposes to replace references to this obsolete position with the STA. An added precondition for the STA only when he or she assumes the control room command function is that the STA's SRO license must be active. The other unnecessary phrases regarding this position appearing in paragraph 5.2.2 (g) of the Catawba TS are also deleted.

Section 5.7, "High Radiation Area," of the Catawba TS currently refers to a SS position in paragraph 5.7.2. Catawba proposes to replace the reference to this position with the OSM. This TS Section pertains to the control of keys to locked high radiation areas and currently requires that keys be under the administrative control of "the Shift Supervisor on duty or

radiation protection personnel." The revision will require that keys be maintained under the control of the "Operations Shift Manager, Radiation Protection Manager, or his or her designee." The substitution of the OSM for SS is essentially an administrative change since the OSM has sufficient authority to maintain control over the high radiation area keys. McGuire made similar changes through its previous LAR (Reference 1).

The proposed staff title changes are in names only. The actual functions of these individuals are not being altered. The changes are consistent with the guidance of STS (References 2 and 3) and do not adversely affect the minimum staffing levels required by the Technical Specifications.

The proposed changes continue to ensure that no individual is assigned functions which will result in conflicting roles during design basis, fire, security, or other events.

4.0 REGULATORY EVALUATION

4.1 Applicable Regulatory Requirements/Criteria:

10 CFR 55.4

10 CFR 55.4 defines systems approach to training to mean a training program that includes the following five elements:

1. Systematic analysis of the jobs to be performed.
2. Learning objectives derived from the analysis which describes desired performance after training.
3. Training design and implementation based on the learning objectives.
4. Evaluation of trainee mastery of the objectives during training.
5. Evaluation and revision of the training based on the performance of trained personnel in the job setting.

The Duke Energy licensed operator training program is accredited by NANT. The licensed operator qualifications and training program will continue to comply with the requirements of 10 CFR 55.4.

10 CFR 55.31

10 CFR 55.31(a)(4) specifies in part that the Commission may accept certification that the applicant has successfully completed a Commission-approved training program that is based on a systems approach to training and that uses a simulation facility acceptable to the Commission under 10 CFR 55.45(b). RIS 2001-001 indicated that the NRC would accept a licensee's licensed operator training program if it is accredited and based on a systems approach to training.

The Duke Energy licensed operator training program is accredited by NANT and is based on a systems approach to training. The licensed operator qualifications and training program will continue to comply with the requirements of 10 CFR 55.

4.2 Significant Hazards Consideration

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No

The proposed TS change regarding unit staff qualifications is an administrative change to clarify the current requirements for licensed operator qualifications and training program. With this change, the TS continue to meet the current requirements of 10 CFR 55. Although licensed operator qualifications and training may have an indirect impact on accidents previously evaluated, the NRC considered this impact during the rulemaking process, and by promulgation of the revised 10 CFR 55 rule, concluded that this impact remains acceptable as long as the licensed operator training programs are certified to be accredited and are based on a systems approach to training. The Duke Energy licensed operator training program is accredited by NANT and is based on a systems approach to training. The proposed TS change takes credit for the NANT accreditation of the licensed operator training program. The TS requirements for all other plant staff qualifications remain unchanged.

The proposed TS change regarding responsibility, organization and high radiation area is administrative in nature to reflect the current titles and responsibilities of station personnel and are consistent with STS.

Therefore, the proposed TS changes do not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed TS change regarding unit staff qualifications is an administrative change to clarify the current requirements for licensed operator qualifications and training program and to conform to the revised 10 CFR 55. As discussed above, although licensed operator qualifications and training may have an indirect impact on the possibility of a new or different kind of accident from any accident previously evaluated, the NRC considered this impact during the rule making process, and by promulgation of the revised rule, concluded that this impact remains acceptable as long as licensed operator training programs are certified to be accredited and based on a systems approach to training. As previously noted, the Duke Energy licensed operator training program is accredited by NANT and is based on a systems approach to training. The proposed TS change takes credit for the NANT accreditation of the licensed operator training program. The TS requirements for all other plant staff qualifications remain

unchanged. Additionally, the proposed TS change does not affect plant design, hardware, system operation, or procedures. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

The proposed TS change regarding responsibility, organization and high radiation area does not impact any plant systems that are accident initiators nor does it adversely impact any accident mitigating system. No physical changes are being made to the plant. This change is administrative in nature to reflect the current titles and responsibilities of station personnel and consistent with STS. Therefore, the proposed change does not create the possibility of a new or different kind of accident from any previously evaluated.

3. Does the proposed amendment involve a significant reduction in the margin of safety?

Response: No.

The proposed TS change regarding unit staff qualifications is an administrative change to clarify the current requirements applicable to licensed operator qualifications and training program. With this change, the TS continue to be consistent with the requirements of 10 CFR 55. The TS qualification requirements for all other plant staff remain unchanged. Licensed operator qualifications and training can have an indirect impact on the margin of safety. However, the NRC considered this impact during the rulemaking process, and by promulgation of the revised 10 CFR Part 55, determined that this impact remains acceptable when licensees maintain a licensed operator training program that is accredited and based on a systems approach to training. As noted previously, the Duke Energy licensed operator training program is accredited by NANT and is based on a systems approach to training.

The NRC has concluded, as stated in NUREG-1262, that the standards and guidelines provided by the Institute for Nuclear Power Operations' NANT in their training accreditation program are equivalent to those put forth or endorsed by the NRC. As a result, maintaining a NANT accredited, systems approach to licensed operator training program is equivalent to maintaining an NRC approved licensed operator training program which conforms to applicable NRC Regulatory Guides or NRC endorsed industry standards. The margin of safety is maintained by virtue of maintaining the NANT accredited licensed operator training program.

In addition, the NRC published RIS 2001-001 to familiarize licensees with the NRC's current guidelines for the qualification and training of RO and SO license applicants. This document again acknowledges that the NANT guidelines for education and experience outline acceptable methods for implementing the NRC's regulations in this area.

The proposed TS change regarding responsibility, organization and high radiation area is administrative in nature to reflect the current titles and responsibilities of station personnel and is consistent with STS. Systems and components are not affected, and

therefore are capable of performing as designed. The performance of fission product barriers will not be impacted by this proposed change.

Therefore, the proposed changes do not involve a significant reduction in a margin of safety.

Based on the above, Duke Energy concludes that the proposed amendment presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c) and, accordingly, a finding of "no significant hazards consideration" is justified.

4.3 Conclusions

In conclusion, based on the considerations discussed above, (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

5.0 ENVIRONMENTAL CONSIDERATION

The proposed change does not involve a significant hazards consideration, a significant change in the types of or significant increase in the amount of any effluents that may be released offsite, or a significant increase in the individual or cumulative occupational radiation exposure. Therefore, the proposed change meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9).

Pursuant to 10 CFR 51.22(b), an environmental assessment of the proposed change is not required.

6.0 PRECEDENT

The NRC has previously approved changes similar to TS Section 5.3.1 for many other nuclear power plants including:

1. Millstone Nuclear Power Station, Units 2 and 3: Application dated August 9, 2001 (ADAMS Accession No. ML012320087); Supplement dated November 19, 2001 (ADAMS Accession No. ML020090148); NRC Safety Evaluation dated December 5, 2001 (ADAMS Accession No. ML013330628).

2. Wolf Creek Generating Station: Application dated September 27, 2001 (ADAMS Accession No. ML012750141); Supplement dated June 27, 2002 (ADAMS Accession No. ML021900439); Supplement dated September 19, 2002 (ADAMS Accession No. ML022700159); NRC Safety Evaluation dated November 26, 2002 (ADAMS Accession No. ML023030583).

3. Braidwood Station, Units 1 and 2; Byron Station, Units 1 and 2; Clinton Power Station, Unit 1; Dresden Nuclear Power Station, Units 2 and 3; LaSalle County Station, Units 1 and 2; Oyster Creek Nuclear Generating Station; Peach Bottom Atomic Power Station, Units 2 and 3; Quad Cities Nuclear Power Station, Units 1 and 2; and Three Mile Island

Nuclear Station, Unit 1: Application dated July 19, 2007 (ADAMS Accession No. ML072110212); Supplement dated July 7, 2008 (ADAMS Accession No. ML081900267); NRC Safety Evaluation dated July 25, 2008 (ADAMS Accession Nos. ML080860670 and ML082130136).

The NRC has previously approved changes to McGuire TS Sections 5.1, 5.2, 5.3, and 5.7 which updated the responsibility, organization, unit staff qualifications, and high radiation area (Duke Energy Letter dated December 2, 2002 (ADAMS Accession No. ML023450240); as supplemented by Duke Energy Letter dated April 14, 2003 (ADAMS Accession No. ML031120348); NRC Safety Evaluation dated June 6, 2003 (ADAMS Accession No. ML031570491)).

7.0 REFERENCES

1. McGuire Nuclear Station, Units 1 and 2, "Proposed Technical Specifications Amendment, Administrative Controls 5.1.2, 5.2.2, 5.3.1, and 5.7.2, Responsibility, Unit Staff, Unit Staff Qualifications, and High Radiation Area," December 2, 2002.

2. NUREG 1431, Revision 3, "Westinghouse Standard Technical Specifications," June, 2004.

3. NUREG 1430, Revision 3, "Babcock and Wilcox Standard Technical Specifications," June, 2004.

4. National Academy for Nuclear Training, ACAD 09-001, "Guidelines for Initial Training and Qualification of Licensed Operators," January, 2009.

5. Federal Register, 50 FR 11147, "Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel," March 20, 1985.

6. NRC Generic Letter 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing - 10 CFR 55 and Conforming Amendments," March 19, 1987.

7. NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of title 10, Code of Federal Regulations, Part 55 Operators' License," November, 1987.

8. Regulatory Guide 1.8, Revision 1, "Qualification and Training of Personnel for Nuclear Power Plants," September, 1975.

9. ANSI N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel."

10. NRC Regulatory Issue Summary 2001-001, "Eligibility of Operator License Applicants," January 18, 2001.

Attachment 1

McGuire Technical Specification Page Markups

5.0 ADMINISTRATIVE CONTROLS

5.1 Responsibility

5.1.1 The Station Manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.

Control Room Supervisor (CRS)

5.1.2 The ~~Control Room Senior Reactor Operator (CRSRO)~~ shall be ~~responsible~~ for the control room command function. During any absence of the ~~CRSRO~~ from the control room while the unit is in MODE 1, 2, 3, or 4, an individual [other than the Shift Technical Advisor (STA)] with an active Senior Reactor Operator (SRO) license shall be designated to assume the control room command function. During any absence of the ~~CRSRO~~ from the control room while the unit is in MODE 5 or 6, an individual with an active SRO license or Reactor Operator license shall be designated to assume the control room command function.

CRS

On occasion when there is a need for both the CRS~~RO~~ and the relief SRO to be absent from the control room in MODE 1, 2, 3, or 4, ~~the STA~~ shall be allowed to assume the control room command function and serve as the SRO in the control room provided that:

an STA with an active SRO license on the unit

a. the CRS~~RO~~ or the relief SRO is available to return to the control room within 10 minutes, and

b. the assumption of SRO duties by the STA is limited to periods not in excess of 15 minutes duration and a total time not to exceed 1 hour during any shift, ~~and~~

c. ~~the STA has a SRO license on the unit.~~

5.0 ADMINISTRATIVE CONTROLS

5.2 Organization

5.2.1 Onsite and Offsite Organizations

Onsite and offsite organizations shall be established for unit operation and corporate management, respectively. The onsite and offsite organizations shall include the positions for activities affecting safety of the nuclear power plant.

a. Lines of authority, responsibility, and communication shall be defined and established throughout highest management levels, intermediate levels, and all operating organization positions. These relationships shall be documented and updated, as appropriate, in organization charts, functional descriptions of departmental responsibilities and relationships, and job descriptions for key personnel positions, or in equivalent forms of documentation. These requirements shall be documented in the UFSAR;

b. The Station Manager shall be responsible for overall safe operation of the plant and shall have control over those onsite activities necessary for safe operation and maintenance of the plant;

, McGuire Nuclear Site,

c. The Vice President ~~of McGuire Nuclear Site~~ shall have ~~corporate~~ responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety;

Chief Nuclear Officer

d. The ~~Group Vice President Nuclear Generation Department~~ will be the Senior Nuclear Executive and have corporate responsibility for overall nuclear safety; and

e. The individuals who train the operating staff, carry out radiation protection, or perform quality assurance functions may report to the appropriate onsite manager; however, these individuals shall have sufficient organizational freedom to ensure their independence from operating pressures.

(continued)

5.2 Organization (continued)

5.2.2 Unit Staff

The unit staff organization shall include the following:

a. A non-licensed operator shall be assigned to each reactor containing fuel and an additional non-licensed operator shall be assigned for each control room from which a reactor is operating in MODES 1, 2, 3, or 4.

A total of three non-licensed operators are required for the two units.

per unit

b. At least one licensed Reactor Operator (RO) shall be present in the control room when fuel is in the reactor. In addition, while the unit is in MODE 1, 2, 3, or 4, at least one licensed Senior Reactor Operator (SRO) shall be present in the control room.

c. Shift crew composition may be less than the minimum requirement of 10 CFR 50.54(m)(2)(i) and 5.2.2.a and 5.2.2.g for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the minimum requirements.

d. A Radiation Protection Technician shall be on site when fuel is in the reactor. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.

Superintendent or Shift Operations Manager

e. Deleted.

f. The Operations ~~Manager~~ shall hold ~~or have held~~ an SRO license.

g. The Shift Technical Advisor (STA) shall provide advisory technical support to the ~~Control Room Senior Reactor Operator (CRSRO)~~ in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit.

Operations Shift Manager

(continued)

5.0 ADMINISTRATIVE CONTROLS

5.3 Unit Staff Qualifications

: 1)

5.3.1 Each member of the unit staff shall meet or exceed the minimum qualifications of ANSI-N18.1-1971 for comparable positions, except the Radiation Protection Manager, who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975.

, and 2) the education and experience eligibility requirements for licensed operators, (described in Duke letter dated April 26, 2010), and changes thereto, shall be approved by the NRC and described in an applicable station training procedure

Attachment 2

Catawba Technical Specification Page Markups

5.0 ADMINISTRATIVE CONTROLS

5.1 Responsibility

5.1.1 The Station Manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.

Control Room Supervisor (CRS)

Technical Advisor (STA)

5.1.2 The ~~Shift Supervisor (SS)~~ shall be responsible for the control room command function. During any absence of the ~~SS~~ from the control room while the unit is in MODE 1, 2, 3, or 4, an individual (other than the Shift ~~Work Manager~~) with an active Senior Reactor Operator (SRO) license shall be designated to assume the control room command function. During any absence of the ~~SS~~ from the control room while the unit is in MODE 5 or 6, an individual with an active SRO license or Reactor Operator license shall be designated to assume the control room command function.

CRS

CRS

CRS

the relief

On occasion when there is a need for both the ~~Shift Supervisor~~ and ~~the~~ SRO to be absent from the control room in MODE 1, 2, 3, or 4, ~~the Shift Work Manager~~ shall be allowed to assume the control room command function and serve as the SRO in the control room provided that:

an STA with an active SRO license on the unit

CRS or the relief SRO

a. the ~~Shift Supervisor~~ is available to return to the control room within 10 minutes,

and

STA

b. the assumption of SRO duties by the ~~Shift Work Manager~~ is limited to periods not in excess of 15 minutes duration and a total time not to exceed 1 hour during any shift, ~~and~~

.

c. ~~the Shift Work Manager has a SRO license on the unit~~.

5.0 ADMINISTRATIVE CONTROLS

5.2 Organization

5.2.1 Onsite and Offsite Organizations

Onsite and offsite organizations shall be established for unit operation and *corporate management, respectively. The onsite and offsite organizations* shall include the positions for activities affecting safety of the nuclear power plant.

a. Lines of authority, responsibility, and communication shall be defined and established throughout highest management levels, intermediate levels, and all operating organization positions. These relationships shall be documented and updated, as appropriate, in organization charts, functional descriptions of departmental responsibilities and relationships, and job descriptions for key personnel positions, or in equivalent forms of documentation. These requirements shall be documented in the UFSAR;

b. The Station Manager shall be responsible for overall safe operation of the plant and shall have control over those onsite activities necessary for safe operation and maintenance of the plant;

, Catawba Nuclear Site,

c. The Vice President ~~of Catawba Nuclear Site~~ shall have ~~corporate~~ responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety;

d. The Chief Nuclear Officer will be the Senior Nuclear Executive and have corporate responsibility for overall nuclear safety; and

e. The individuals who train the operating staff, carry out radiation protection, or perform quality assurance functions may report to the appropriate onsite manager; however, these individuals shall have sufficient organizational freedom to ensure their independence from operating pressures.

5.2.2 Unit Staff

The unit staff organization shall include the following:

a. A non-licensed operator shall be assigned to each reactor containing fuel and an additional non-licensed operator shall be assigned for each control room from which a reactor is operating in MODES 1, 2, 3, or 4.

A total of three non-licensed operators are required for the two units.

(continued)

5.2 Organization

5.2.2 Unit Staff (continued)

per unit

b. At least one licensed Reactor Operator (RO) shall be present in the control room when fuel is in the reactor. In addition, while the unit is in MODE 1, 2, 3, or 4, at least one licensed Senior Reactor Operator (SRO) shall be present in the control room.

c. Shift crew composition may be less than the minimum requirement of 10 CFR 50.54(m)(2)(i) and 5.2.2.a and 5.2.2.g for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the minimum requirements.

d. A Radiation Protection Technician shall be on site when fuel is in the reactor. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.

or Shift Operations Manager shall hold an

e. Deleted.

f. The Operations Superintendent ~~shall hold or have held a~~ SRO license. ~~The Shift Operations Manager, Shift Supervisor, and Assistant Shift Supervisor shall hold an SRO license. The Reactor Operator shall hold a Reactor Operator License.~~

Operations Shift Manager

g. The ~~Shift Work Manager, whose functions include those of a~~ Shift Technical Advisor (STA)~~,~~ shall provide advisory technical support to the ~~Shift Supervisor~~ in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. ~~In addition, the Shift Work Manager shall meet the qualifications for STA specified by the Commission Policy Statement on Engineering Expertise on Shift.~~

5.0 ADMINISTRATIVE CONTROLS

5.3 Unit Staff Qualifications

: 1)

5.3.1 Each member of the unit staff shall meet or exceed the minimum qualifications of ANSI-N18.1-1971 for comparable positions, except the Radiation Protection Manager, who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975.

, and 2) the education and experience eligibility requirements for licensed operators, (described in Duke letter dated April 26, 2010), and changes thereto, shall be approved by the NRC and described in an applicable station training procedure

5.0 ADMINISTRATIVE CONTROLS

5.7 High Radiation Area

5.7.1 Pursuant to 10 CFR 20, paragraph 20.1601(c), in lieu of the requirements of 10 CFR 20.1601, each high radiation area, as defined in 10 CFR 20, in which the intensity of radiation is > 100 mrem/hr but ≤ 1000 mrem/hr at 30 cm (12 in.) from the radiation source or from any surface which the radiation penetrates, shall be barricaded and conspicuously posted as a high radiation area and entrance thereto shall be controlled by requiring issuance of a Radiation Work Permit (RWP). Individuals qualified in radiation protection procedures (e.g., Radiation Protection Technicians) or personnel continuously escorted by such individuals may be exempt from the RWP issuance requirement during the performance of their assigned duties in high radiation areas with exposure rates ≤ 1000 mrem/hr, provided they are otherwise following plant radiation protection procedures for entry into such high radiation areas.

Any individual or group of individuals permitted to enter such areas shall be provided with or accompanied by one or more of the following:

a. A radiation monitoring device that continuously indicates the radiation dose rate in the area.

b. A radiation monitoring device that continuously integrates the radiation dose rate in the area and alarms when a preset integrated dose is received. Entry into such areas with this monitoring device may be made after the dose rate levels in the area have been established and personnel are aware of them.

c. An individual qualified in radiation protection procedures with a radiation dose rate monitoring device, who is responsible for providing positive control over the activities within the area and shall perform periodic radiation surveillance at the frequency specified by the Radiation Protection Manager in the RWP.

5.7.2 In addition to the requirements of Specification 5.7.1, areas with radiation levels > 1000 mrem/hr at 30 cm (12 in.) from the radiation source or from any surface which the radiation penetrates shall be provided with locked or continuously guarded doors to prevent unauthorized entry and the keys shall be maintained under the administrative control of the ~~Shift Supervisor on duty or radiation protection personnel~~ Operations Shift Manager, Radiation Protection Manager, or his or her designee. Doors shall remain locked except during periods of access by personnel under an approved RWP that shall specify the dose rate levels in the immediate work areas and the maximum allowable stay times for individuals in those areas. In lieu of the stay time specification of the RWP, direct or remote (such as closed circuit TV cameras) continuous surveillance may be made by personnel qualified in radiation protection procedures to provide positive exposure control over the activities being performed within the area.

(continued)

Attachment 3

Oconee Technical Specification Page Markups

5.0 ADMINISTRATIVE CONTROLS

5.1 Responsibility

5.1.1 The Station Manager shall be responsible for overall plant operation and shall delegate in writing the succession to this responsibility during his absence.

The Station Manager or his designee shall approve, prior to implementation, each proposed test, experiment or modification to systems or equipment that affect nuclear safety.

INSERT

5.1.2 The Control Room Supervisor (CRS) shall be responsible for the control room command function. During any absence of the CRS from the control room while the unit is in MODE 1, 2, 3, or 4, an individual [other than the Shift Technical Advisor (STA)] with an active Senior Reactor Operator (SRO) license shall be designated to assume the control room command function. During any absence of the CRS from the control room while the unit is in MODE 5 or 6, an individual with an active SRO license or Reactor Operator license shall be designated to assume the control room command function.

5.0 ADMINISTRATIVE CONTROLS

5.2 Organization

5.2.1 Onsite and Offsite Organizations

Onsite and offsite organizations shall be established for unit operation and corporate management, respectively. The onsite and offsite organizations shall include the positions for activities affecting safety of the nuclear power plant.

a. Lines of authority, responsibility, and communication shall be defined and established throughout highest management levels, intermediate levels, and all operating organization positions. These relationships shall be documented and updated, as appropriate, in organization charts, functional descriptions of departmental responsibilities and relationships, and job descriptions for key personnel positions, or in equivalent forms of documentation. These requirements shall be documented in the UFSAR;

b. The Station Manager shall be responsible for overall safe operation of the plant and shall have control over those onsite activities necessary for safe operation and maintenance of the plant;

c. The Vice-President, Oconee Nuclear Site, shall have ~~corporate~~ responsibility for overall plant nuclear safety and shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety;

Chief Nuclear Officer

d. The ~~Group Vice President, Nuclear Generation Department,~~ will be the Senior Nuclear Executive and have corporate responsibility for overall nuclear safety; and

radiation protection

e. The individuals who train the operating staff, carry out ~~health physics~~, or perform quality assurance functions may report to the appropriate onsite manager; however, these individuals shall have sufficient organizational freedom to ensure their independence from operating pressures.

Unit

5.2.2 ~~Station~~ Staff

INSERT

The unit staff organization shall include the following:

a. A non-licensed operator shall be onsite for each reactor containing fuel and an additional non-licensed operator shall be onsite for each control room from which a reactor is operating in MODES 1, 2, 3, or 4.

5.2 Organization

5.2.2 ~~Station~~ Staff (continued)

Unit

b. At least one licensed Reactor Operator (RO) per unit shall be present in the control room when fuel is in the reactor. In addition, while the unit is in MODE 1, 2, 3, or 4, at least one licensed Senior Reactor Operator (SRO) shall be present in the control room.

c. Shift crew composition may be less than the minimum requirement of 10 CFR 50.54(m)(2)(i) and 5.2.2.a and 5.2.2.g for a period of time not to exceed 2 hours in order to accommodate unexpected absence of on-duty shift crew members provided immediate action is taken to restore the shift crew composition to within the minimum requirements.

d. A Radiation Protection Technician shall be on site when fuel is in the reactor. The position may be vacant for not more than 2 hours, in order to provide for unexpected absence, provided immediate action is taken to fill the required position.

e. Deleted.

f. The Operations Superintendent or Shift Operations Manager shall hold an SRO license.

Operations Shift Manager

g. The ~~Shift Work Manager, whose functions include those of a~~ Shift Technical Advisor (STA), shall provide advisory technical support to the ~~Shift Supervisor (SS)~~ in the areas of thermal hydraulics, reactor engineering, and plant analysis with regard to the safe operation of the unit. ~~In addition, the Shift Work Manager shall meet the qualifications for STA specified by the Commission Policy Statement on Engineering Expertise on Shift.~~

5.2 Organization

5.2.2 ~~Station~~ Staff (continued)

Unit

h. The qualified manpower necessary for achieving alternate shutdown using the Standby Shutdown Facility (SSF) will be available at the plant at all times. The manpower necessary to operate the SSF will be exclusive of the fire brigade and the minimum operating shift that is required to be present in the Control Room.

5.0 ADMINISTRATIVE CONTROLS

5.3 ~~Station~~ Staff Qualifications

unit

5.3.1 Unit

Each member of the ~~station~~ staff shall meet or exceed the minimum qualifications described in Section 4 of ANSI/ANS-3.1-1978, "Selection and Training of Nuclear Power Plant Personnel" except ~~for the Operations Superintendent and the Shift Operations Manager~~ :

1. The Operations Superintendent shall have a minimum of eight years of responsible nuclear or fossil station experience, of which a minimum of three years shall be nuclear station experience. A maximum of two years of the remaining five years of experience may be fulfilled by academic training, or related technical training, on a one-for-one time basis.

2. The Shift Operations Manager shall have a minimum of eight years of responsible nuclear or fossil station experience, of which a minimum of three years shall be nuclear station experience. A maximum of two years of the remaining five years of experience may be fulfilled by academic training, or related technical training on a one-for-one time basis.

INSERT

3. The education and experience eligibility requirements for licensed operators, (described in Duke letter dated April 26, 2010), and changes thereto, shall be approved by the NRC and described in an applicable station training procedure.