



Progress Energy

Michael J. Annacone
Vice President
Brunswick Nuclear Plant

September 13, 2010

SERIAL: BSEP 10-0105
TSC-2010-03

10 CFR 50.90

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Subject: Brunswick Steam Electric Plant, Unit Nos. 1 and 2
Renewed Facility Operating License Nos. DPR-71 and DPR-62
Docket Nos. 50-325 and 50-324
Request for License Amendment - Technical Specification 5.3.1, "Facility Staff Qualifications"

Ladies and Gentlemen:

In accordance with the Code of Federal Regulations, Title 10, Part 50.90, Carolina Power & Light Company (CP&L), now doing business as Progress Energy Carolinas, Inc., is requesting a revision to the Technical Specifications (TSs) for the Brunswick Steam Electric Plant (BSEP), Unit Nos. 1 and 2. The proposed license amendment revises TS 5.3.1, "Facility Staff Qualifications." Specifically, TS 5.3.1 is being revised to be consistent with existing TS 5.2.2.f regarding Senior Reactor Operator requirements for the operations manager.

CP&L has evaluated the proposed change in accordance with 10 CFR 50.91(a)(1), using the criteria in 10 CFR 50.92(c), and determined that this change involves no significant hazards considerations.

In accordance with 10 CFR 50.91(b), CP&L is providing a copy of the proposed license amendment to the designated representative for the State of North Carolina.

CP&L requests approval of the proposed amendments by September 13, 2011. Once approved, the amendment shall be implemented within 60 days.

No regulatory commitments are contained in this submittal. Please refer any questions regarding this submittal to Ms. Annette Pope, Supervisor - Licensing/Regulatory Programs, at (910) 457-2184.

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I declare, under penalty of perjury, that the foregoing is true and correct. Executed on September 13, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. Annacone", written in a cursive style.

Michael J. Annacone

MAT/mat

Enclosures:

1. Evaluation of License Amendment Request
2. Marked-up Technical Specification Pages - Unit 1
3. Typed Technical Specification Pages - Unit 1
4. Typed Technical Specification Pages - Unit 2

cc (with enclosures):

U. S. Nuclear Regulatory Commission, Region II
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Chair - North Carolina Utilities Commission
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Mr. W. Lee Cox, III, Section Chief
Radiation Protection Section
North Carolina Department of Environment and Natural Resources
1645 Mail Service Center
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Evaluation of Proposed License Amendment Request

Subject: Request for License Amendment - Technical Specification 5.3.1, "Facility Staff Qualifications,"- Operations Manager

1.0 Description

This letter is a request by Carolina Power & Light Company (CP&L), now doing business as Progress Energy Carolinas, Inc., to amend the Technical Specifications (TSs) for the Brunswick Steam Electric Plant (BSEP), Unit Nos. 1 and 2. The proposed license amendment revises TS 5.3.1, "Facility Staff Qualifications," to be consistent with existing TS 5.2.2.f regarding Senior Reactor Operator (SRO) requirements for the operations manager.

2.0 Proposed Change

TS 5.3.1 currently commits to American National Standards Institute (ANSI) N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel," for unit staff qualifications, with exceptions for the manager of the radiation control function and the shift technical advisor. The following proposed change adds an additional exception regarding the operations manager SRO requirements, to be consistent with the existing TS 5.2.2.f.

Existing TS 5.3.1	Proposed TS 5.3.1
<p>Each member of the facility staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions, except for the manager of the radiation control function, who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975, and the shift technical advisor, who shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in plant design and response and analysis of the plant during transients and accidents.</p>	<p>Each member of the facility staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions, except for:</p> <ul style="list-style-type: none"> a. The manager of the radiation control function, who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975; b. The shift technical advisor, who shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in plant design and response and analysis of the plant during transients and accidents; and c. The operations manager, who shall meet or exceed the above requirements

Existing TS 5.3.1	Proposed TS 5.3.1
	except that Technical Specification 5.2.2.f shall specify the requirements regarding holding an SRO license.

3.0 Background

On November 4, 1998, the NRC issued amendments 204 and 234 to the BSEP Unit 1 and 2 TSs, respectively (i.e., Reference 1). These amendments were in response to CP&L's request dated August 17, 1998 (i.e., Reference 2). The amendments revised TS 5.2.2.f to require that either the operations manager or the assistant operations manager to hold an SRO license, consistent with wording of Revision 1 of NUREG-1433, "Standard Technical Specifications General Electric Plants, BWR/4," and Technical Specification Traveler Form (T'STF) 65, Revision 1, which was approved by the NRC on December 2, 1997.

When the above change was made, a conflict with the requirements of TS 5.3.1 was introduced. Specifically, TS 5.3.1 currently states that each member (e.g., the operations manager) of the facility staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971. Section 4.2.2 of ANSI N18.1-1971 provides the qualification requirements for the operations manager, which include the following.

At the time of initial core loading or appointment to the active position the operations manager shall hold a Senior Reactor Operator's License.

The proposed amendment adds an exception to ANSI-N18.1-1971 in TS 5.3.1 which allows TS 5.2.2.f to specify the SRO license requirements for the operations manager.

Technical Analysis

The proposed amendment corrects an existing discrepancy between TS 5.3.1 and TS 5.2.2.f associated with the SRO license requirements for the operations manager. The existing TS 5.2.2.f states:

The operations manager or assistant operations manager shall hold an SRO license.

As stated in the NRC's safety evaluation for amendments 204 and 234 to the BSEP Unit 1 and 2 TSs, respectively, the requirements of TS 5.2.2.f: (1) ensure that operations management maintains in-depth, plant-specific knowledge and are consistent with the intent of ANSI-N18.1-1971, (2) ensure that operations management can effectively interface with day-to-day operational aspects of control room activities and can

communicate operational issues to higher levels of plant and utility management, and (3) are consistent with 10 CFR 50.54(l), which requires individuals responsible for directing the licensed activities of licensed operators to hold an SRO license.

Adding the proposed exception to ANSI-N18.1-1971 in TS 5.3.1, which allows TS 5.2.2.f to specify the SRO license requirements for the operations manager, resolves the unintended conflict introduced by amendments 204 and 234. This change is administrative in nature and does not affect the qualification requirements for the operations manager which were approved by the NRC in the safety evaluation for these amendments, dated November 4, 1998.

5.0 Regulatory Safety Analysis

5.1 No Significant Hazards Consideration

TS 5.3.1 currently commits to American ANSI N18.1-1971, for unit staff qualifications, with exceptions for the manager of the radiation control function and the shift technical advisor. The proposed change adds an additional exception regarding the operations manager SRO requirements, to be consistent with the existing TS 5.2.2.f. This change is administrative in nature and does not affect the qualification requirements for the operations manager which were approved by the NRC in the safety evaluation for these amendments, dated November 4, 1998.

CP&L has evaluated whether or not a significant hazards consideration is involved with the proposed amendments by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of amendment," as discussed below:

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

Response: No

The change to TS 5.3.1 corrects a discrepancy between TS 5.3.1 and TS 5.2.2.f regarding the operation manager SRO requirements. This change is administrative in nature and does not affect the qualification requirements for the operations manager which were previously approved by the NRC. The proposed change does not directly affect plant operations. The change does not physically alter the facility in any manner and, as such, does not affect the means in which any safety-related system performs its intended safety function. Therefore, the proposed amendments do not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

Response: No

The proposed license amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated. As stated above, the proposed change is administrative in nature. It does not involve physical alterations of the plant configuration or changes in setpoints or operating parameters. Therefore, there is no possibility of creating a new or different kind of accident.

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

Response: No

The change to TS 5.3.1 is administrative in nature, correcting a discrepancy between TS 5.3.1 and TS 5.2.2.f regarding the operation manager SRO requirements. As documented in the November 4, 1998, safety evaluation for BSEP amendments 204 and 234 to the BSEP Unit 1 and 2 TSs, respectively, the requirements of TS 5.2.2.f: (1) ensure that operations management maintains in-depth, plant-specific knowledge and are consistent with the intent of ANSI-N18.1-1971, (2) ensure that operations management can effectively interface with day-to-day operational aspects of control room activities and can communicate operational issues to higher levels of plant and utility management, and (3) are consistent with 10 CFR 50.54(l), which requires individuals responsible for directing the licensed activities of licensed operators to hold an SRO license. Therefore, the proposed amendments do not result in a significant reduction in the margin of safety.

Based on the above, CP&L concludes that the proposed amendments present 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.

5.2 Applicable Regulatory Requirements/Criteria

The proposed changes have been evaluated to determine whether applicable regulations and requirements continue to be met.

NRC regulatory requirements related to the content of TSs are set forth in 10 CFR 50.36. This regulation requires that the TSs include items in five specific categories. These categories include: (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design

features; and (5) administrative controls. Specifically, 10 CFR 50.36(c)(5) describes administrative controls as "provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of each facility in a safe manner." Licensees are required by 10 CFR 50.54(l) to designate individuals to be responsible for directing the licensed activities of licensed operators. These individuals shall be licensed as SROs pursuant to 10 CFR Part 55. The proposed amendment does not alter BSEP's compliance with either 10 CFR 50.36(c)(5) or 10 CFR 50.54(l).

5.3 Precedent

Similar changes to TS 5.3.1 have been issued for the Cooper Nuclear Station on December 15, 2005 (i.e., Reference 3), and the Farley, Hatch, and Vogtle Nuclear Plants on October 7, 2008 (i.e., References 4).

6.0 Environmental Considerations

A review has determined that the proposed amendment is administrative in nature and does not change a requirement with respect to installation or use of a facility component located within the restricted area, as defined in 10 CFR 20, and does not change an inspection or surveillance requirement. The proposed amendment does not involve (i) a significant hazards consideration, (ii) a significant change in the types or significant increase in the amounts of any effluents that may be released offsite, or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(9).

Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment needs to be prepared in connection with the proposed amendment.

7.0 References

1. Letter from David C. Trimble (NRC) to J. S. Keenan (CP&L), "Issuance of Amendment No. 204 to Facility Operating License No. DPR-71 and Amendment No. 234 to Facility Operating License No. DPR-62 Regarding Qualifications of Operations Department Management Personnel - Brunswick Steam Electric Plant, Units 1 and 2," TAC Nos. MA3398 and MA3399, dated November 4, 1998. (ML020370301)
2. Letter from Jeffrey J. Lyash (CP&L) to the NRC Document Control Desk, "Request for License Amendments - Revision to Technical Specification 5.2.2.f," dated August 17, 1998.

3. Letter from Brian Benney (NRC) to Randall K. Edington (Nebraska Public Power District), "Cooper Nuclear Station - Issuance of Amendment Re: Unit Staff Qualifications (TAC No. MC7346), dated December 15, 2005. (ML053200531)
4. Letter from Robert E. Martin (NRC) to L. M. Stinson (Southern Nuclear Operating Company), "Southern Nuclear Operating Company Plants Issuance of Amendments Regarding Operations Organization (TAC Nos. MD8941, MD8942, MD8943, MD8944, MD8945, and MD8946), dated October 7, 2008. (ML082800016)

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Enclosure 2

Marked-up Technical Specification Pages - Unit 1

5.0 ADMINISTRATIVE CONTROLS

5.3 Facility Staff Qualifications

5.3.1 Each member of the facility staff shall meet or exceed the minimum qualifications of ANSIN18.1-1971 for comparable positions, except for the manager of the radiation control function, who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975; and the shift technical advisor, who shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in plant design and response and analysis of the plant during transients and accidents; and

a.

b.

c. The operations manager, who shall meet or exceed the above requirements except that Technical Specification 5.2.2.f shall specify the requirements regarding holding an SRO license.

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Typed Technical Specification Pages - Unit 1

5.0 ADMINISTRATIVE CONTROLS

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- a. The manager of the radiation control function, who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975;
 - b. The shift technical advisor, who shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in plant design and response and analysis of the plant during transients and accidents; and
 - c. The operations manager, who shall meet or exceed the above requirements except that Technical Specification 5.2.2.f shall specify the requirements regarding holding an SRO license.
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Typed Technical Specification Page - Unit 2

5.0 ADMINISTRATIVE CONTROLS

5.3 Facility Staff Qualifications

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- a. The manager of the radiation control function, who shall meet or exceed the qualifications of Regulatory Guide 1.8, September 1975;
 - b. The shift technical advisor, who shall have a bachelor's degree or equivalent in a scientific or engineering discipline with specific training in plant design and response and analysis of the plant during transients and accidents; and
 - c. The operations manager, who shall meet or exceed the above requirements except that Technical Specification 5.2.2.f shall specify the requirements regarding holding an SRO license.
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