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10 CFR 50.4
10 CFR 52.79

December 8, 2010

UN#10-281

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

Subject: UniStar Nuclear Energy, NRC Docket No. 52-016
Response to Request for Additional Information for the
Calvert Cliffs Nuclear Power Plant, Unit 3,
RAI 271, Fitness for Duty

Reference: James Steckel (NRC) to Robert Poche (UniStar Nuclear Energy), "Final RAI 271
ISCPB 5166," email dated November 8, 2010

The purpose of this letter is to respond to the request for additional information (RAI) identified in the NRC e-mail correspondence to UniStar Nuclear Energy, dated November 8, 2010 (Reference). This RAI addresses Fitness for Duty, as discussed in Sections 13.4 and 13.7 of the Final Safety Analysis Report (FSAR), as submitted in Part 2 of the Calvert Cliffs Nuclear Power Plant (CCNPP) Unit 3 Combined License Application (COLA), Revision 6.

The enclosure provides our response to RAI 271, Question 13.07-4, and includes revised COLA content. A Licensing Basis Document Change Request has been initiated to incorporate these changes into a future revision of the COLA.

Our response does not include any new regulatory commitments. This letter does not contain any sensitive or proprietary information.

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HRD

If there are any questions regarding this transmittal, please contact me at (410) 470-4205, or Mr. Wayne A. Massie at (410) 470-5503.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 8, 2010



Greg Gibson

Enclosure: Response to NRC Request for Additional Information RAI 271, Question 13.07-4, Fitness for Duty, Calvert Cliffs Nuclear Power Plant, Unit 3

cc: Surinder Arora, NRC Project Manager, U.S. EPR Projects Branch
Laura Quinn, NRC Environmental Project Manager, U.S. EPR COL Application
Getachew Tesfaye, NRC Project Manager, U.S. EPR DC Application (w/o enclosure)
Loren Plisco, Deputy Regional Administrator, NRC Region II (w/o enclosure)
Silas Kennedy, U.S. NRC Resident Inspector, CCNPP, Units 1 and 2
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Enclosure

**Response to NRC Request for Additional Information, RAI 271,
Question 13.07-4, Fitness for Duty,
Calvert Cliffs Nuclear Power Plant, Unit 3**

RAI 271

Question 13.07-4

Follow up to RAI 244, Question 13.07-2

Under 10 CFR 52.79(a)(44), the applicant's FSAR must contain a description of the fitness for duty (FFD) program required by 10 CFR Part 26 and its implementation. Describe why the applicant is proposing license conditions for FFD when Part 26 provides explicit implementation requirements. Please refer to the RCOLA submittal.

Response

In our previous response to RAI 244, Question 13.07-2¹, UniStar Nuclear Energy (UNE) updated FSAR Table 13.4-1, "Operational Programs Required by NRC Regulations and Program Implementation," to provide license conditions for implementation of the fitness for duty (FFD) programs for operations and construction. Given that 10 CFR Part 26 provides explicit guidance for implementation of these programs, it is not necessary to separately establish license conditions for their implementation. FSAR Table 13.4-1 is being updated to replace the license conditions for FFD program implementation with the specific regulatory requirements governing program implementation.

COLA Impact

FSAR Table 13.4-1 is being updated as follows (markup reflects the updated text previously provided in the follow-up response to RAI 244¹):

¹ G. Gibson (UniStar Nuclear Energy) to Document Control Desk ((NRC), "Response to Request for Additional Information for the Calvert Cliffs Nuclear Power Plant, Unit 3, RAI No.244, "Fitness for Duty," letter UN#10-225, dated August 31, 2010.

Table 13.4-1—{Operational Programs Required by NRC Regulations and Program Implementation}

Item	Program Title	Source	FSAR	Implementation	
		(Required By)	Section	Milestones	Requirements
	Fitness for Duty (FFD) Program for Construction (workers and first-line supervisors)	10 CFR Part 26.4(f), Subpart K	13.7	Prior to initiating 10 CFR Part 26 construction activities	<u>10 CFR Part 26, Subpart K License Condition</u>
	FFD Program for Construction (management and oversight personnel)	10 CFR Part 26.4(e), Subparts A-H, N, and O	13.7	Prior to initiating 10 CFR Part 26 construction activities	<u>10 CFR Part 26, Subparts A-H, N, O License Condition</u>
	FFD Program for Security Personnel	10 CFR Part 26.4(e)(1), Subparts A-H, N, and O	13.7	Prior to initiating 10 CFR Part 26 construction activities	<u>10 CFR Part 26, Subparts A-H, N, O License Condition</u>
		10 CFR 26.4(a)(5), Subparts A-I, N, and O		Prior to the earlier of: A. Licensee's receipt of SNM in the form of fuel assemblies, or B. Establishment of a Protected Area, or C. The 10 CFR 52.103(g) finding	<u>10 CFR Part 26, Subparts A-I, N, O</u>
	FFD Program for FFD Program personnel	10 CFR Part 26.4(g), Subparts A-H, N, and O and C per licensee's discretion	13.7	Prior to initiating 10 CFR Part 26 construction activities	<u>10 CFR Part 26, Subparts A, B, D-H, N, O, C (optional) License Condition</u>
	FFD Program for persons required to physically report to the Technical Support Center (TSC) or Emergency Operations Facility (EOF)	10 CFR Part 26.4(c), Subparts A-I, N, and O, except for §§ 26.205-209	13.7	Prior to the conduct of the first full-participation emergency preparedness exercise under 10 CFR Part 50, App.E, Section F.2.a	<u>10 CFR Part 26, Subparts A-I, N, and O, except for §§ 26.205-209 License Condition</u>
	FFD Program for Operation	10 CFR Part 26.4(a) and (b), Subparts A-I, N, and O, except for individuals listed in § 26.4(b), who are not subject to §§ 26.205-209	13.7	Prior to the earlier of: A. Establishment of a protected area or B. The 10 CFR 52.103(g) finding	<u>10 CFR Part 26, Subparts A-I, N, and O, except for individuals listed in § 26.4(b), who are not subject to §§ 26.205-209 License Condition</u>