

STAFF ATTACHMENT 1

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

AFFIDAVIT OF ADRIAN MUÑIZ  
CONCERNING THE STATUS OF THE STAFF'S REVIEW  
OF THE FERMI 3 QA PROGRAM

Adrian Muñiz hereby states as follows:

1. I am currently assigned to Licensing Branch 3 in the Office of New Reactors as a Project Manager (PM).
2. I have been the Lead PM for the Fermi combined license application (COLA) since June 2010.
3. I have reviewed and concurred on the Safety Evaluation (SE) for the Chapter 17, "Quality Assurance," of the Fermi COLA (Staff Exhibit 1). In Section 17.5 of this SE, the staff documented their findings regarding the applicant's Quality Assurance Program Description. George Lipscomb authored this section of the SE, which includes the staff's evaluation of the applicant's description of the QA Programs relevant to the Fermi 3 COL application both before and after application submittal.
4. My review of this SE section was limited to making sure that the information provided in the COLA by the applicant was addressed by the NRC technical staff in the SE's technical evaluation.
5. Section 17.5 of the Chapter 17 SE documents the evaluation of the responses to the staff's Requests for Additional Information (RAIs) related to this QA contention. All RAIs and associated open items have been closed, and the staff's review of Chapter 17 of the COLA is complete.

6. Chapter 17 of the Fermi 3 SE was presented to the Advisory Committee on Reactor Safeguards (ACRS) on October 21, 2011.

7. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

**Executed in Accord with 10 CFR § 2.304(d)**

Adrian Muñiz  
Project Manager, Licensing Branch 3  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T6-D38M  
Washington, DC 20555-0001  
(301) 415-4093  
Adrian.Muniz@nrc.gov

Executed in Rockville, MD  
this 7th day of May, 2012

**Adrian Muñiz**  
Project Manager

**EDUCATION**

Bachelor of Science in Electrical Engineering – University of Puerto Rico,  
Mayaguez, PR May 2002

**EXPERIENCE**

Lead Project Manager/Chapter Project Manager July 2008 – Present  
US Nuclear Regulatory Commission – Rockville, MD  
Office of New Reactors / Division of New Reactor Licensing

- Fermi COLA Lead Project Manager June 2010 – Present.  
Provide overall project management for the review of the application.
- South Texas Project COLA Chapter Project Manager July 08 – June 2010.  
Provided project management support for the review of Chapters 7, 8,  
and 15 of the application.

Project Manager/Project Engineer Sept. 05 – July 2008.

U.S Nuclear Regulatory Commission – Rockville, MD

Office of Nuclear Reactor Regulation / Division of Operating Reactor Licensing

- Project Manager – Managed and reviewed nuclear power plant March 07- July 2008.  
licensing actions to confirm that they are consistent with regulatory  
requirements and that they are processed according to schedule.
- Project Engineer – Developed the skills necessary to perform Sept. 05 – March 2007.  
the Project Manager duties by completing the activities required by  
the Operating Reactor Licensing Project Manager Qualification Program  
and by assisting Senior Project Managers with licensing actions and other  
tasks associated with their assigned facilities.

Nuclear Safety Professional Development Program (NSPDP) May 2003 - Sept. 2005.

Graduated from the NSPDP, completing all the program requirements including  
the following rotational assignments:

- Rotation to the Division of Engineering in NRR in the Electrical Systems Branch  
Performed technical reviews in support of licensing actions within the review scope of  
the electrical systems branch.
- Rotation to the H.B. Robinson Nuclear Power Plant  
Assisted the resident inspectors in the performance of the Reactor Oversight Program baseline  
Inspection, a supplemental inspection, and a force-on-force drill inspection among other tasks.
- Rotation to the Division of Engineering in NRR / Reactor Systems Branch  
Performed technical reviews in support of licensing actions within the review scope of  
the reactor systems branch among other tasks.
- Rotation to the Division of Operating Reactor Licensing  
Provided support to Senior Project Managers in tasks such as license amendment reviews, relief  
requests, proprietary information reviews, request for additional information and other licensing  
tasks.

Quality Engineer (COOP) Jan. - Aug. 2001.

General Electric (GE) International Relays Corporation

Performed testing, inspections and led teams in order to identify root causes and correct deficiencies  
for defective parts for relays used in the nuclear industry and other utilities. .

**CERTIFICATIONS AND SKILLS**

Westinghouse Reactor Technology Series Certification

Engineer-In-Training (EIT) Certification

STAFF ATTACHMENT 2

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

AFFIDAVIT OF AIDA RIVERA-VARONA  
CONCERNING THE STAFF'S INSPECTION OF THE FERMI 3 QA PROGRAM  
AND RESOLUTION OF IDENTIFIED ISSUES

Aida Rivera-Varona hereby states as follows:

1. I am Technical Assistant for the Division of Construction Inspection and Operational Programs 4 in the Office of New Reactors. I have been in this position since January 2010.
2. From February 2007 to January 2010, I was an Operations Engineer in the former Quality and Vendor Branch B. During that time, I was responsible for the technical review of the ESBWR design certification and ESBWR combined license (COL) quality assurance (QA) reviews. I was also a quality and vendor inspection team leader.
3. I was the lead technical reviewer for North Anna, the Reference ESBWR COL application. Having performed the R-COL review for North Anna, I was assigned to support and peer review the Fermi COL application review.
4. In early June 2009, as I was supporting the review of Fermi QA program and development of requests for additional information (RAIs), I determined that the documentation in the application was not clear with respect to the QA program. The main concern that was raised at that time was how the Fermi QA program was implemented. RAIs related to this issue were issued in August 2009, as described in Chapter 17 of the Fermi 3 Safety Evaluation (Staff Exhibit 1).
5. In the process of developing the RAIs, I supported various conference calls with the applicant, but also suggested that NRC conduct a QA implementation inspection to examine documents that were not part of the application.
6. In August 2009, I led the QA implementation inspection at Fermi. Results of the inspection were documented in an Inspection Report and Notice of Violation (Staff Exhibit 2).

7. The applicant responded to the inspection findings in November 2009 (Staff Exhibit 3).

I was involved in the initial discussions related to review of the response.

8. In January 2010, I took my current position as Technical Assistant. After I left the review team working on the application, the applicant responded to the inspection findings and RAIs (Staff Exhibits 4-7), resolving the concerns I and the staff had with respect to the quality assurance program.

9. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

**Executed in Accord with 10 CFR § 2.304(d)**

Aida Rivera-Varona  
Technical Assistant  
Division of Construction Inspection and  
Operational Programs 4  
U.S. Nuclear Regulatory Commission  
Mail Stop T7 D24  
Washington, DC 20555-0001  
(301) 415-4001  
Aida.Rivera-Varona@nrc.gov

Executed in Rockville, MD  
this 7th day of May, 2012

**Aida Rivera-Varona**

Email: [Aida.Rivera-Varona@nrc.gov](mailto:Aida.Rivera-Varona@nrc.gov)

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**Experience**

**Technical Assistant**

**1/2010 – Present**

Office of New Reactor

Division of Construction Inspection and Operational Programs

As technical assistant to the Division of Construction of Inspection and Operational Programs, I am responsible for providing expert technical guidance and advice for the Division Director in assessing and resolving issues associated with the construction of new reactors; coordinating resolution of policy and programmatic issues that affect the division and providing technical and policy advice and assistance to the Director and to other members of the division; and, developing and providing oversight of division activities and documents budget formulation and execution, contracts, and program planning and program monitoring including operating plan and strategic plan; providing overall technical and policy coordination within the division and among other NRO divisions and NRC offices supporting new reactor activities. I also participate in organizational planning for full utilization of division staffing and fiscal resources to attain program objectives and assessing division performance against established goals. I am responsible for developing, reviewing, analyzing, and presenting the division budget, and coordinating responses to budget questions from various sources.

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**Acting Branch Chief**

**10/2011 – 2/2012**

Office of Enforcement

Enforcement Branch

As an acting branch chief, I supervised 12 enforcement specialists who coordinate and oversee the agency's enforcement program and are responsible for conducting enforcement panels for all escalated enforcement action in the Agency. I was responsible for the review and approval of various components of the enforcement process and had daily interface with all program offices and regions. During this period, I was responsible for various enforcement policy development and enforcement actions impacting all program offices (reactor, new reactor, fuel cycle, and materials) that were in progress.

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**Operations Engineer**

**2/2007 – 1/2010**

Office of New Reactor

Division of Construction Inspection and Operational Programs

Quality and Vendor Branch 2

While working on the Quality and Vendor Branch, I was a vendor inspection team leader under the new reactor enhanced vendor inspection program. I led vendor inspections at facilities that manufacture and would be supplying basic components to NRC-licensed nuclear power plants. As a team leader of vendor inspections, I was responsible for all of the planning of the inspection including early interactions with the vendor to understand the activities scheduled for the week of the inspection, distributing the assignments to the team members, conducting entrance and exit meetings, issuing the inspection report that provided a clear description of the issues identified during the inspection, addressing complex issues, resolving any differences in opinions internal to team or between the team and the vendor, and briefing NRC management on findings. I was also a qualified technical reviewer responsible for the review of design certification and combined license quality assurance reviews.

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## Aida Rivera-Varona

### Operations Engineer

7/2004 - 2/2007

Office of Nuclear Reactor Regulation  
Division of Engineering  
Quality Assurance and Vendor Branch

While working on the Division of Engineering, I served in two capacities, as quality assurance technical reviewer as well as a vendor inspector. Functioning as technical reviewer, I led the review of high priority and high visibility licensing reviews including extended power uprates, license renewals, and changes to the quality assurance program (QAP), including the consolidation of the QAP different sites into a common corporate QAP. Specifically, I conducted the review and inspection of the Southern Nuclear Early Site Permit and the General Electric ESBWR Design Certification in the area of quality assurance program description and implementation, and assisted in the review and audit of the Oyster Creek License Renewal regarding the scoping and screening methodology. As a vendor inspector, I participated in numerous inspections at vendor facilities that focused on assessing the compliance with the provisions of 10 CFR Part 21, including commercial grade dedication, and selected portions of 10 CFR Part 50, Appendix B. I was responsible for the development of an inspection plan, and preparation of the inspection report.

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### General Engineer (Nuclear Safety Professional Development Program)

7/2002 - 7/2004

Office of Nuclear Reactor Regulation  
Rotational Assignments

I finished several rotational assignments in different divisions in NRR and NMSS as a participant of NRC's Nuclear Safety Professional Development Program. While in the Division of Reactor Inspection Program, these assignments included performing technical reviews of reports of defects and noncompliances. During a rotational assignment in the Division of Engineering, I led technical reviewer for safety evaluation reports on different technical issues regarding the reactor pressure-temperature limits and inservice inspections.

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## Education

### University of Puerto Rico, Mayaguez Campus

Mayaguez, Puerto Rico US  
Bachelor's Degree - 12/2001  
Major: Chemical Engineer  
GPA: 3.5 out of 4.0  
Honors: magna cum laude

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## Job Related Qualifications

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### Leadership Potential Program – Present

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NRC Inspector Qualification - Vendor Certification - 1/2007

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Reactor Technical Reviewer Qualification Certification - 1/2007

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Nuclear Safety Professional Development Program Certification - 9/2004

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## Additional Information

### Awards:

- Meritorious Award (June 2011)
- Performance Award (December 2007-2011)
- Team Group Award (August 2010)
- NRO Employee of the Month (January 2009, June 2007)
- Time-off Award (April 2011, July 2004)

### Organizations:

- Chair of the Hispanic Employment Program Advisory Committee (HEPAC) (2008-2010)
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STAFF ATTACHMENT 3

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

AFFIDAVIT OF MARK TONACCI  
CONCERNING FERMI 3 QA PROGRAM ISSUES  
IDENTIFIED IN 2009

Mark Tonacci hereby states as follows:

1. I am currently Branch Chief of Licensing Projects Branch 4 in the Office of New Reactors, Division of New Reactor Licensing. I have been the chief of this branch since November 2011. Licensing Branch 4 is responsible for licensees and applications for the AP1000 reactor design.
2. I was the Lead Project Manager for the Fermi combined license application in 2009. In October 2009, I became branch chief of another branch and no longer had responsibility for the Fermi application.
3. In early June of 2009, as Lead Project Manager, I was attempting to understand the relevance of questions that were arising on the applicant's quality assurance (QA) program. In internal staff email, I described my impression of how their QA program was working in an attempt to assist the lead NRC reviewers for QA. I also suggested that a trip to the station would be most beneficial since we were considering how, where, and by what mechanism to gather the necessary information.
4. The information that I provided in the email was early in the process of understanding the QA program that was used in the development of the Fermi 3 application and after submittal of the application. This dated information is no longer relevant.
5. After I left the project, the results of a QA inspection were released (Staff Exhibit 2). Between the revised violations (Staff Exhibits 3-6), the subsequent requests for information issued by the staff (Staff Exhibits 1& 7), and revisions to the Fermi 3 application (Staff Exhibit 7),

quality assurance implementation became much better understood.

6. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

**Executed in Accord with 10 CFR § 2.304(d)**

Mark Tonacci  
Branch Chief, Licensing Projects Branch 4  
Division of New Reactor Licensing  
U.S. Nuclear Regulatory Commission  
Mail Stop T6 D45  
Washington, DC 20555-0001  
(301) 415-4045  
Mark.Tonacci@nrc.gov

Executed in Rockville, MD  
this 7th day of May, 2012

Mark E. Tonacci

301-415-4045

Mark.Tonacci@nrc.gov

### **Professional Experience**

Branch Chief; GG-15 10/2009-present  
Supervisor: Frank Akstulewicz  
U. S. Nuclear Regulatory Commission; NRO, AP1000 Branch

- Assumed responsibility for the AP1000 branch on 12/1/2011 in NRO reorganization. Included issuing licenses for Vogtle and V. C. Summer and COLs for Harris, Levy, Turkey Point and Lee.
- Rotation to Commissioner Magwood's Office, 9/1/2011 to 10/3/2011, to aid him personally in preparation for the Vogtle and V. C. Summer mandatory hearings. Developed numerous questions for him to ask at the hearing; received recognition from him at the closure of each hearing.
- Completed Air Craft Impact final safety assessment October 2010, publication of NUREG-1948, and provided final proposed rule to Commission in August 2011.
- Completed ESBWR final safety assessment report in March 2011 and provided draft proposed rule to Commission in January 2011.
- Completed first acceptance reviews for two ABWR design certification renewal applications.
- NRO reorganization combined NGE1 and NGE2 branches in July, 2010 with two team leaders to assist in oversight responsibilities. Branch was renamed BWR branch with responsibility for ESBWR design review, Fermi license review, Air Craft Impact amendment for the ABWR, Victoria early site permit as well as the STP license review.
- Branch Chief for NGE2 with responsibility for the STP 3 and 4 combined license review.

Senior Project Manager; GG-15 8/2007-10/2009  
Supervisor: Jeff Cruz and Belkys Sosa  
Office of New Reactors, NGE1 Branch

- Lead Project Manager for the Fermi new reactor application.
- Lead team effort in 2008 for Victoria County station Units 1 and 2 pre-application preparation, application acceptance and docketing; initiated schedule development.
- Executed the acceptance review team concept for Victoria, Fermi and River Bend which required training of new staff, implementing infrastructure for new reactor applications
- Lead team effort for execution of the Victoria County Station public outreach meeting attended by 600 persons.
- Lead the project team in 2008 for Grand Gulf 3 by supporting/leading technical

reviewers in development of safety evaluation reports and maintaining schedule through Phase 1

- Lead PM for GE-H ABWR topical report reviews which were to be used to facilitate a revision to the ABWR DC and in support of the STP COLA.
- Developed and implemented hearing file training in the 4th Quarter 2007 for all of NRO, posted training on the web.
- Lead the DNRL effort to set up guidance for implementation of the hearing file email accounts; worked with OIS and OGC to develop the PM How To Manual which describes responsibilities for managing the hearing files; lead the transition from GroupWise to Outlook for the hearing file email system.
- Lead a team and quickly resolved urgent issues impeding using of the new electronic RAI system and documenting for the staff the RAI process.
- Lead the initial analysis on the impact of STP changing vendors and identifying project risks.
- Worked with the Rulemaking branch to define efficiencies in the rulemaking process for design certifications; developed several working level and management briefs highlighting potential improvements resulting this the effort becoming a part of the EDO's 6 sigma project.

Reactor Operations Engineer; GG-13/14

11/2005-8/2007

Office of Nuclear Reactor Regulation; Performance Assessment Branch

Provided support to leads for the Reactor Oversight Program:

- gave input to the self assessment SECY paper for the External Survey
- coordinated monthly NEI meetings between staff and industry on ROP issues
- coordinating issue resolution with industry on the performance indicator program
- initiated an internal review of the safety system functional failure PI,
- Implemented, with industry, replacement of the Unplanned Scrams PI with the Unplanned Scrams with Complications PI
- responsible for several inspection procedures used by the regions
- developed the branch training program for inclusion in an office procedure
- responsible for execution of the annual Agency Action Review Meeting (AARM); an all day meeting of senior NRC management requiring extensive coordination with other agency offices, regions and branches to assimilate a large volume of information including NRR and NMSS facilities with performance problems, self assessments for the NMSS and ROP program, and presentations from various managers on the facilities of concern. Following the AARM I support the meeting to brief the Commissioners.

General Supervisor of Chemistry

1/2002-10/2005

Calvert Cliffs Nuclear Power Plant, Lusby MD

Responsibilities included: \$8M budget and 35 professional staff and technicians at a two unit, 865 MW pressurized water nuclear reactor site. Performed monitoring and control

of primary and secondary water chemistry, radioactive liquid and gaseous discharges, air and water environmental compliance, controlled and hazardous chemical programs, and radioactive waste shipping.

- Published "The Right Chemistry" in the Nuclear Professional magazine, 2005.
- In 2004 successfully directed a computer system upgrade to the site corrective action program; completed ahead of schedule at a minimal cost.
- Oversaw revision of primary chemistry shutdown and start-up program resulting in a 2004 industry best for removal of radioactivity on unit shutdown while shortening shutdown time and minimizing dose to station personnel.
- In 2004 the staff set the station record for best performance in primary and secondary chemistry on both nuclear units; achieved top industry quartile performance in liquid radioactive waste releases, shipped 32,000 ft<sup>3</sup> of radioactive waste.
- Chosen in 2003 to attend prestigious management track training for plant operation certification to support further career progression by providing broad technical management expertise.

Supervisor, Plant Design Support Unit, Calvert Cliffs

8/2000-1/2002

Lead a 10 person team of multi-discipline design engineers to resolve urgent station technical problems to keep the two generating units running while meeting high technical and regulatory compliance needs. Provided designs to assist the Maintenance organization in meeting schedules, and minimized schedule disruptions to the Design Engineering Section.

Engineering Evaluator, Engineering Department

9/98-8/2000

Institute of Nuclear Power Operations (Constellation Energy), Atlanta, GA

Two year assignment as engineering evaluator for many US and some international nuclear plant evaluations covering all aspects of engineering. Work focused on plant system and design engineering but also included component engineering, nuclear fuel and maintenance engineering.

Supervisor, Chemistry Technical Services Unit, Calvert Cliffs

10/94-8/98

Directed technical staff with responsibility for daily and strategic chemistry programs in primary, secondary, auxiliary, radioactive waste systems and the environmental program; developed section budgets, projects and business plan.

Reduced annual chemistry section chemical and resin costs by \$400K.

Achieved then site record in 1996 for lowest liquid and gas radioactive effluents.

Senior Engineer, Primary Systems Engineering Unit

8/92-10/94

Work group leader of engineers responsible for reactor vessel, fuel handling machines, spent fuel pool, and dry fuel storage. Brought dry fuel storage facility through testing to operational phase.

Senior Engineer  
Calvert Cliffs Nuclear Power Plant, Lusby, Maryland  
Instrumentation and Controls Unit, Design Engineering

1/88-8/92

Work group leader of five engineers issuing various control system modifications. Led effort that resulted in the minor modification process at Calvert Cliffs. Issued numerous instrument tubing designs and control valve replacements.

Senior Production Engineer  
Hercules, Inc.; Hopewell Plant, Hopewell, Virginia

6/79-1/88

Natrosol and Klucel Polymer Plant Operations; provided the first line technical support for production operations of two cellulose derivative polymer plants. Enhanced cost and quality of processes involving manual and computer controlled exothermic batch reactors, extractions and separations, rotary vacuum and roll dryers, distillation, grinding mills and bag packaging operations. Brought eight new products into commercial operation by retrofitting existing polymer process plants. Senior engineer in process computer group, coordinated design and installation of first microprocessor to control production scale reactor at Hopewell plant.

### **Education**

State of Maryland PE license (#29427), Chemical Engineering  
State of Georgia PE license (#025950), Chemical Engineering

Virginia Commonwealth University, Masters in Business Administration	1985
University of Virginia, BS, Chemical Engineering, With Distinction	1979

### **Professional Ratings, Awards and Recognitions**

- Performance Award 11/2008 for sustained High Level of Performance, 11/2008
- Special Act Award for Improving Organizational Effectiveness and Team Player, 3/2008
- Special Act Group Award for Hearing File Training, 1/2008
- Special Act Award For Leadership In Preparation and Coordination of the Agency Action Review Meeting, 5/2007 and again 7/2006
- "The Right Chemistry" published by the Institute of Nuclear Power Operators magazine, Nuclear Professional, first quarter 2005.
- Excellence Award in 2004 from the Vice President for timely and successful implementation of a computer automation project for the corrective action program.
- Certificate of Appreciation for being the mentor at the Professional Development Seminar for Radiation Protection and Chemistry new supervisors. Institute of Nuclear Power Operators, 2004.
- Letter of Recognition in 2002 from the Institute of Nuclear Power for Chemistry Assistance to the Three Mile Island nuclear power station.

- Recognition certificate in 2000 from World Nuclear Power Operators for Assistance given to the Kuosheng nuclear power station in Taiwan.
- Certificate of Appreciation from Institute of Nuclear Power Operators Certificate for work performed, 2000.
- Selected in 1999 to provide consultation to the Brazilian nuclear power station in Angra in design and system engineering.

STAFF ATTACHMENT 4

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

AFFIDAVIT OF GEORGE A. LIPSCOMB  
CONCERNING THE STAFF'S REVIEW OF THE FERMI 3  
QUALITY ASSURANCE PROGRAM  
AS IT RELATES TO CONTENTION 15

George A. Lipscomb hereby states as follows:

1. I am an electrical engineer with the Office of New Reactors (NRO) at the US Nuclear Regulatory Commission (NRC). In my current position, I am a Quality Assurance (QA) inspector and a technical reviewer responsible for supporting the activities of the Construction Electrical Vendor Branch (CEVB) in the Division of Construction Inspection and Operational Programs (DCIP).
2. The CEVB organization and its predecessor organizations, Quality and Vendor Branch A (CQVA) and Quality and Vendor Branch B (CQVB), were responsible for supporting NRC Combined License Application (COLA) QA reviews and for inspections to verify applicant compliance with regulatory requirements.
3. I have served in the following capacities related to Fermi 3 QA reviews: (a) technical reviewer for Chapter 17.5 of the Fermi 3 COLA Final Safety Analysis Report (FSAR); (b) inspection team member of the August 2009 QA implementation inspection of Detroit Edison Company (DTE) in Detroit, MI; and (c) inspection team member of the September 2010 vendor inspection of Black & Veatch (B&V) in Overland Park, KS.
4. The NRC staff review of Chapter 17.5 of the Fermi 3 COLA FSAR, which provides an assessment of the overall Fermi 3 QA program, including the QA program that is applicable during the design, construction, and operations phases of a nuclear power plant, is documented in a Safety Evaluation (SE) dated October 17, 2011 (Staff Exhibit 1). Section 17.5.4.22 of the SE draws the following conclusions: a) for activities prior to September 18, 2008 (the date the

Fermi 3 COLA was submitted to the NRC), “the applicant has provided adequate assurance that the requirements of Appendix B have been met for safety-related activities supporting the Fermi 3 COL application”; b) for activities after September 18, 2008, “the applicant has provided adequate assurance that the Fermi 3 project has met the requirements of Appendix B”; and c) the applicant has adequately resolved all NRC staff Chapter 17.5 Requests for Additional Information (RAIs).

5. Following the August 2009 QA implementation inspection at DTE, the NRC staff issued an inspection report and Notice of Violation (NOV) on October 5, 2009 (Staff Exhibit 2). This initial NOV identified three violations of Severity Level IV for activities both before and after the date the Fermi 3 COLA was submitted to the NRC. The applicant responded to the Initial NOV by letter dated November 9, 2009 (Staff Exhibit 3) and contested all three violations.

6. A revised NOV was issued by letter to DTE on April 27, 2010 (Staff Exhibit 4). The letter stated that, “While Detroit Edison must demonstrate compliance with Appendix B in order to receive a COL from the Nuclear Regulatory Commission (NRC), the NRC cannot issue a Notice of Violation for actions or omissions occurring before it submitted the Fermi 3 COL application to the NRC.” For this reason, the NRC issued a revised NOV identifying two violations of NRC requirements for activities performed after September 18, 2008, the date on which DTE submitted the Fermi 3 COL application. Both of these violations were Severity Level IV. The applicant responded to the revised NOV by letter dated May 26, 2010 (Staff Exhibit 5).

7. The NRC staff concluded that (a) the DTE information submitted was responsive to the revised NOV, (b) the implemented corrective actions are appropriate, and (c) the activities cited in the revised NOV are again consistent with the requirements of Appendix B to 10 CFR Part 50. The NRC staff documented the acceptance of the applicant’s responses to the revised NOV in a letter dated June 4, 2010 (Staff Exhibit 6).

8. The NRC staff confirmed that DTE contracted with B&V for Fermi 3 COLA development-related activities under the B&V 10 CFR 50 Appendix B/NQA-1 QA Program in April 2007, and

continued to delegate the execution of quality- and safety-related services associated with COLA revision and review support to the B&V 10 CFR 50 Appendix B/NQA-1 QA Program after submission of the COLA (Staff Exhibits 1 & 7).

9. As part of the normal selection of vendors for NRC inspection, B&V was selected for a routine inspection in 2010, and the inspection team was informed of the 2009 DTE inspection and the on-going Fermi 3 licensing activities.

10. The NRC staff issued the B&V inspection report and NOV on October 14, 2010 (Staff Exhibit 9). The inspection report found no violations of the QA requirements in Appendix B of 10 CFR Part 50. The NOV identified one violation of 10 CFR Part 21 requirements for activities not directly related to Fermi 3, which B&V responded to by letter. The NRC staff documented the acceptance of B&V's response to the NOV in a letter dated December 17, 2010 (Staff Exhibit 10).

11. All RAIs and NOVs related to QA issues for the Fermi 3 application are resolved, and the staff's technical review is complete.

12. I hereby certify under penalty of perjury that the foregoing is true and complete to the best of my knowledge, information, and belief.

**Executed in Accord with 10 CFR § 2.304(d)**

George A. Lipscomb  
Electrical Engineer (Digital I&C), Division of  
Construction Inspection and Operational Programs  
Office of New Reactors  
US Nuclear Regulatory Commission  
Mail Stop T7 D39  
Washington, DC 20555-0001  
301-415-6838  
George.Lipscomb@nrc.gov

Dated at Rockville, MD  
this 7th day of May 2012

**George A. Lipscomb**  
US Nuclear Regulatory Commission  
(301) 415-6838  
George.Lipscomb@nrc.gov

**Education:**

**US Naval Academy**

Annapolis, MD – 1987      BS in Electrical Engineering  
Distinctions:      Graduated 9 in class of 1037, Battalion Commander (750 personnel),  
Burke Scholar, Distinguished graduate

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**University of Michigan**

Ann Arbor, MI – 1988      MS in Electrical Engineering (Area: Optics and solid-state technology)  
Distinctions:      Tau Beta Pi, Lockheed, and Allied-Signal Fellow

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**Embry-Riddle Aeronautical University**

Daytona Beach, FL – 1996      MBA in Aviation

**Experience:**

**US Nuclear Regulatory Commission (NRC)**

**7/2008 – present**

**Lead Quality Assurance (QA) Inspector:** Leads regulatory inspection teams for new reactor applications and vendor QA programs. Plans and coordinates all aspects of inspection from initial planning and on-site supervision, to final management approval and public release of inspection results.

**Lead Technical Reviewer:** Leads and trains small technical teams for QA review of new reactor applications. Responsible for creation, management and defense of QA portion of NRC Staff Final Safety Evaluation Report (FSER). FSER is the primary input into the process for obtaining a new plant construction and operating license.

**Software/I&C QA Lead:** Quality and Vendor Branch regulatory expert in software / I&C QA area. ASME NQA-1 Software QA subcommittee member. Participant on IEEE and EPRI software working groups.

**Distinctions:**      Qualified NRC Vendor Inspector and NRC Technical Reviewer.

**General Electric Company**

**9/2006 – 6/2008**

**Nuclear Supply Chain Leader (SCL):** Led 13-person Instrumentation and Control (I&C) procurement team. Negotiated, initiated, and managed contracts valued at over \$10 MM in 2007 (estimated additional \$800 MM in 2008-15). \$2.6 MM in new saving initiatives in 2007, doubling Op Plan targets. Booked \$7.4 MM new savings initiatives for 2008-10. Awarded six GE sourcing excellence awards, plus the overall 2007 Direct Material Productivity (DMP) savings award.

**Dominion Project Procurement Manager:** Managed all long-lead supplier contacts for initial GE Nuclear ESBWR plant project. Direct material buy of ~\$100MM in 2007.

**Next Generation NUMAC Control System Project Manager:** Coordinated partner selection for upgrade of GE nuclear legacy NUMAC product-line. Led 10-person cross-sectional team to meet tight ESBWR customer schedule and cost requirements (~\$20 MM dollar effort).

**Distinctions:**      GE Nuclear 2007 Direct Material Productivity Overall Award winner.  
General Electric LEAN and 6-Sigma Green Belt certified.

**Project Director (Unit COO):** Naval Research Lab – 2 years, supervised 40. Facilitated transition of civilian technologies to military by developing working relationships with local industry. Projects ranged from developing new acoustic sound propagation modeling software to designing new aircraft search systems. Personnel ranged from university professors and local business leaders to skilled craftsmen working part time with the unit. Unit was awarded the Leo V. Bilger Command Excellence Award (the highest command achievement award) during tenure.

**Safety Department Head (Unit VP of Safety) and Fleet Model Manager (Program Manager):** Navy S-3B Aircraft Wing – 1 year, supervised 16. Responsible for aviation and occupational safety for over 700 unit personnel. Supervised S-3B aircraft community operational procedures program (NATOPS) for over 800 aviators and unit Operational Risk Management (ORM) program, which identified and mitigated high-risk occupational activities during operations. Unit received the CNO Safety Award (highest safety honor in US Navy) during tenure.

**Assistant Chief of Staff (VP of Technology):** Navy Reconnaissance Force - 3 summers, supervised 9. Acted as advisor and daily briefer for Admiral on all tactics and research issues affecting the Pacific Fleet. Coordinated congressional inquiry responses, scheduled multi-nation naval exercises, facilitated Japanese foreign military sales, plus tested and developed tactics for new aircraft systems

**Technical Project Manager (Engineering Manager):** Multiple Navy Commands – 5 years. Responsible for coordination & evaluation of new military systems, plus development and publication of new system employment procedures. As an S-3B aircraft operational squadron member of the Fleet Evaluation Team (FET), designed, tested, evaluated, and implemented various technical aircraft and maritime projects. As S-3B community expert in Global Positioning System (GPS) Navigation and Aerial Mine Delivery, developed numerous tactics papers and conducted related informational management and international exchange briefings.

**Quality Assurance Officer (Unit QA Manager):** Navy S-3B squadron - 1 year, supervised 6. Directed the maintenance safety, inspection, and audit program for over 200 technicians and eight aircraft. Planned, coded, and implemented the Aviation Maintenance Qualification (AMQ) database for US Navy aircraft squadrons. The AMQ database tracked maintenance qualifications and refresher training requirements for squadron enlisted personnel.

**Chairman, S-3B Aircraft Weapons Operational Advisor Group:** Navy S-3B wing - 1 year, 10-person committee. Set priorities and requirements for future S-3B aircraft systems upgrades. Provided guidance to Navy S-3B wing Tactical Evaluation and Development Office for future aircraft systems requirements and testing.

**US Navy and commercial aviation pilot and instructor:** Approximately 7000 hours in 18 years of Naval and commercial aviation. Qualified Navy S-3B, commercial DC-9 pilot and DC-10 Flight Engineer. Qualified commercial and Navy flight, simulator, and classroom instructor. Qualified Navy post-maintenance check pilot.

**Distinctions:** Sea Control Wing Atlantic and Association of Naval Aviation 1994 S-3B Pilot of the Year.  
US Navy presenter at National Global Positioning System (GPS) Users Conference.  
Navy Commendation Medal (4) and Navy Achievement Medal (2).  
FAA licensed Airline Transport Pilot and Commercial Pilot.