



10 CFR 26.9

LR-N12-0279
August 30, 2012

United States Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

SALEM GENERATING STATION – UNIT 1 and UNIT 2
RENEWED FACILITY OPERATING LICENSE NOS. DPR-70 and DPR-75
NRC DOCKET NOS. 50-272 and 50-311

HOPE CREEK GENERATING STATION
RENEWED FACILITY OPERATING LICENSE NO. NPF-57
NRC DOCKET NO. 50-354

**Subject: Response to Request for Additional Information (RAIs 8 through 13)
Concerning the PSEG Nuclear LLC Request for Exemption From
Certain Requirements of the Fitness for Duty Rule, Subpart I.**

- References:**
1. PSEG Letter LR-N11-0308, Robert Braun to US NRC Document Control Desk, "Request for Exemption From Certain Requirements of the Fitness for Duty Rule, Subpart I," dated November 30, 2011
 2. NRC Letter, John D. Hughey to Thomas Joyce, "Hope Creek Generating Station and Salem Nuclear Generating Station, Unit Nos. 1 and 2, Request for Additional Information," dated May 4, 2012.
 3. PSEG Letter LR-N12-0173, Robert Braun to US NRC Document Control Desk, "Response to Request for Additional Information (RAI) Concerning the PSEG Nuclear LLC Request for Exemption From Certain Requirements of the Fitness for Duty Rule, Subpart I," dated June 4, 2012.
 4. NRC Letter, John D. Hughey to Thomas Joyce, "Hope Creek Generating Station and Salem Nuclear Generating Station, Unit Nos. 1 and 2, Request for Additional Information," dated August 8, 2012.

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In the reference 1 letter, PSEG Nuclear LLC (PSEG) requested the Nuclear Regulatory Commission (NRC) approve an exemption from specific requirements of 10 CFR Part 26, "Fitness for Duty Programs" for the combined Salem – Hope Creek Generating Station site. Specifically, an exemption was requested from the requirements of 10 CFR 26.205(c) and (d) for meeting work hour rule controls during declarations of severe weather conditions involving tropical storm or hurricane force winds or severe winter precipitation. During these conditions, adherence to work hour control requirements could impede the ability to respond to an emergency condition at the site and ensure that the Units maintain a safe and secure status.

Subsequently, the NRC provided PSEG with a request for additional information (RAI) (Reference 2) concerning the exemption request documented in Reference 1. The PSEG response to the RAI was submitted in Reference 3. The NRC has since provided PSEG with additional RAIs (Reference 4). The PSEG response to the additional RAIs is provided in Attachment 1 to this letter.

This letter contains no new commitments and no revisions to existing commitments. If you have any questions or require additional information, please do not hesitate to contact Mr. Lee Marabella at (856) 339-1208.

Sincerely,



Robert Braun
Senior Vice President, Nuclear Operations

Attachments:

1. PSEG Response to U.S. NRC Request for Additional Information (RAIs 8 through 13) Concerning the Fitness for Duty Subpart I Exemption Request.

C Administrator – Region I, U. S. Nuclear Regulatory Commission

Project Manager - Salem Unit 1 and Unit 2 and Hope Creek
U. S. Nuclear Regulatory Commission

USNRC Senior Resident Inspector – Salem Generating Station (X24)

USNRC Senior Resident Inspector – Hope Creek Generating Station (X24)

NJBNE

Commitment Tracking Coordinators

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Attachment 1

ATTACHMENT 1

PSEG Response to U.S. NRC Request for Additional Information (RAIs 8 through 13) Concerning the Fitness for Duty Subpart I Exemption Request.

ATTACHMENT 1

PSEG Response to U.S. NRC Request for Additional Information (RAIs 8 through 13) Concerning the Fitness for Duty Subpart I Exemption Request.

Pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR), Section 26.9, PSEG requested an exemption from certain requirements of 10 CFR Part 26, "Fitness for Duty Programs," Subpart I, "Managing Fatigue," related to meeting work hour controls during declarations of severe weather conditions involving tropical storm or hurricane force winds or severe winter precipitation. The NRC staff reviewed PSEG's submittal and determined that additional information was needed to complete the review. PSEG provided a supplement on June 4, 2012 in response to an NRC staff request for additional information. The NRC staff has determined that additional information is needed to complete the review. Responses for the requested information are provided below.

RAI-08:

Attachment 1 of the submittal dated November 30, 2011, describes the geographical location of Hope Creek and Salem in terms of the potential impact that severe weather can have on the site. Please describe the local history and policies for cleaning the streets/roads accessing the site.

PSEG Response:

Since the implementation of 10 CFR 26 Subpart I, there have been three severe winter weather events and one hurricane that prompted PSEG Nuclear to proactively sequester site personnel due to forecast hazardous road conditions which prevented safe access to the site. The storm dates, including dates of watch and warning declarations, and approximate snowfall levels are as follows:

12/17/2009	Winter storm watch issued for Salem County*
12/18/2009	Winter storm warning issued for Salem County*
12/20/2009	Snow accumulation 17 inches*
02/04/2010	Winter storm watch issued for Salem County*
02/04/2010	Winter storm warning issued for Salem County*
02/07/2010	Snow accumulation 11 inches*
02/08/2010	Winter storm watch issued for Salem County*
02/08/2010	Winter storm warning issued for Salem County*

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Attachment 1

02/08/2010	Blizzard warning issued for Salem County*
02/11/2010	Snow accumulation 6 additional inches (17 total)*
08/25/2011 (5:00 pm)	Hurricane watch issued for Delaware Bay*
08/26/2011 (5:00 am)	Hurricane warning issued for Delaware Bay*
08/28/2011 (5:00 am)	Hurricane Irene closest approach to site*

* Information obtained from the National Weather Service. Snow accumulations obtained from the National Operational Hydrologic Remote Sensing Center for Bridgeton, New Jersey

No formal contract exists between PSEG and local government agencies with respect to maintaining roads safe for passage during severe weather events. PSEG maintains the access road clear up to the property boundary and Lower Alloways Creek Township and Salem County are responsible for maintaining the public roads clear leading up to the property boundary on the site access road

RAI-09:

Attachment 1 of the submittal dated November 30, 2011, states the following:

The proposed exemption does not include discretionary maintenance. Work necessary to maintain the plant in a safe and secure condition or to protect equipment required for safety or power generation from potential storm damage may be performed during periods when the proposed exemption would apply. Because of the importance and high priority assigned to restoration of electrical power to the area affected by the storm, PSEG does not consider work required to allow the plant to restart following a storm to be discretionary.

Please state whether restarting the units to restore power is considered discretionary.

PSEG Response:

The referenced statement encompasses actions to ensure that the Salem and Hope Creek Units achieve and maintain a safe and secure status and can be safely restarted, not that the Units would be restarted during the exemption period. Restarting the units is considered discretionary.

RAI-10:

Attachment 1 of the PSEG letter dated June 4, 2012, provides the response to NRC request for additional information RAI-07 (ADAMS Accession No. ML12157A061). The response lists the proposed entry conditions for the exemption during severe winter conditions. The forecast for unsafe travel gives an example of wind conditions but not an example for unsafe road conditions due to severe winter weather such as ice accumulations or snow accumulations. Please provide examples for unsafe road conditions.

PSEG Response:

The criteria in question, "Travel conditions are forecasted to be hazardous for employee commutes to and from the site (i.e., sustained winds conditions of greater than 40 mph)," from Reference 3 pertaining to the PSEG response to RAI-07, is adequately addressed in the preceding three criteria and associated definitions provided in RAI-07. PSEG hereby revises its response to RAI-07 by eliminating the bulleted criteria which states:

- Travel conditions are forecasted to be hazardous for employee commutes to and from the site (i.e., sustained winds conditions of greater than 40 mph)

The three winter weather entry conditions are:

- Issuance of a Winter Storm Watch (24-36 hours in advance of winter storm conditions) or Winter Storm Warning by the National Weather Service for the site and surrounding area.
- Issuance of a Blizzard Warning by the National Weather Service for the site and surrounding area.
- Issuance of an Ice Storm Warning by the National Weather Service for the site and surrounding area.

RAI-11:

Does PSEG specifically communicate with the local government regarding how unsafe travel conditions are determined, or what various levels of travel restrictions are issued? If so, please state the local government entity (e.g. city, county, or state Department of Transportation). How much lead time would the local government give site personnel when preparing to declare travel restrictions?

PSEG Response:

PSEG communication with local and State government agencies is described in OP-AA-108-111-1001, "Severe Weather and Natural Disaster Guidelines" (provided in Reference 1), Checklist 7, "Storm Tracking/Liaison/Support - Emergency Preparedness". Specifically, the person filling the Storm Tracking/Liaison/Support role is tasked with maintaining contact with the Delaware Emergency Management Agency (DEMA) and Salem County Emergency Management to obtain local weather information and to determine local public protective measures being considered or in effect.

As per OP-AA-108-111-1001 the above actions are performed when Phase II is implemented. Phase II implementation criteria were provided in the response to RAI-01 (Reference 3) and OP-AA-108-111-1001 Step 4.1.2. The criteria state that Phase II is implemented when:

- A hurricane watch has been posted anywhere from the South Carolina coast to the coast of Massachusetts.
- Snow greater than 12 inches is expected within 48 hours.
- Unusually high tides are expected within 48 hours.
- Any potentially damaging severe weather is predicted for the immediate area within 48 hours.

Therefore, the lead time for local government agencies to warn PSEG about possible travel restrictions could be as much as 48 hours or considerably less depending on how closely the storm follows its forecasted track.

RAI-12:

Attachment 1 of the submittal dated November 30, 2011, describes the exit condition for the requested exemption as being when enough personnel are available to support meeting full compliance with the work hour rule. Attachment 1 of the PSEG letter dated June 4, 2012, provides responses to the requests for additional information RAI-02 and RAI-07. The responses provided criteria for entry into the requested exemption. Is there a documented method used by the deciding official that describes the criteria for determining when adequate personnel are available to support exiting the exemption period? An example would be the use of staffing rosters that are tied to a departmental or organizational function, in order to monitor compliance with Part 26 Subpart I requirements. If so, please provide the same level of detail as was provided for the entry criteria.

PSEG Response:

After a storm has passed, it is difficult to predict when relief personnel could return to the site based on the degree of surrounding infrastructure damage caused by the storm,

including damage to employees' homes and communities. If an evacuation had been ordered, personnel may have chosen to go to different locations and that could factor in the time needed to recall personnel. Typically, access to the area following storm damage is controlled by local government officials. Plant management will establish work hour controls as soon as practical after the event has ended. The following are the criteria which will be considered when making the determination to resume work hour controls.

- Adequate personnel are available, both on site and relief crews and they have had sufficient time off before resuming their normal work duties.
- Status of the site following the severe weather event (i.e., site damage, critical equipment challenges, plant operational status, or other key activities needed to put the plant in a safe condition).
- Ability to safely implement normal work activities using work hour controls.

The transition from exempted time to normal work hours control would be handled similar to the transition from Forced Outage Work Hours Controls to On Line Work Hours Controls. As the estimate of when the transition will occur becomes available the covered work group supervisors and time administrators will use staffing rosters and qualification lists to develop normal schedules for their work groups and enter them into the Fatigue Rule Monitoring software (EmpCenter) to verify compliance with all applicable Fatigue Rule limits.

RAI-13:

The response to RAI-07 provided in Attachment 1 of your supplement dated June 4, 2012, states that one of the entry conditions for the exemption is unsafe travel (i.e. sustained wind conditions over 40 miles per hour).

RAI-13.1: Is the sustained wind speed condition determined by onsite meteorological personnel or is it determined from an official forecast from the national weather service?

RAI-13.2: Is there a specific definition used on-site which specifies the minimum time period necessary to qualify wind conditions as "sustained winds?"

RAI-13.3: How long must the wind speed exceed 40 miles per hour for the deciding official to determine that entry into the exemption period is necessary?

RAI-13.4: Why is the entry condition for hazardous travel conditions due to sustained winds necessary? What circumstances are anticipated that would result in this entry condition being present when the other entry conditions for severe weather are not?

PSEG Response:

As stated in the response to RAI-10 above, the criteria in question from Reference 3 pertaining to the PSEG response to RAI-07, "Travel conditions are forecasted to be hazardous for employee commutes to and from the site (i.e., sustained winds conditions of greater than 40 mph)" is adequately addressed in the preceding three criteria and associated definitions provided in RAI-07. PSEG hereby revises its response to RAI-07 by eliminating the bulleted criteria which states:

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The three winter weather entry conditions are:

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- Issuance of an Ice Storm Warning by the National Weather Service for the site and surrounding area.