



NMP1L3001
March 5, 2015

EA-14-192

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-001

Nine Mile Point Nuclear Station, Units 1 and 2
Renewed Facility Operating License Nos. DPR-63 & NPF-69
NRC Docket Nos. 50-220 & 50-410

Subject: Response to Apparent Violations in Inspection Report No. 05000220 & 410/2014005; EA-14-192

References: (1) Letter from H. Nieh (NRC) to P. Orphanos (NMPNS) dated February 5, 2015, "Nine Mile Point Nuclear Station - NRC Integrated Inspection Report 05000220/2014005 and 05000410/2014005 and Preliminary Severity Level III Findings."

By the referenced letter, the Nuclear Regulatory Commission (NRC) notified Exelon Generation Company, LLC (Exelon) of two Traditional Enforcement Apparent Violations (AVs) at Nine Mile Point Nuclear Station, LLC (NMPNS) that are being considered for escalated enforcement in accordance with the NRC Enforcement Policy. These AVs are associated with NRC Licensed Operator medical examinations and reporting requirements, which were identified during the NRC inspection of the Licensed Operator Requalification Program conducted at NMPNS October 13 - 16, 2014.

The referenced letter requested information about the long-term corrective actions developed by Exelon to prevent recurrence of the AVs. In particular, the letter requested information related to any plans by Exelon to provide continuing training on NRC regulatory requirements and ANSI standards for both site medical staff and licensed operators.

The deficiencies identified in the operator medical examinations and reporting were entered in the station corrective action program and a root cause evaluation was performed. Based on this evaluation, the enclosure contains the response which includes (1) Restatement of the apparent violations, (2) Reasons for the apparent violations, (3) Corrective steps taken and results achieved and (4) Corrective steps that will be taken.

No regulatory commitments are contained in this letter.

REC'D 030615M0218

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Should you have any questions regarding the information in this submittal, please contact Terry F. Syrell, Acting Manager Site Regulatory Assurance, at (315) 349-5245.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter M. Orphanos", with a long horizontal flourish extending to the right.

Peter M. Orphanos
Site Vice President, Nine Mile Point Nuclear Station

cc: Regional Administrator, NRC Region I
D. L. Jackson, NRC
Resident Inspector, NRC

Enclosure: Response to Apparent Violations in
Inspection Report No. 05000220 & 410/2014005; EA-14-192

Enclosure to NMP1L3001

Response to Apparent Violations in
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Response to Apparent Violations in
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Restatement of the apparent violations

The first Apparent Violation (AV) cited 10 CFR 50.9, "Completeness and Accuracy of Information," related to Exelon's submittal of multiple operator license applications to the NRC that were not complete and accurate in all material respects and were the basis for the NRC making incorrect regulatory decisions between 2003 and 2012. Exelon accepts this apparent violation and has taken prompt action to return to full compliance through comprehensive corrective actions for long term sustained performance.

The second AV cited 10 CFR 50.74, "Notification of Change in Operator or Senior Operator Status," related to Exelon's failure to notify the NRC within 30 days of changes in several operator's medical condition and requesting a condition be placed on these operator's licenses upon identification of potentially disqualifying medical conditions during licensed operator requalification reviews from 2002 to 2014. Exelon accepts this apparent violation and has taken prompt action to return to full compliance through comprehensive corrective actions for long term sustained performance.

Reasons for the apparent violations

The root cause evaluation included a comprehensive extent of condition review and identified 21 total operator deficiencies. The evaluation was not completed in sufficient time to have been effective with robust actions to ensure timely notification in all cases. However, the learnings at NMPNS were communicated to affected Exelon fleet members to ensure prompt actions could be taken where necessary.

Exelon determined the root cause to be inadequate management oversight of the site licensed operator medical program to ensure proper reporting of operator license restrictions and conditions to the NRC. A contributing cause was that the expectations had not been established for the level of ownership and knowledge required by operators to adequately challenge the information documented on the NRC Form 396 by the station's medical professionals.

The corrective actions to prevent repeat occurrences of existing operation medical reporting are in place. These actions are fully described in the following sections of this enclosure.

Corrective steps taken and results achieved

Exelon submitted letters to the NRC requesting license conditions or requesting the licenses be terminated for identified operators.

Two Exelon procedures; HR-AA-07-101, NRC Licensed Operator Medical Examination, and OP-AA-105-101, Administrative Process for NRC License and Medical Requirements, have been implemented at NMPNS. The implementation of OP-AA-105-101 has driven strong Operation's department oversight of the licensed operator medical program.

In accordance with OP-AA-105-101, Exelon has instituted an Operations License Medical Committee, which consists of representatives from Operations, Training, Regulatory Assurance and the station Nurse Practitioner (NP). The committee meets on a quarterly basis. As an interim action, the committee has met monthly since December 2014 to provide additional oversight. The monthly meetings will continue until the Director Site Operations determines the requirements are being met consistently. The purpose of the committee is to provide oversight of implementation of the license medical processes. Typical agenda topics include discussion of any upcoming submittals, any medical or process issues encountered, recent process changes, training material related to license medical qualifications and methods to ensure proficiency by the licensed operators on maintaining their medical qualifications.

Operators have completed an initial action to read OP-AA-105-101 and sign acknowledging their understanding and agreement to fulfill responsibilities for owning their licenses. This is an interim action until the formal training is implemented. Exelon conducted an interim effectiveness review, which included interviews all of the licensed operator candidates in the current initial class, and a sampling of three licensed operators on each shift for each unit. Exelon determined that the initial read and sign action was effective. Operators understand their responsibilities for reporting report medical conditions and prescription medication changes. This responsibility includes accuracy of medical restrictions on their license. In accordance with HR-AA-07-101, the station NP now forwards the entire completed medical examination and supporting documentation to fleet Occupational Health Services (OHS) management for an independent audit of the examination. The purpose of this audit by OHS is to verify compliance with the NRC regulatory requirements and the ANSI/ANS 3.4-1983 standard.

The station's NP has completed fleet initial training on requirements and practices to ensure accurate and timely reporting of licensed operator medical conditions and is qualified to the Exelon fleet standards. The station NP also participated in the 2014 industry working group meeting. Both of these actions improved the knowledge level and raised the awareness of the importance of reporting medical information accurately and in a timely manner in accordance with the NRC regulatory requirements and the ANSI/ANS 3.4-1983 standard.

HR-AA-07-101 requires initial and yearly requalification training for medical personnel, including the NP and the physician, on the NRC regulatory requirements, ANSI/ANS 3.4-1983 standard and the requirements in HR-AA-07-101 and OP-AA-105-101.

HR-AA-07-101 requires a full audit (100% of the charts) of the NRC licensed operator medical charts by the fleet OHS Manager once per calendar year. Additionally, peer-to-peer audits of the NRC Licensed Operator medical charts at Nine Mile Point are required on a quarterly basis. This peer-to-peer audit is conducted by site OHS staff with oversight by fleet OHS management.

Corrective steps that will be taken

Exelon is revising the lesson plan used to train operators on license maintenance requirements. The revised lesson plan will include training on OP-AA-105-101 and HR-AA-07-101. OP-AA-105-101 contains the requirements for reporting medical conditions and prescription medication changes. This procedure also includes the NRC regulatory requirements and ANSI/ANS 3.4-1983 standard for operator medical conditions and reporting to the NRC. The lesson material revision is planned for completion by July 30, 2015. Training of all currently licensed operators and personnel in initial license class using the revised lesson materials is planned for completion by December 7, 2015.

Exelon is revising OP-AA-105-101 to improve the review and approval process of NRC Form 396s. The revised process will allow for a challenge of the NRC Form 396 and opportunity to compare the NRC Form 396 to the licensee's medical file. The revised process will allow for the station's senior management representative signing the NRC Form 396 and the operator to receive clarification from the station or corporate OHS representative as to why information is included or excluded from the NRC Form 396. The revision to OP-AA-105-101 is planned for completion by May 27, 2015.

Exelon is also revising TQ-AA-150, Operator Training Programs, which will require the Long-Range Training Plan to include training on OP-AA-105-101 and HR-AA-07-101. The revision to TQ-AA-150 is planned for completion by May 27, 2015.