

David B. Hamilton
Vice President

440-280-5382

~~PERSONALLY IDENTIFIABLE INFORMATION - WITHHOLD UNDER 10 CFR 2.390~~
(may be decontrolled upon removal of enclosure B)

February 24, 2016
L-16-055

10 CFR 2.201

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

SUBJECT:

Perry Nuclear Power Plant
Docket No. 50-440, License No. NPF-58
Response to Request for Additional Information Regarding VIO 05000440/2015010-01

By correspondence dated January 15, 2016, (Accession No. ML 16020A453) FirstEnergy Nuclear Operating Company (FENOC) submitted a response to notice of violation (VIO) 0500440/2015010-01, Unqualified Radiation Protection Manager.

By correspondence dated February 1, 2016, (Accession No. ML 16033A194) the NRC requested additional information to complete the staff's review. FENOC's response to this request is attached. Enclosure B contains personally identifiable information and is not for public disclosure.

There are no regulatory commitments contained in this letter. If there are any questions, or if additional information is required, please contact Mr. Nicola Conicella, Manager - Regulatory Compliance, at (440) 280-5415.

Sincerely,



David B. Hamilton

Attachment:

1. Response to Request for Additional Information Regarding VIO 05000440/2015010-01

Enclosures

- A. USAR Change Notice
- B. Personnel Qualification Checklist

cc: Document Control Desk
NRC Resident InspectorIEDI
NRR

**Attachment 1
L-16-055**

**Response to Request for Additional Information
Regarding VIO 05000440/2015010-01**

Page 1 of 3

By correspondence dated January 15, 2016, (Accession No. ML 16020A453) FirstEnergy Nuclear Operating Company (FENOC) submitted a response to notice of violation (VIO) 0500440/2015010-01, Unqualified Radiation Protection Manager.

By correspondence dated February 1, 2016, (Accession No. ML 16033A194) the NRC requested additional information to complete the staff's review. The request for additional information (RAI) is presented in bold type, followed by the FENOC response.

RAI-1

Your response indicated the reason the violation of NRC requirements occurred was due to not implementing a formal decision making and documentation process which prevented adequate justification and basis for RPM qualifications. However, the corrective steps that have been taken do not appear to address the identified cause for the violation. Please provide a copy of the revised decision making and documentation process that will ensure an adequate justification and basis for RPM qualifications.

Response:

FENOC has a personnel selection, qualifications, and employment verification process (procedure NOP-SS-4002), the purpose of which is to provide the methods and requirements to verify that the education and experience of personnel selected to fill positions that meet the functional levels and responsibilities detailed in ANSI N18.1-1971, Selection and Training of Nuclear Power Plant Personnel, meet or exceed the minimum qualifications listed in this standard and Regulatory Guide 1.8 – September 1975. This process was used to conclude that the designated Radiation Protection Manager (RPM) was qualified for the position.

The reason for the violation was the failure to implement an available formal process (i.e., Corrective Action Program, Operational Decision Making, etc.) when the qualifications of the designated RPM were questioned. Therefore, inputs from different organizations, and new facts (i.e., level of commitment to Regulatory Guide 1.8 – September 1975) were not documented, considered or addressed in a formal process to ensure risk was addressed and the proper decision was made.

Revisions to existing procedures or processes are not required. A corrective action is in place to develop and implement a lessons learned presentation of this violation for all Perry Nuclear Power Plant (PNPP) management and designated FENOC management and Oversight personnel.

RAI-2

Your response indicated that you revised the Updated Safety Analysis Report to allow for the assignment of a Technical Specification qualified RPM in the event the Manager – Radiation Protection does not satisfy the Regulatory Guide 1.8 requirements. Please provide a copy of the affected Updated Safety Analysis Report page(s) and any supporting evaluation documentation associated with this change.

Response:

On October 5, 2015, a USAR Change Notice was approved to allow for the assignment of a Technical Specification qualified RPM in the event the Manager - Radiation Protection does not fully satisfy the Regulatory Guide 1.8 – September 1975, requirements. A copy of the change notice and supporting evaluation documentation is included in Enclosure A.

RAI-3

Your response indicated that on January 12, 2016, you designated a supervisor as the Technical Specification qualified RPM. Please provide the education and work history/ experience for this individual along with any documentation that resulted from the decision making and documentation process that was used to conclude the supervisor satisfied the requirements for RPM.

Response:

The individual designated as the Technical Specification qualified RPM holds an Associate Degree in Nuclear Engineering Technology from Penn State University.

The RPM has been employed at the PNPP since May 1988. From initial hire until August 2001, the RPM was a Health Physics/Radiation Protection Technician. In August 2001, the RPM was promoted to Supervisor, Radiation Protection and continues in that position, supervising both technicians and staff in the implementation of the radiation protection program. The RPM holds a National Registry of Radiation Protection Technologists certification (1999) and is a qualified lead instructor for Radiation Protection. In 2011 the RPM completed the INPO sponsored New RPM Workshop.

As documented in the PNPP Updated Safety Analysis Report section 1.8, and the FENOC Quality Assurance Program Manual, Table 1, the FENOC/PNPP conformance with Regulatory Guide 1.8 – September 1975, has the following existing clarification:

Regulatory Guide 1.8 states "The RPM should have a bachelor's degree or the equivalent in a science or engineering subject including some formal training in radiation protection and at least 5 years of professional experience in applied radiation protection." It is PNPP's position that equivalent as used in this regulatory guide for the bachelor's degree means (a) four years of post-secondary schooling in science or engineering, or (b) four years of applied experience at a nuclear facility in the area for which qualification is sought, or (c) four years of operational or technical experience or training in nuclear power, or (d) any combination of the above totaling four years. The years of experience used to meet the education requirements as allowed by this exception shall not be used to also meet the experience requirements.

Therefore, the RPM meets the education requirements of Regulatory Guide 1.8 – September 1975.

A copy of the Personnel Qualification Checklist verifying the RPM's qualifications is included in Enclosure B.

Enclosure A
L-16-055

USAR Change Notice

CHANGE NOTICE FORM

NOP-LP-4008-01 Rev. 02

Page of

SECTION 1 - INITIATION

BV1 BV2 DB PY Change Notice No. 15-165
 UFSAR Technical Specification Basis TRM 10 CFR 72.212 Report DCSS-F8AR

Affected Sections, Tables, Figures (Attach applicable pages, annotated as necessary to indicate proposed changes.)

Section	Pages Attached	Section	Pages Attached
12.5.1 <i>Rad P20</i>	12.5-1		
13.1.2.2.1 <i>HR</i>	13.1-16		

Initiating Document or Activity:
Personnel Assignment

Description and basis for change: Additional pages attached
 This change updates organizational descriptions to provide for the assignment of a technical specification qualified Radiation Protection Manager in the event the Manager, Radiation Protection Section does not fully satisfy Regulatory Guide 1.8 qualifications.

The Chapter 12 and Chapter 13 descriptions of the Manager, Radiation Protection Section, are being modified to add discussion that allows for the assignment of a technical specification qualified Radiation Protection Manager who would be responsible for all activities for which the technical specification Radiation Protection Manager is responsible.

Additional supporting documents:

RAD-Exempt UFSAR Change Evaluation Form (NOP-LP-4008-02)	Attached <input type="checkbox"/>	Not required <input checked="" type="checkbox"/>
RAD Form (Form NOP-LP-4003-01)	Attached <input checked="" type="checkbox"/>	Not required <input type="checkbox"/>
10CFR50.59 Screen (Form NOP-LP-4003-02)	Attached <input type="checkbox"/>	Not required <input checked="" type="checkbox"/>
10CFR50.59 Evaluation (Form NOP-LP-4003-03)	Attached <input type="checkbox"/>	Not required <input checked="" type="checkbox"/>
Approved Operating License Amendment	Attached <input type="checkbox"/>	Not required <input checked="" type="checkbox"/>
Other (Required by RAD):	Attached <input type="checkbox"/>	Not required <input checked="" type="checkbox"/>

Preparer: *Todd Henderson* Date: *9/28/15* Supervisor: *P. Lachley* Date: *9-28-15*

SECTION 2 - REVIEW AND APPROVAL

Section Owner Reviewer: C. Elliot (12.5) <i>SEE ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Section Owner Reviewer: M. Imobersteg (13.1) <i>SEE ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Other Reviewer: T. Brown <i>SEE ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Other Reviewer: N. Conicella <i>SEE ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Fleet Licensing Reviewer: J. Enley <i>SEE ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Section Owner Manager Approval: C. Elliot (12.5) <i>[Signature]</i>	Comments Provided: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date <i>10/4/2015</i>

SECTION 3 - INCORPORATION

Document Revision	Effective Date	<input type="checkbox"/> Operations Training Complete <input type="checkbox"/> Operations Training Not Required
Incorporation Verified by Fleet Licensing	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date:

AND →

SECTION OWNER MANAGER APPROVAL
M. IMOBERSTEG

COMMENTS
YES/NO

DATE

CHANGE NOTICE FORM

NOP-LP-4003-01 Rev. 02 Page of

SECTION 1 - INITIATION

BV1 BV2 DB PY Change Notice No. 15-165
 UFSAR Technical Specification Bases TRM 10 CFR 72.212 Report DCSS-FSAR

Affected Sections, Tables, Figures (Attach applicable pages, annotated as necessary to indicate proposed changes.)

Section	Pages Attached	Section	Pages Attached
12.5.1	12.5-1		
13.1.2.2.1	13.1-16		

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 The Chapter 12 and Chapter 13 descriptions of the Manager, Radiation Protection Section, are being modified to add discussion that allows for the assignment of a technical specification qualified Radiation Protection Manager who would be responsible for all activities for which the technical specification Radiation Protection Manager is responsible.

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Other (Required by RAD):	Attached <input type="checkbox"/>	Not required <input checked="" type="checkbox"/>

Preparer: Todd Henderson **Date:** 9/28/15 **Supervisor:** P. Lashley **Date:** 9-28-15

SECTION 2 - REVIEW AND APPROVAL

Section Owner/Reviewer: C. Elliot (12.5) <i>SEE ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Section Owner/Reviewer: M. Imobersteg (13.1) <i>SOB ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Other Reviewer: T. Brown <i>SOB ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Other Reviewer: N. Conicella <i>SOB ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Fleet Licensing Reviewer: J. Emley <i>SOB ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Section Owner Manager Approval: C. Elliot (12.5)	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date

SECTION 3 - INCORPORATION

Document Revision	Effective Date	<input type="checkbox"/> Operations Training Complete <input type="checkbox"/> Operations Training Not Required
Incorporation Verified by Fleet Licensing	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date:

AND

SECTION OWNER MANAGER APPROVAL **COMMENTS** **DATE**
 M. IMOBERSTEG *M. Imobersteg* YES/NO 10/5/15

CHANGE NOTICE FORM			
NOP-LP-4006-01 Rev. 02		Page ___ of ___	
SECTION 1 - INITIATION			
<input type="checkbox"/> BV1 <input type="checkbox"/> BV2 <input type="checkbox"/> DB <input checked="" type="checkbox"/> PY		Change Notice No. <u>15-165</u>	
<input checked="" type="checkbox"/> UFSAR <input type="checkbox"/> Technical Specification Bases <input type="checkbox"/> TRM <input type="checkbox"/> 10 CFR 72.212 Report <input type="checkbox"/> DCSS-F&AR			
Affected Sections, Tables, Figures (Attach applicable pages, annotated as necessary to indicate proposed changes.)			
Section	Page Attached	Section	Pages Attached
12.5.1	12.5-1		
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Initiating Document or Activity: Personnel Assignment			
Description and basis for change: <input type="checkbox"/> Additional pages attached. This change updates organizational descriptions to provide for the assignment of a technical specification qualified Radiation Protection Manager in the event the Manager, Radiation Protection Section does not fully satisfy Regulatory Guide 1.8 qualifications. The Chapter 12 and Chapter 13 descriptions of the Manager, Radiation Protection Section, are being modified to add discussion that allows for the assignment of a technical specification qualified Radiation Protection Manager who would be responsible for all activities for which the technical specification Radiation Protection Manager is responsible.			
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RAD Form (Form NOP-LP-4003-01)	Attached <input checked="" type="checkbox"/>	Not required <input type="checkbox"/>	
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Preparer: <i>Todd Henderson</i>	Date: <i>9/28/15</i>	Supervisor: <i>P. Lashley</i>	Date: <i>9-28-15</i>
SECTION 2 - REVIEW AND APPROVAL			
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Other Reviewer: N. Conicella <i>SEE ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date	
Fleet Licensing Reviewer: J. Emley <i>SEE ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date	
Section Owner Manager Approval: C. Elliot (12.5) <i>SEE ATTACHED</i>	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date	
SECTION 3 - INCORPORATION			
Document Revision	Effective Date	<input type="checkbox"/> Operations Training Complete <input type="checkbox"/> Operations Training Not Required	
Incorporation Verified by Fleet Licensing	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date:	

AND

SECTION OWNER MANAGER APPROVAL COMMENTS DATE
M. IMOBERSTOG *SEE ATTACHED YES/NO*

CHANGE NOTICE FORM

NOP-LP-4008-01 Rev. 02

Page of

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BV1 BV2 DE PY Change Notice No. 15-165
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Preparer: Todd Henderson Date: 9/28/15 Supervisor: P. Lashley Date: 9-28-15

SECTION 2 - REVIEW AND APPROVAL

Section Owner Reviewer: C. Elliot (12.5)	Comments Provided: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date: <u>9/30/15</u>
Section Owner Reviewer: M. Imobersteg (13.1)	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date: <u> </u>
Other Reviewer: T. Brown	Comments Provided: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date: <u>9.30.2015</u>
Other Reviewer: N. Conicella	Comments Provided: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date: <u>9/30/15</u>
Fleet Licensing Reviewer: J. Emley	Comments Provided: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date: <u>10/2/15</u>
Section Owner Manager Approval: C. Elliot (12.5)	Comments Provided: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date: <u>9/30/15</u>

SECTION 3 - INCORPORATION

Document Revision: Effective Date: Operations Training Complete Operations Training Not Required

Incorporation Verified by Fleet Licensing: Comments Provided: Yes No Date:

946
10/2/15

CHANGE NOTICE FORM

NOP-LP-4003-01 Rev. 02

Page ___ of ___

SECTION 1 - INITIATION

- BV1 BV2 DB PY Change Notice No. 15-165
 UFSAR Technical Specification Bases TRM 10 CFR 72.212 Report DCSS-FSAR

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Additional supporting documents:

- | | | |
|--|--|--|
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Preparer: Todd Henderson Date: 9/28/15 Supervisor: P. Lashley Date: 9-28-15

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Section Owner Reviewer: M. Imobersteg (13.1) <u>M.S. Imobersteg</u>	Comments Provided: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Date <u>10/1/15</u>
Other Reviewer: T. Brown	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Other Reviewer: N. Conicella	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Fleet Licensing Reviewer: J. Emley	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date
Section Owner Manager Approval: C. Elliot (12.5)	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date

SECTION 3 - INCORPORATION

Document Revision	Effective Date	<input type="checkbox"/> Operations Training Complete <input type="checkbox"/> Operations Training Not Required
Incorporation Verified by Fleet Licensing	Comments Provided: Yes <input type="checkbox"/> No <input type="checkbox"/>	Date:

12.5 RADIATION PROTECTION PROGRAM

This change notice (CN-15-165):
Delete Bubble A and replace with Insert A

12.5.1 ORGANIZATION

Bubble A

~~The Manager, Radiation Protection Section is designated as the Radiation Protection Manager defined in <Regulatory Guide 1.8>. He is responsible for directing all activities associated with radiation protection and other radiological control services required to support plant operation and maintenance activities. This includes all radiation protection activities and for conducting the plant radiological survey activities required to ensure that personnel exposure to radiation and radioactive materials is maintained within regulatory guidelines and that such exposure is kept as low as reasonably achievable (ALARA). The Manager, Radiation Protection reports to the Director, Site Operations Department.~~

General Plant Manager

~~The Radiation Protection Supervisors are responsible for the oversight of the Radiation Protection Technicians and the implementation of the operational Radiation Protection Program.~~

The Radiation Protection Technicians perform the various radiological surveys and associated analysis to ensure compliance with the radiation protection program. At least one Radiation Protection Technician is provided for each shift.

Qualification and training requirements for the Radiation Protection Section's supervisory positions are described in <Section 13.1.2.2>, <Section 13.1.3.2>, and <Section 13.2.3>.

operation upon the environment, obtaining appropriate state and federal permits for air and water, and reporting as necessary to demonstrate compliance with applicable environmental regulations. The chemistry activities include development and implementation of the chemistry program, wet chemistry, plant process chemistry, system operations performed by chemistry and monitoring of all plant systems for chemical parameters to ensure compliance with regulatory requirements and industry guidance. The Manager, Site Chemistry, reports to the

~~Director, SOB.~~

General Plant Manager

Manager, Site Radiation Protection Section

Bubble B ~~The Manager, Site Radiation Protection Section is designated as the Radiation Protection Manager defined in <Regulatory Guide 1.8>. His responsibilities include, but are not limited to, directing all activities associated with radiation protection and other radiological control services required to support plant operation and maintenance activities. This includes conducting the plant radiological survey activities required to ensure that personnel exposure to radiation and radioactive materials is maintained within regulatory guidelines and that such exposure is kept as low as reasonably achievable (ALARA). The Manager, Site Radiation Protection reports to the~~

~~Director, SOB.~~

Manager, Site Outage Management Section

General Plant Manager

The Manager, Site Outage Management Section, responsibilities include, but are not limited to, directing the scheduling and coordination of all plant outages. The Manager, Site Outage Management Section, reports to the

~~Director, SOB.~~

General Plant Manager


This change notice (CN-15-165):
Delete Bubble B and replace with
Insert B

Change Notice 15-165**Insert A (Replaces Bubble A on page 12.5-1):**

The Manager, Radiation Protection Section is designated as the Radiation Protection Manager defined in <Regulatory Guide 1.8>. He is responsible for directing all activities associated with radiation protection and other radiological control services required to support plant operation and maintenance activities. This includes all radiation protection activities and for conducting the plant radiological survey activities required to ensure that personnel exposure to radiation and radioactive materials is maintained within regulatory guidelines and that such exposure is kept as low as reasonably achievable (ALARA). If the Manager, Radiation Protection Section, does not meet the qualifications specified in <Regulatory Guide 1.8>, a qualified individual shall be designated as the technical specification qualified Radiation Protection Manager, who shall be responsible for all aforementioned activities for which the Radiation Protection Manager is responsible, including reviewing, approving and signing/countersigning all associated documents. The Manager, Radiation Protection Section reports to the General Plant Manager.

Insert B (Replaces Bubble B on page 13.1-16):**Manager, Radiation Protection Section**

The Manager, Radiation Protection Section is designated as the Radiation Protection Manager defined in <Regulatory Guide 1.8>. His responsibilities include, but are not limited to, directing all activities associated with radiation protection and other radiological control services required to support plant operation and maintenance activities. This includes conducting the plant radiological survey activities required to ensure that personnel exposure to radiation and radioactive materials is maintained within regulatory guidelines and that such exposure is kept as low as reasonably achievable (ALARA). If the Manager, Radiation Protection Section, does not meet the qualifications specified in <Regulatory Guide 1.8>, a qualified individual shall be designated as the technical specification qualified Radiation Protection Manager, who shall be responsible for all aforementioned activities for which the Radiation Protection Manager is responsible, including reviewing, approving and signing/countersigning all associated documents. The Manager, Radiation Protection Section reports to the General Plant Manager.

	REGULATORY APPLICABILITY DETERMINATION NOP-LP-4003-01 Rev. 03	No. 15-02746 Rev. 00
	Page 1 of 2	
Initiating Activity No. USAR 15-165		Rev.
<input type="checkbox"/> BVPS 1		<input type="checkbox"/> BVPS 2
		<input type="checkbox"/> DBNPS
		<input checked="" type="checkbox"/> PNPP

Title:

USAR Change - Organizational Description of Manager, Radiation Protection Section

Brief description of activity (what is being changed and why):

This change updates organizational descriptions to provide for the assignment of a technical specification qualified Radiation Protection Manager in the event the Manager, Radiation Protection Section does not fully satisfy Regulatory Guide 1.8 qualifications.

The Chapter 12 and Chapter 13 descriptions of the Manager, Radiation Protection Section, are being modified to add discussion that allows for the assignment of a technical specification qualified Radiation Protection Manager who would be responsible for all activities for which the technical specification Radiation Protection Manager is responsible.

1. EXEMPTIONS

Is the scope of the entire activity exempt from the 10CFR50.59 process because it is limited to:

- 1.1 Managerial or administrative changes..... YES NO
- 1.2 UFSAR changes (or equivalent information) excluded from the requirement to perform a 10CFR50.59 Screen and Evaluation by NEI 96-07 or NEI 98-03?..... YES NO
- 1.3 Maintenance activities and temporary alterations in support of maintenance planned for 90 days or less while at power YES NO
- 1.4 Changes evaluated under another program that included a 10CFR50.59 Screen..... YES NO

2. OTHER REGULATIONS

2.1 Does the activity require a license amendment?

- 2.1.1 Operating License..... YES NO
- 2.1.2 Technical Specifications..... YES NO
- 2.1.3 Environmental Protection Plan (BVPS and PNPP only)..... YES NO

2.2 Is the activity or any portion of the activity governed by one or more of the following regulations:

- 2.2.1 Quality Assurance Program (10CFR50.54(a))..... YES NO
- 2.2.2 Security Plans (10CFR50.54(p))..... YES NO
- 2.2.3 Emergency Plan (10CFR50.54(q))..... YES NO
- 2.2.4 IST Program Plan (10CFR50.55(a)(f))..... YES NO
- 2.2.5 ISI Program Plan (10CFR50.55(a)(g))..... YES NO
- 2.2.6 Fire Protection Program (10CFR50.48)..... YES NO
- 2.2.7 Independent Spent Fuel Storage Facility (10CFR72.48)..... YES NO
- 2.2.8 Another regulation:
 - Standards For Protection Against Radiation (10 CFR 20 Including ODCM)..... YES NO
 - Specific Exemptions (10 CFR 50.12)..... YES NO
 - ECCS Acceptance Criteria (10 CFR 50.46)..... YES NO
 - Environmental Protection (DBNPS only)..... YES NO
 - Other - list the regulation(s): _____ YES NO

FEDERAL ENERGY	REGULATORY APPLICABILITY DETERMINATION	No. 15-02748 Rev. 00
NIP-IP-4003-01 Rev. 03		Page 2 of 2
Initiating Activity No. USAR 15-165		Rev.
<input type="checkbox"/> BVFS 1	<input type="checkbox"/> BVFS 2	<input type="checkbox"/> DBNPS
		<input checked="" type="checkbox"/> PAFS

3. CONCLUSION

- 3.1 Does 10CFR60.59 apply? YES NO
- 3.2 Does the activity require a change to the UFSAR? Change Request No: 15-165 YES NO
- 3.3 Summarize the bases for responses: Include Keywords used to search documents.

Keywords: radiation protection manager, RPM, manager radiation protection

The proposed modifications to update the UFSAR organization description for the Manager, Radiation Protection Section, are the result of organization changes and are not subject to 10 CFR 60.59. The modifications to the organization description are not a modification to the facility or a procedure.

A change, as defined in Section 2.3 of NEI 98-07, R1, means a "modification or addition to, or removal from, the facility or procedures that effects: (1) a design function, (2) method of performing or controlling the function, or (3) an evaluation that demonstrates that intended functions will be accomplished." A modification to the UFSAR-described organization does not meet this definition of change. Therefore, such changes are not subject to control under 10 CFR 60.59. Per NEI 98-07, as endorsed by Regulatory Guide 1.181, modifications to the UFSAR that are not the result of activities performed under 10 CFR 60.59 are not subject to control under 10 CFR 60.59.

Since the proposed modifications to the UFSAR neither resulted from activities performed under 10 CFR 60.59 nor rise to the definition of a change provided in NEI 98-07, the proposed modifications to the UFSAR satisfy the criteria for exemption from the 10 CFR 60.59 process as indicated in Exemption 1.2.

The proposed organizational changes do not require changes to the Operating License, Technical Specifications, or the Environmental Protection Plan, nor do they result in changes to the Security or Emergency Plans.

The proposed organizational changes can neither implement nor effect changes to plant structures, systems or components, and therefore are not governed by the Inservice Testing/Inspection, Fire Protection or Independent Spent Fuel Storage regulations.

10 CFR 60.54(e) applies to the FENOC Quality Assurance Program Manual (QAPM), which provides a description of the corporate and site organizations responsible for implementing the quality assurance program. The Oversight organization has determined that the changes made by the UFSAR Change Notice do not require a revision to the FENOC QAPM.

Other regulations that govern these activities are satisfied by the procedural requirements but do not include any requirements for NRC review or approval of the process.

Accordingly, neither 10 CFR 60.59 nor any other regulatory review and approval process apply to the implementation of this organization change.

Preparer (Print name) Henderson, Todd A	Signature <i>Todd Henderson</i>	Date 6/26/2018
Reviewer (Print name) Emley, James E	Signature <i>James E Emley</i>	Date 6/26/2018
Database Updated	Signature <i>Todd Henderson</i>	Date 6/28/18

REGULATORY DOCUMENTATION COMMENT FORM

- Letter (NOP-LP-4007)
- Change Notice (NOP-LP-4008)
- Licensing Action (NOP-LP-4009)

Number
CN 15-165

NOP-LP-4007-03 Rev. 02

SUBJECT

CN 15-165

REVIEW CONDUCTED BY

ORGANIZATION

TRAINING

INDIVIDUAL (PRINT NAME)

J. SPARK

SHEET

1 OF 1

NO RESPONSE REQUESTED

RESPONSE IS REQUESTED, PLEASE RETURN THIS FORM WITH YOUR RESPONSE IN THE SPACE PROVIDED

COMMENTS

RESPONSE

RESPONSE PROVIDED BY:

DATE

REVIEWER SIGNATURE

DATE

REVIEWER CONCURRENCE

DATE

J. Spark
SPARK

9-30-15

[Signature]
Elliott

9/30/15

5/14/15
RAC