



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE RD. SUITE 210
LISLE, IL 60532-4352

April 19, 2016

Mr. David Hamilton
Site Vice President
FirstEnergy Nuclear Operating Company
Perry Nuclear Power Plant
P. O. Box 97, 10 Center Road, A-PY-A290
Perry, OH 44081-0097

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION VIO 05000440/215010-01

Dear Mr. Hamilton:

On February 24, 2016, you responded to the U.S. Nuclear Regulatory Commission (NRC) request for information regarding a finding of very low safety significance (Green) and an associated violation of Technical Specification 5.3.1 when an unqualified individual was designated and performed the duties of Radiation Protection Manager (RPM) (ML16020A453). In order to complete its review, the staff requested additional information (RAI). After reviewing the information provided (ML16057A810), the staff has additional clarifying questions related to RAI-1 and RAI-2. We have included all three original questions for a complete record, but only RAI-1 and RAI-2 needs additional information.

Request of Additional Information (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.

Licensee Response:

FirstEnergy Nuclear Operating Company (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 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.

NRC Response:

The failure to implement a formal process to resolve questions and issues regarding the incorrect conclusion determined by NOP-SS-4002 does not address the issue that NOP-SS-4002 failed to identify that the candidate for Radiation Protection Manager did not meet the minimum requirements of your license to operate the nuclear power plant.

Your response indicates that your selection, qualification, and verification process (procedure NOP-SS-4002) did not ensure that the Radiation Protection Manager was qualified for the position before designation. Your response also indicates that NOP-SS-4002 does not need to be revised and therefore, may suggest that the instructions were not implemented as written. The response provided does not fully address the concern that NOP-SS-4002 was not implemented as written and therefore, we are requesting additional information to help in our review.

Please indicate if NOP-SS-4002 was implemented as written. If it was, please indicate how it was determined that no revision was necessary; if it was not, please indicate why. In addition, please provide any and all data associated with the selection of the candidate and the verification that the candidate satisfied the minimum requirements for Radiation Protection Manager. Please include a timeline for these activities.

RAI-2:

Your response indicated that you revised the Updated Safety Analysis Report (USAR) 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 USAR page(s) and any supporting evaluation documentation associated with this change.

Licensee 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.

NRC Response:

We have reviewed the provided USAR Change Notice and request a clarification before we can assess compliance with NRC requirements. Specific areas are the insertions "A" and "B" of the USAR Change Notice:

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 RPM, who shall be responsible for all aforementioned activities for which the RPM 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 RPM 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 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 RPM. Who shall be responsible for all aforementioned activities for which the RPM is responsible, including reviewing, approving and signing/countersigning all associated documents. The Manager, Radiation Protection Section reports to the General Plant Manager.

It was understood that the revisions were made to address situations when the Manager, Radiation Protection Section, was not qualified to be the technical specification RPM, as in the current conditions at Perry. However, in this situation, it appears the two individuals either have the same responsibilities or share the responsibilities, please clarify. Additionally, the revision does not describe the reporting chain of the technical specification qualified RPM in the current conditions. Furthermore, please describe the communication methods used to ensure that technical questions raised by the plant staff related to radiation safety are directed to the appropriate individual.

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.

Licensee 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 Institute of Nuclear Power Operations sponsored New RPM Workshop.

As documented in the PNPP USAR 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; (b) four years of applied experience at a nuclear facility in the area for which qualification is sought; (c) four years of operational or technical experience or training in nuclear power; or (d) any combination of the above totaling 4 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.

NRC Response:

We have reviewed the education and experience provided for the technical specification qualified RPM and no further actions are required.

This letter does not contain new or amended information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Existing information collection requirements were approved by the Office of Management and Budget, Control Number 3150-0011. The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid Office of Management and Budget Control Number.

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Sincerely,

/RA/

Hironori Peterson, Chief
Health Physics and Incident Response Branch
Division of Reactor Safety

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D. Hamilton

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Sincerely,

/RA/

Hironori Peterson, Chief
Health Physics and Incident Response Branch
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