



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENTS NOS. 157 AND 71 TO FACILITY OPERATING
LICENSE NOS. DPR-63 AND NPF-69
NIAGARA MOHAWK POWER CORPORATION
NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2
DOCKET NOS. 50-220 AND 50-410

1.0 INTRODUCTION

By letter dated October 25, 1995 (two letters) as supplemented February 7, 1996, Niagara Mohawk Power Corporation (NMPC, the licensee) submitted a request for changes to the Technical Specifications (TSs) of the Nine Mile Point Nuclear Station, Unit Nos. 1 and 2 (NMP1 and NMP2). The proposed changes would revise portions of Chapter 6 (administrative controls) to reflect the restructuring of NMPC's upper management organization. The proposed changes involve reassignment of responsibility at the upper management level, reporting changes, and title changes. The February 7, 1996, letter for Unit 2 did not change the initial proposed no significant hazards consideration determination.

2.0 EVALUATION

NMPC is restructuring the corporate level management of its electric power generation facilities. The restructuring provides for the establishment of the Generation Business Group composed of nuclear and non-nuclear electric power generation facilities. The current Executive Vice President - Nuclear has been chosen to head the Generation Business Group as the Executive Vice President - Generation Business Group/Chief Nuclear Officer. Accordingly, the Executive Vice President - Nuclear Generation Business Group/Chief Nuclear Officer will have a combination of nuclear and non-nuclear corporate level management responsibilities. The proposed amendment reassigns corporate management responsibilities within the Nuclear Division to provide the necessary attention to nuclear safety matters.

The general features of the organizational restructuring include the establishment of the Executive Vice President - Generation Business Group/Chief Nuclear Officer position; the establishment of the Vice President and General Manager - Nuclear position; reassignment of responsibilities assigned to the Executive Vice President - Nuclear to either the Chief Nuclear Officer or the Vice President and General Manager - Nuclear; reassignment of responsibilities assigned to the Vice President - Nuclear Generation to the

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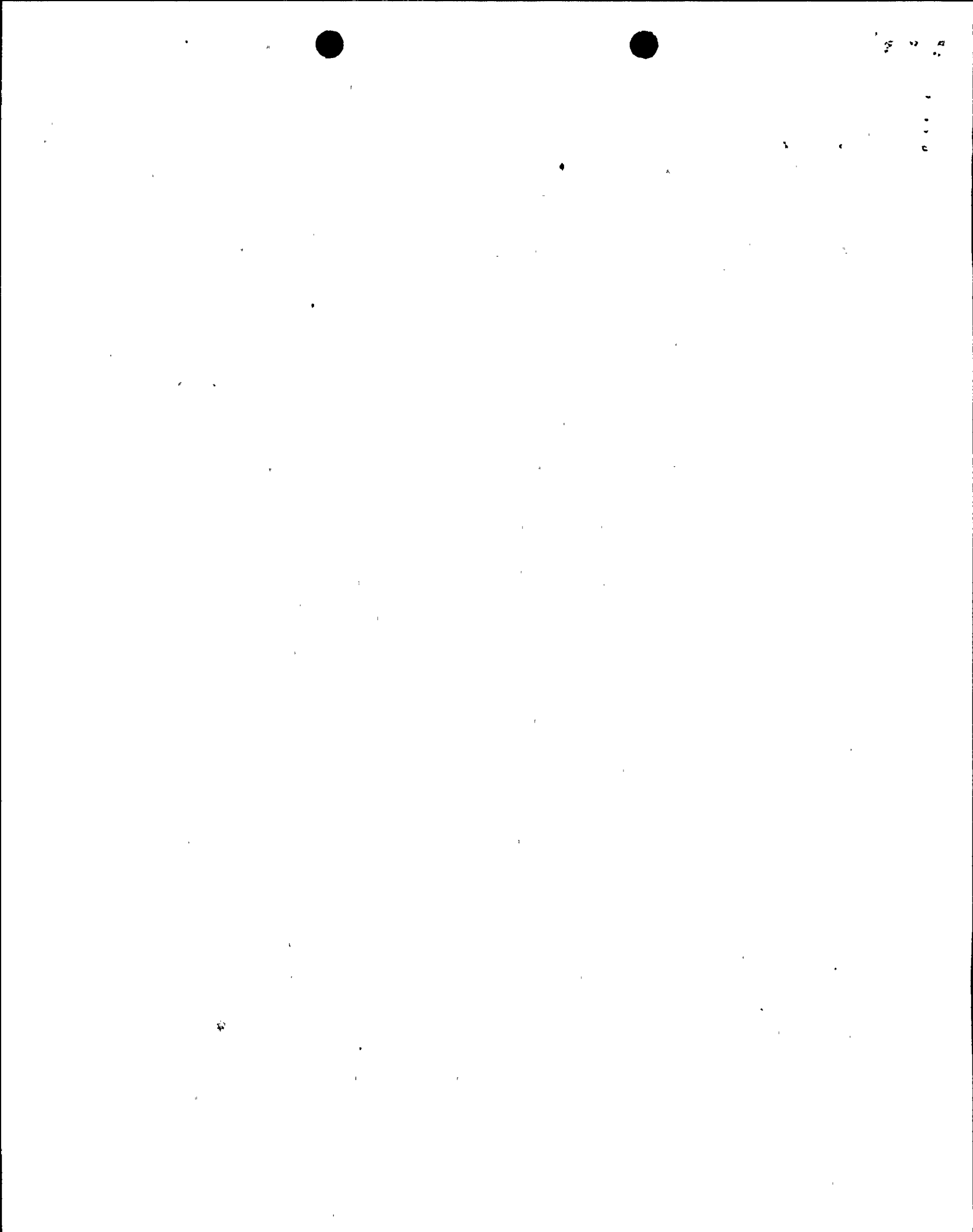
Vice President and General Manager - Nuclear; and the associated elimination of the Executive Vice President - Nuclear and Vice President - Nuclear Generation positions.

Specifically, the position of Executive Vice President - Generation Business Group/Chief Nuclear Officer has been established to provide corporate management oversight of NMPC's nuclear and non-nuclear power generation facilities. The Executive Vice President - Generation Business Group/Chief Nuclear Officer, hereinafter referred to as the Chief Nuclear Officer in describing the nuclear organization, will have overall responsibility for oversight of the Nuclear Division, including: Communications and Public Affairs; Nuclear Generation; Nuclear Engineering; Nuclear Safety Assessment and Support; Business Management; and Human Resource Development. Upon implementation of the approved amendment, the current Executive Vice President - Nuclear will assume the "Chief Nuclear Officer" position and transfer corporate responsibility for overall nuclear plant safety to the new position of Vice President and General Manager - Nuclear.

In addition, the position title of "Vice President - Nuclear Generation" is being changed to "Vice President and General Manager - Nuclear" to reflect the assignment of additional responsibilities beyond those previously associated with the "Vice President - Nuclear Generation" position. The Vice President and General Manager - Nuclear will be responsible for nuclear operations, maintenance, and engineering. The Vice President and General Manager - Nuclear will assume the corporate responsibility for overall plant nuclear safety (previously held by the Executive Vice President - Nuclear) and will have the authority to take such measures as may be needed to ensure acceptable performance of staff in operating, maintaining, and providing technical support to the plant to ensure nuclear safety. Upon implementation of the approved amendment, the Vice President - Nuclear Generation will assume the "Vice President and General Manager - Nuclear" position.

The reassignment of responsibilities includes the reporting of the Vice President - Nuclear Engineering to the Vice President and General Manager - Nuclear. In association with this change, the Unit 2 Independent Safety Engineering Group (ISEG) will report to the Vice President - Nuclear Safety Assessment and Support, rather than the Vice President - Nuclear Engineering. The Vice President - Nuclear Safety Assessment and Support will report directly to the Chief Nuclear Officer, therefore, the functions of ISEG will remain independent from plant activities, including maintenance, modifications, and operational concerns.

The proposed changes to Chapter 6 of the TSs reflect two organizational title changes and two reporting changes. Proposed changes to the TSs which involve a change in management and reporting responsibilities are Sections 6.2.1.b and 6.1.2 (both units), and 6.2.3.1, 6.2.3.3 and 6.2.3.4 (Unit 2 only). The staff uses Standard Review Plan (SRP) Sections 13.1.1 and 13.4 to review these areas.



In TS sections 6.2.1.b and 6.1.2, the licensee is transferring the corporate responsibility for overall plant nuclear safety from the current Executive Vice President - Nuclear (a position which is being eliminated) to the Vice President and General Manager - Nuclear. SRP section 13.1.1 states that "a corporate officer should clearly be responsible for nuclear activities, without having ancillary responsibilities that might detract from his attention to nuclear safety matters." The overall responsibility for plant nuclear safety will remain, as before, with the highest ranking executive at the site who is responsible for operations, maintenance, and engineering and whose full-time responsibility is the Nine Mile Point Nuclear Station. These changes proposed to Sections 6.1.2.b and 6.1.2 for each unit are in accordance with SRP 13.1.1 and are acceptable. Also, in Section 6.2.1.b, a reporting change is proposed. The Nuclear Safety Assessment and Support (NSAS) organization currently reports to the Executive Vice President - Nuclear. It is proposed that NSAS report to the Chief Nuclear Officer (CNO). SRP 13.4 (referencing ANSI N18.7) has a criterion for independent review organizations that the organization should be independent of line responsibility for operating activities. Since NSAS will report to the CNO directly and independently of the line operating organization, the proposed change is in accordance with SRP 13.4 and is acceptable.

The changes to TS sections 6.2.3.1, 6.2.3.3, and 6.2.3.4 (Unit 2 only) reflect a reporting change. The ISEG currently reports (though the engineering division) to the position responsible for oversight of nuclear safety assessment. Because the engineering division is being moved under the Vice President and General Manager Nuclear, ISEG will be transferred from the engineering division to remain in the reporting chain to the position responsible for oversight of nuclear safety assessment. SRP Section 13.4 states that the ISEG should perform independent reviews of plant operations in accordance with the guidelines of item I.B.1.2 of NUREG-0737. The guidelines of item I.B.1.2 state that ISEG should be located onsite and report to a corporate official who holds a high-level, technically oriented position that is not in the management chain for power production. The ISEG is being moved from the engineering division to the division of nuclear safety assessment and support which reports directly to the Chief Nuclear Officer. Therefore, it will remain, as before, onsite in a technically-oriented reporting path independent of the line organization responsible for operations and maintenance (power production) which is acceptable. Proposed TSs 6.2.3.1, 6.2.3.3, and 6.2.3.4 implement this change and are therefore acceptable.

Although there are no TS changes proposed related to the Quality Assurance (QA) organization, the staff reviewed whether unacceptable changes in QA reporting would result from the upper level management changes. SRP section 13.4 references section 4.3 ANSI N18.7 which states that an organizational unit functioning as an independent review body should report to a manager who is not immediately responsible for the performance being reviewed. As before, QA will report through the division of safety assessment independent of the line organization for operations, maintenance, and engineering. For those QA issues relating to the division of safety assessment, the licensee proposes



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direct (dotted line on the organization chart) reporting of QA to the next higher manager, the Chief Nuclear Officer, above the vice president in charge of the division of safety assessment. This independent reporting arrangement is in accordance with SRP 13.4 and is acceptable.

All of the remaining proposed TS changes are simple administrative changes to reflect the new titles of the Vice President and General Manager - Nuclear position, and the Chief Nuclear Officer position, and are therefore acceptable. These TS changes for NMP1 and NMP2 are listed below.

NMP1

6.2.2.h
6.5.1.6.d
6.5.1.7.b
6.5.1.8
6.5.2.6
6.5.2.7
6.5.2.8
6.5.2.10
6.5.2.12
6.5.3.8.h
6.5.3.9
6.5.3.10
6.6.1.b
6.7.1.b
6.7.1.d

NMP2

6.2.2.i
6.5.1.6.a
6.5.1.7.b
6.5.1.8
6.5.2.6
6.5.2.7
6.5.2.8
6.5.2.10
6.5.2.12
6.5.3.8.j
6.5.3.1
6.5.3.9
6.5.3.10
6.6 item b
6.7 item a
6.7 item c

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendments. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

This amendment changes recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

5.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations,

and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: G. E. Edison

Date: February 20, 1996

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DATED: February 20, 1996

AMENDMENT NO. 157 TO FACILITY OPERATING LICENSE NO. DPR-63-NINE MILE POINT
UNIT 1

AMENDMENT NO. 71 TO FACILITY OPERATING LICENSE NO. NPF-69-NINE MILE POINT
UNIT 2

Docket File

PUBLIC

PDI-1 Reading

S. Varga, 14/E/4

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C. Grimes, 11/E/22

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PD plant-specific file

C. Cowgill, Region I

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