



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENTS NOS. 162 AND 83 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 two letters dated May 15, 1998, Niagara Mohawk Power Corporation (NMPC or the licensee) submitted applications for license amendments to change the Technical Specifications (TSs) for Nine Mile Point Nuclear Station, Unit Nos. 1 and 2 (NMP1 and NMP2). The proposed changes would revise portions of TS Chapter 6, "Administrative Controls," to reflect the restructuring of NMPC's Nuclear Division upper management organization. The proposed changes involve reassignment of responsibility at the upper management level, reporting changes, and title changes.

2.0 BACKGROUND

NMPC proposes to restructure the Nuclear Division upper management organization for NMP1 and NMP2. The proposed amendment reflects these reassignments of Nuclear Division upper management which the licensee proposes in order to provide more direct lines of authority, to improve management efficiency, and to provide for better oversight of plant operation and engineering.

The general features of the Nuclear Division organizational restructuring include the elimination of the Vice President and General Manager - Nuclear position and the establishment of the Vice President - Nuclear Generation position. The Chief Nuclear Officer will assume corporate and TS responsibility for overall plant nuclear safety, which has previously been assigned to the Vice President and General Manager - Nuclear. The TS responsibility for plant operation, which had also been previously assigned to the Vice President and General Manager - Nuclear, will be assumed by the Vice President - Nuclear Generation. The new Vice President - Nuclear Generation position will report directly to the Chief Nuclear Officer.

Under the proposed organizational structure, the Chief Nuclear Officer will have overall responsibility for oversight of the Nuclear Division, which will include: Nuclear Communications and Public Affairs; Nuclear Generation; Nuclear Engineering; Nuclear Safety Assessment and Support; Business Management; and Human Resources and Development. The Vice President and General Manager - Nuclear position is being eliminated to provide the Chief Nuclear Officer with direct reporting from the Vice Presidents responsible for Nuclear Generation and Engineering. Upon approval and implementation of the proposed organizational structure, the Chief Nuclear Officer will maintain the TS responsibilities currently assigned to the position as

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defined in TS 6.5.3.9 and TS 6.5.3.10. In addition, the Chief Nuclear Officer will assume corporate and TS responsibility for overall plant nuclear safety, as proposed in TS 6.2.1.b, which had previously been assigned to the Vice President and General Manager - Nuclear. The Chief Nuclear Officer will also assume the authority to take such measures as may be needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant to assure nuclear safety as proposed in TS 6.2.1.b. This will restore the Chief Nuclear Officer's responsibilities and authority to the levels that existed prior to February 20, 1996, when they were altered by implementation of NMP1 Amendment No. 157 and NMP2 Amendment No. 71. Furthermore, in addition to his previous responsibilities, NMPC proposes that the Chief Nuclear Officer be assigned the responsibility for periodically issuing management direction emphasizing the primary responsibilities of the Shift Supervisor as defined in TS 6.1.2. Prior to February 20, 1996, this was the responsibility of the Executive Vice President - Nuclear and was subsequently reassigned to the Vice President and General Manager - Nuclear by Amendment Nos. 157 and 71.

As previously described, the position of Vice President and General Manager - Nuclear was established to reflect the assignment of additional responsibilities beyond those previously associated with the Vice President - Nuclear Generation position. The proposed organizational structure reestablishes the former position and responsibilities of Vice President - Nuclear Generation and eliminates the position of Vice President and General Manager - Nuclear. The Vice President - Nuclear Generation will assume TS responsibility for plant operation, but will be under the direction of the Chief Nuclear Officer to assure required oversight concerning nuclear safety matters. Specifically, the Vice President Nuclear Generation will have oversight responsibility for the NMP1 and NMP2 Operations, Radiation Protection, Maintenance, Chemistry, Technical Support, and Outage Management functions to assure safe, orderly, and efficient plant operation through direct reporting of both Unit Plant Managers.

The changes for NMP1 would also correct a clerical error in which a previous Amendment No. (No. 144) was omitted when designating superseded amendments during preparation of prior Amendment No. 157.

3.0 EVALUATION

The proposed changes to TS Chapter 6 reflect organizational title changes, reporting changes, and revised responsibilities. Proposed changes to the TS which involve a change in management and reporting responsibilities are TSs 6.1.2 and 6.2.1.b (both units), 6.2.2.h (Unit 1 only), and 6.2.2.i (Unit 2 only). The NRC staff uses Standard Review Plan (SRP) Sections 13.1.1, 13.1.2, and 13.4 to review such changes.

In TS 6.1.2 and 6.2.1.b, the licensee is transferring the corporate responsibility for overall plant nuclear safety from the current Vice President and General Manager - Nuclear (a position which is being eliminated) to the Chief Nuclear Officer. 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 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 TSs 6.1.2 and 6.2.1.b for each unit are in accordance with SRP 13.1.1 and are acceptable. Also, in TS 6.2.1.b, NMPC proposes a change to eliminate the third sentence which was added to TS 6.2.1.b as part of Amendment Nos. 157 and 71 to clarify the shared responsibilities for Nuclear Division oversight involving the Vice



President and General Manager - Nuclear and the Chief Nuclear Officer. As previously discussed, the position of Vice President and General Manager - Nuclear is being eliminated and the Chief Nuclear Officer position and responsibilities are being restored. Thus, there will no longer be a separation of Nuclear Division oversight responsibilities and the associated clarification provided in TS 6.2.1.b is no longer necessary. The Nuclear Safety Assessment and Support (NSAS) organization currently reports to the Chief Nuclear Officer. The proposed modifications will not affect this reporting structure. SRP Section 13.4, which references ANSI N18.7/ANS 3.2, includes a criterion for independent review organizations, stating that the organization should be independent of line responsibility for operating activities. Since NSAS will report to the Chief Nuclear Officer directly and independently of the operating organizations, the proposed change is in accordance with SRP 13.4 and is acceptable.

The proposed changes to NMP1 TS 6.2.2.h and NMP2 TS 6.2.2.i replace the position title of Vice President and General Manager - Nuclear with the position title of Vice President Nuclear Generation. This change reflects the reassignment of responsibility for oversight to assure safe, orderly, and efficient plant operation from the Vice President and General Manager - Nuclear position to the Vice President - Nuclear Generation position. As defined in TSs 6.2.2.h and 6.2.2.i, the Vice President - Nuclear Generation will assume the responsibility for reviewing individual staff overtime on a monthly basis to assure that adequate shift staffing is maintained without the excessive use of overtime. These changes proposed to NMP1 TS 6.2.2.h and NMP2 TS 6.2.2.i are in accordance with SRP Sections 13.1.1 and 13.1.2, and are acceptable.

Although there are no TS changes proposed to the quality assurance (QA) organization, the NRC staff reviewed whether adverse changes in QA reporting might result from the upper level management changes. SRP Section 13.4, by reference to Section 4.3 of ANSI N18.7/ANS3.2, 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. QA will continue to report through the division of safety assessment, independent of the line organization for operations, maintenance, and engineering. This independent reporting arrangement is in accordance with SRP 13.4 and is acceptable.

All of the remaining proposed TS changes to the NMPC organization are simple administrative changes to reflect the new title of the Vice President - Nuclear Generation position, and are therefore, acceptable. These changes for NMP1 are made in TSs 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, 6.6.1.b, 6.7.1.b, and 6.7.1.d. Corresponding changes for NMP2 are made in TSs 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, 6.6 item b, 6.7 item a, and 6.7 item c.

The proposed change to NMP1 TS page 360 corrects a clerical error in which a previous Amendment No. (No. 144) was omitted when designating superseded amendments during preparation of prior Amendment No. 157. This correction is purely administrative and is acceptable.



4.0 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.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendments meet 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 the amendments.

6.0 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.

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