Docket Number 50-346
License Number NPF-3
Serial Number 1669
Enclosure
Page 1

APPLICATION FOR AMENDMENT

TO

FACILITY OPERATING LICENSE NUMBER NPF-3

FOR

DAVIS-BESSE NUCLEAR POWER STATION

UNIT NUMBER 1

Attached are requested changes to the Davis-Besse Nuclear Power Station, Unit Number 1, Facility Operating License Number NPF-3. Also included are the Safety Evaluation and Significant Hazards Consideration.

The proposed changes (submitted under cover letter Serial Number 1669) concern:

Deletion of the March 5, 1980 Order from the Davis-Besse Nuclear Power Station Facility Operating License Number NPF-3.

For: D. C. Shelton
Vice President Nuclear

By: _____
T. J. Myers, Technical Services Director

Sworn and subscribed before me this 27th day of April, 1990.

_____
Notary Public, State of Ohio

EVELYN L. DRESS
NOTARY PUBLIC, STATE OF OHIO
My Commission Expires July 28, 1994

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The following information is provided to support issuance of the requested changes to the Davis-Besse Nuclear Power Station, Unit Number 1, Facility Operating License Number NPF-3.

A. Time Required to Implement: This change will be implemented within 45 days following NRC issuance of the License Amendment.

B. Reason for Change (DCR Number 88-0123): Delete the March 5, 1980 Order from the Davis-Besse Facility Operating License.

C. Safety Evaluation: See attached Safety Evaluation (Attachment 1).

D. Significant Hazards Consideration: See attached Significant Hazards Consideration (Attachment 2).

SAFETY EVALUATION

TITLE

Delete the March 5, 1980 Order from the Davis-Besse Facility Operating License

DESCRIPTION OF THE PROPOSED ACTIVITY

The purpose of this Safety Evaluation is to review a proposed change to the Davis-Besse Nuclear Power Station, Unit Number 1, Operating License. The proposed change involves the deletion of the NRC's March 5, 1980 Order from the License which added additional training and experience requirements to the Davis-Besse Nuclear Power Station, Unit Number 1, Facility Operating License Number NPF-3.

On March 5, 1980 (Log Number 530), the NRC issued an Order which modified the Davis-Besse Nuclear Power Station, Unit Number 1, Facility Operating License Number NPF-3 (Attachment A). Toledo Edison responded on March 28, 1980 (Serial Number 1-123) setting forth the intended method of complying with the Order, and proposed the following:

1. Meeting the December 6, 1979 draft version of ANSI 3.1, Standard for Qualification and Training of Personnel for Nuclear Power Plants, including the revised pages as of December 21, 1979, which was exchanged at a February 29, 1980 meeting between the NRC and Toledo Edison representatives.

2. Defining the complete complement for each operating shift and the operating shift staffing levels as that identified in Technical Specification Table 6.2-1, Minimum Shift Crew Composition.

3. Meeting qualification and training levels identified in the following sections of the draft ANSI Standard 3.1 for those individuals identified in 2 above:

   a. Senior Operating License - Section 4.1 and 4.3.1.2.a, b and c.

   b. Operating License - Section 4.1 and 4.5.1.2.a, b and c.

   c. Non-Licensed - Section 4.1 and 4.5.1.1.a, b, c and d.

   where:

   Section 4.1, General Qualifications, outlines the education, experience, health and skill requirements for nuclear power plant personnel commensurate with their functional level of responsibility to provide reasonable assurance that decisions and actions during normal and abnormal conditions would be such that the plant would be operated in a safe and efficient manner.

   Section 4.3.1.2.a, b and c outlines the education, experience and training requirements for Senior Operators.

Section 4.5.1.2.a, b and c outlines the education, experience and training requirements for Licensed Operators.

Section 4.5.1.1.a, b, c and d outlines the education, experience, training and qualification requirements for Non-Licensed Operators.

On June 11, 1980, the NRC (Log Number 1-386) responded and said that the proposed method of compliance with the Order was acceptable, noting the following clarification:

> In meeting Section 5.2.1.8 of ANSI 3.1, training in supervisory skills will be provided to new Senior Licensed Operators subsequent to their obtaining a Senior Reactor Operator License, but within six months after they are assigned shift duties as a Senior Reactor Operator.

On March 25, 1987, the final rule to 10 CFR Part 55 was published in the Federal Register (52 FR 9453 - 9469), with an effective date of May 26, 1987. The NRC amended its regulations to: 1) clarify the requirements for issuing licenses to Operators and Senior Operators; 2) revise the requirements and scope of written examinations and operating tests for Operators and Senior Operators, including a requirement for a simulation facility; 3) codify procedures for administering requalification examinations; and 4) describe the form and content for operator license applications. From April 6 to April 20, a series of public meetings were held to discuss implementation of the requirements of this final rule, associated Regulatory Guides, and Examiner Standards. At each meeting, a formal presentation by the staff was followed by an open forum in which the staff responded to questions. Announcements were made at each meeting that the questions and answers from the meetings would be consolidated into a NUREG and disseminated to interested parties. On November 12, 1987, the NRC issued Generic Letter 87-16, Transmittal of NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators' Licenses".

Regulatory Guide 1.8, Revision 2, Qualification of Personnel for Nuclear Power Plants, was part of the rulemaking package and was effective for all facilities on March 31, 1988. Regulatory Guide 1.8 endorses ANSI/ANS 3.1, 1981, Selection, Qualification and Training of Personnel for Nuclear Power Plants, for the positions of Shift Supervisor, Senior Operator, Licensed Operator, and Shift Technical Advisor. Generic Letter 87-16, announcing the issuance of NUREG-1262, further endorsed that Regulatory Guide 1.8 went into effect for all facilities on March 31, 1988, and specifically discussed the acceptability of the training program if it is accredited by Institute of Nuclear Power Operations (INPO). In addition, NUREG-1262 concluded that "in review of INPO accreditation criteria, the staff has concluded that they are equivalent to the NRC's. If a utility implements an accredited training program, the accreditation will constitute the basis for NRC acceptance of that certification from a responsible utility officer, as indicated in Generic Letter 87-07".

Generic Letter 87-07, dated March 19, 1987, discussed the option of substituting an accredited training program for the initial and requalification training programs previously approved by the NRC, stating that

this option may be implemented upon written notification to the NRC and does not require staff review. This is consistent with Generic Letter 87-16 announcing the issuance of NUREG-1262, 10 CFR 55.31 and 10 CFR 55.59.

On March 20, 1985, the NRC issued the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel (50 FR 11147). This policy statement endorsed the training accreditation program managed by INPO in that it encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. The accreditation process, as described in the INPO training guidelines, contains qualification criteria for entering into training as it related to each position.

On December 11, 1986, the National Academy for Nuclear Training granted accreditation for the Davis-Besse Nuclear Power Station Operator Training Programs. Consequently, on March 29, 1988, Toledo Edison submitted a letter to the NRC (Serial Number 1502) certifying that the Davis-Besse Nuclear Power Station, Unit Number 1, Operator Training Programs were accredited by INPO and that Toledo Edison has substituted the training programs, which are accredited, and utilize a systems approach to training, for both the initial and requalification training programs previously approved by the NRC.

Therefore, Toledo Edison has opted to use the INPO accredited Operator Training Programs that use a systems approach to training acceptable to the NRC, and the staff has concluded that the INPO accreditation criteria for both training and experience are equivalent to the NRC's. This is consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07. The Toledo Edison Operator Training Programs meet the requirements of 10 CFR 55.

REFERENCES

Log Number 530, dated March 5, 1980, NRC Order modifying License (Attachment A).

Serial Number 1-123, dated March 28, 1980, discussing Toledo Edison's method of compliance with the Order.

Log Number 1-352, dated April 16, 1980, discussing NRC receipt of Serial 1-123 and the need for more NRC review time.

Log Number 1-386, dated June 11, 1980, discussing NRC acceptance of Toledo Edison's method of compliance, noting one clarification.

Serial Number 1399, dated October 16, 1987, License Amendment Application to revise Appendix A Technical Specification requirements for Control Room Staffing.

Serial Number 1447, dated November 20, 1987, Editorial change to License Amendment Application on Control Room Staffing.

Serial Number 1502, dated March 29, 1988, discussing the accreditation of the Davis-Besse Operator Training Programs.

Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, dated March 20, 1985, (50 FR 11147).

Technical Specification Table 6.2-1, Minimum Shift Crew Composition.

Inspection Report Number 50-346/80-09, dated April 21, 1980, (Log Number 1-347).

Inspection Report Number 50-346/81-87, dated June 5, 1981, (Log Number 1-515).

SYSTEMS AND COMPONENTS AFFECTED

None

SAFETY FUNCTIONS AFFECTED

None

EFFECTS ON SAFETY

On March 5, 1980, the NRC issued to the Toledo Edison Company an Order modifying the Davis-Besse Nuclear Power Station, Unit Number 1, Facility Operating License Number NPF-3 (Attachment A). This Order was the result of a series of management meetings initiated by Region III to address the licensee's enforcement history, number of personnel errors, breakdown in management control, equipment problems and lack of management's effectiveness in dealing with identified problems. The NRC reviewed and verified Toledo Edison's compliance with the Order in Inspection Report Numbers 50-346/80-09, dated April 21, 1980 (Log Number 1-347) and 50-346/81-87, dated June 5, 1981 (Log Number 1-515). Since that time, Toledo Edison has made a number of changes and has achieved accreditation of the Operator Training Programs.

Therefore, because the Toledo Edison Operator Training Programs are accredited, use a systems approach to training acceptable to the NRC, and meet 10 CFR Part 55, Toledo Edison proposes the deletion of the March 5, 1980 Order from the License. This is consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

Each item of the order is discussed below:

Item 1 a) of the March 5, 1980 Order required Toledo Edison to return six experienced and fully qualified Equipment Operators (who had been involved in operator license training) to regular shift work to provide two fully qualified Equipment Operators for each operating shift. The additional qualified individuals were required to remain on shift duty until such time as they were relieved from duty by other fully qualified individuals who were appropriately trained and certified by the training department.

Technical Specification Table 6.2-1, Minimum Shift Crew Composition, requires two Non-Licensed Operators on each shift in Modes 1 through 4 and one Non-Licensed Operator to be on shift in Modes 5 and 6. Administrative Procedure DB-OP-00000, Conduct of Operations, Section 6.4.1, requires that two qualified EO-III's (fully qualified Equipment Operators) or higher (or

certified as qualified on safety systems) be on shift in Modes 1 through 4. In addition, the Operator Training Programs are accredited by INPO and use a systems approach to training. This ensures that personnel are sufficiently trained and fully qualified before placing them on shift. Therefore, because Technical Specification requirements and procedural requirements ensure that two fully qualified Equipment Operators are assigned to each shift in Modes 1 through 4, and that one fully qualified Equipment Operator is assigned to each shift in Modes 5 and 6, Toledo Edison proposes deleting item 1 a) of the March 5, 1980 Order.

Item 1 b) of the March 5, 1980 Order requires Toledo Edison to provide one additional person for each day shift to relieve the Shift Foreman (Shift Supervisor) of non-licensed administrative responsibilities.

Administrative Procedure DB-OP-00000, Conduct of Operations, Section 6.4.5, requires that a Shift Supervisor Administrative Assistant (SSAA) be assigned, on day shift, seven days a week, to assist the Shift Supervisor in handling certain administrative duties and paper work. DB-OP-00000 also requires that an additional Senior Reactor Operator (the Assistant Shift Supervisor) be on shift in Modes 1 through 4 thereby minimizing the administrative duties of the Shift Supervisor. Toledo Edison submitted a License Amendment Application Serial Number 1399, dated October 16, 1987, and Serial Number 1447, dated November 20, 1987, to the NRC requesting that Technical Specification Table 6.2-1 be revised to reflect 10 CFR 50.54(m) and to be consistent with DB-OP-00000, requiring that two Senior Reactor Operators be on shift in Modes 1 through 4. Therefore, because procedural requirements ensure a SSAA is assigned to each day shift, seven days a week, to relieve the Shift Supervisor of non-licensed administrative responsibilities, and two Senior Reactor Operators are on shift in Modes 1 through 4, Toledo Edison proposes deleting Item 1 b) of the March 5, 1980 Order.

Item 1 c) of the March 5, 1980 Order requires Toledo Edison to expedite the on-the-job training schedule for existing Equipment Operators who are not yet fully qualified.

Technical Specification Table 6.2-1 and DB-OP-00000 ensure a qualified minimum shift crew composition. In addition, the Operator Training Programs are accredited by INPO and use a systems approach to training acceptable to the NRC, further ensuring that personnel will be sufficiently trained and fully qualified before placing them on shift. Therefore, Toledo Edison proposes deleting Item 1 c) of the March 5, 1980 Order.

Item 2 of the March 5, 1980 Order requires Toledo Edison to man each operating shift with a complete complement of fully qualified personnel in accordance with the staffing and qualification levels set forth in draft ANSI 3.1, prior to returning the station to operation from the scheduled April 1980 refueling outage.

The Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55, and Toledo Edison has an INPO accredited Operator Training Program that uses a systems approach to training acceptable to the NRC, and the NRC

has concluded that INPO accreditation criteria are equivalent to the NRC's criteria. This is consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07. Therefore, Toledo Edison proposes deleting Item 2 of the March 5, 1980 Order.

DISCUSSION OF UNREVIEWED SAFETY QUESTION

The proposed change involves the deletion of the March 5, 1980 Order from the License because the Davis-Besse Operator Training Programs meet the requirements of 10 CFR Part 55, are accredited by INPO, and use a systems approach to training acceptable to the NRC. Therefore, the implementation of these changes would:

Not increase the probability of occurrence of an accident previously evaluated in the USAR because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, the NRC endorses the INPO-managed Training Accreditation Program in that it encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

Not increase the consequences of an accident previously evaluated in the USAR because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC Staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, the NRC endorses the INPO-managed Training Accreditation Program in that is encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

Not increase the probability of occurrence of a malfunction of equipment important to safety previously evaluated in the USAR because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC Staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, the NRC endorses the INPO-managed Training Accreditation Program in that it encompasses the elements of performance-based training and will provide the bases to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

Not increase the consequences of a malfunction of equipment important to safety previously evaluated in the USAR because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC Staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, the NRC endorses the INPO-managed Training Accreditation Program in that it encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

Not create the possibility for an accident of a different type than any evaluated previously in the USAR because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC Staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, the NRC endorses the INPO-managed Training Accreditation Program in that it encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

Not create the possibility for a malfunction of a different type than any evaluated in the USAR because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC Staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, the NRC endorses the INPO-managed Training Accreditation Program in that it encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

Not reduce the margin of safety as defined in the basis for any Technical Specification because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55 for ensuring adequate training. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC Staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, the NRC endorses the INPO-managed Training Accreditation Program in that it encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the

performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

CONCLUSION

Based on the above, it is concluded that the proposed Operating License change does not constitute an unreviewed safety question.

SIGNIFICANT HAZARDS CONSIDERATION

DESCRIPTION OF THE PROPOSED ACTIVITY

The purpose of this Significant Hazards Consideration is to review a proposed change to the Davis-Besse Nuclear Power Station, Unit Number 1, Operating License. The proposed change involves the deletion of the NRC's March 5, 1980 Order from the License which added additional training and experience requirements to the Davis-Besse Nuclear Power Station, Unit Number 1, Facility Operating License Number NPF-3.

The discussion below provides the Significant Hazards Consideration for the change as proposed in the Safety Evaluation (Attachment 1).

SIGNIFICANT HAZARDS CONSIDERATION

The Nuclear Regulatory Commission has provided standards in 10CFR50.92(c) for determining whether a significant hazard exists. A proposed amendment to an Operating License for a facility involves no significant hazards if operation of the facility in accordance with the proposed amendment would: 1) Not involve a significant increase in the probability or consequences of an accident previously evaluated; 2) Not create the possibility of a new or different kind of accident from any accident previously evaluated; or 3) Not involve a significant reduction in a margin of safety.

Toledo Edison has reviewed the proposed changes as discussed in the Safety Evaluation and determined that a significant hazard does not exist because operation of the Davis-Besse Nuclear Power Station, Unit Number 1 in accordance with this change would:

Not significantly increase the probability or consequences of an accident previously evaluated in the USAR because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, the NRC endorses the INPO-managed Training Accreditation Program in that it encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

Not create the possibility of a new or different kind of accident from any previously evaluated because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC Staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel, the NRC endorses the

INPO-managed Training Accreditation Program in that is encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

Not significantly reduce the margin of safety as defined in the basis for any Technical Specification because the Toledo Edison Operator Training Programs meet the requirements of 10 CFR Part 55 for ensuring adequate training. Additionally, Toledo Edison received INPO accreditation for the Davis-Besse Operator Training Programs on December 11, 1986. The NRC Staff has concluded that INPO accreditation criteria are equivalent to the NRC's. In the Commission Policy Statement on Training and Qualification of Nuclear Power Plants Personnel, the NRC endorses the INPO-managed Training Accreditation Program in that it encompasses the elements of performance-based training and will provide the basis to ensure that personnel have qualifications commensurate with the performance requirements of their jobs. This is also consistent with 10 CFR 55.31, 55.59, Generic Letter 87-16 announcing the issuance of NUREG-1262, and Generic Letter 87-07.

CONCLUSION

Based on the above, Toledo Edison has determined that the proposed Operating License change does not involve a significant hazard.

Docket Number 50-346
License Number NPF-3
Serial Number 1669
Attachment A

MARCH 5, 1980 ORDER

DAVIS-BESSE FACILITY OPERATING LICENSE

TRAINING AND EXPERIENCE REQUIREMENTS

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

MAR 25 1980

Docket No. 50-346

Toledo Edison Company
ATTN: Mr. W. A. Johnson
President
Edison Plaza
300 Madison Avenue
Toledo, OH 43652

Gentlemen:

Enclosed is an order modifying your license effective immediately.

Sincerely,

Victor Stello, Jr
Director
Office of Inspection
and Enforcement

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
THE TOLEDO EDISON COMPANY AND	)	Docket No. 50-346
THE CLEVELAND ELECTRIC ILLUMINATING COMPANY	)	
	)	
Davis-Besse Nuclear Power Station, Unit No. 1	)	

ORDER MODIFYING LICENSE

EFFECTIVE IMMEDIATELY

I

The Toledo Edison Company and the Cleveland Electric Illuminating Company are holders of Facility Operating License No. NPF-3 which authorizes the operation of the Davis-Besse Nuclear Power Station, Unit No. 1 (the facility or Davis-Besse 1), at steady state power levels not in excess of 2772 megawatts thermal (rated power). The Toledo Edison Company is the lead licensee, (the licensee). The facility is a Babcock & Wilcox (B&W) designed pressurized water reactor (PWR) located at the licensee's site in Ottawa County, Ohio.

II

Davis-Besse Unit No. 1 was the first nuclear power reactor built and operated by the licensee. The facility, which began commercial operation November 21, 1977, experienced a higher than normal number of operating events during early operation and testing. Many of these events were caused by personnel errors and procedural deficiencies. A meeting with

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licensee corporate management was held during August 1978 in which the operating staff weaknesses were noted along with the related problem of untimely evaluation and resolution of facility change requests.

III

The facility, being of B&W design, has undergone a significant number of procedural, equipment and operational changes as a result of lessons learned from the investigation of the Three Mile Island accident which occurred on March 28, 1979. An order issued to the licensee on May 16, 1979 and several NRC Bulletins have required major additional effort on the licensee's corporate and plant staffs.

IV

A series of management meetings was initiated by Region III to address the licensee's enforcement history, number of personnel errors, breakdown in management controls, equipment problems and lack of management's effectiveness in dealing with identified problems. The primary thrust of the first meeting in this series held on April 14, 1979, was to address the need for immediate action by the licensee to improve management controls and plant operations. In the second meeting held on May 31, 1979, the licensee presented a program, based upon its assessment of problem areas, to improve the level of management control, staffing, training, the correction of equipment problems and plant operations. During meetings held on July 17 and September 19, 1979, the licensee presented

schedules and progress reports on their program for corrective action. At the September 19, 1979, meeting, it appeared that licensee management had made progress in its control of licensed activities. Personnel errors were declining and organizational changes were underway.

V

A recent evaluation of the licensee's operation shows that the staffing, while improved, is not yet at the desired level. Timely resolution of problems is still a matter of concern. The changes required by the TMI investigations and related studies and bulletins continue to place an additional burden on the operating staff causing extended use of overtime.

During the week of February 18, 1980, the Resident Inspector, upon direct questioning of plant operators, was told by one operator that staffing problems were so significant that the plant was unsafe to operate. On February 25, 1980, the Director, Region III, and the Director, Division of Reactor Operations Inspection, IE, interviewed several plant workers including senior licensed operators, licensed operators and nonlicensed personnel. Perceived problems of excessive work hours and inadequate training were identified during these interviews. Some of those interviewed, including two senior licensed operators stated their view that some shifts did not have adequately qualified people to successfully handle an emergency. None of those interviewed rated the plant as being any better than marginally safe. Additional investigation was conducted

onsite on February 26 and 27, 1980. These investigations showed that while the licensee meets the staffing requirements of its license, concerns remain regarding the adequacy of training of nonlicensed personnel, the ability to respond to emergency conditions, and the overall depth of the staff. Specifically:

1) Six of the more experienced equipment operators have been effectively removed from regular shift work to train to become licensed operators;

2) Some of the remaining equipment operators have been trained on the equipment only in certain zones. While this is adequate for routine shift operations, these equipment operators are not trained on all safety related equipment such that they could be relied upon if needed in other work zones during an emergency.

3) There is little flexibility to accommodate the loss of staff because of sickness or other work leave. Such problems result in additional overtime work requirements.

A meeting was held with licensee management in the Region III office on February 29, 1980, to discuss the above concerns and to consider corrective actions.

VI

The past experience of plant operations, the observation by plant operators as to the adequacy of the operating staff, and the above NRC findings, demonstrate that changes in the plant operating staff are required to provide reasonable assurance that the facility can be safely operated under emergency conditions. Therefore, in view of the above, I have determined that the public health, safety and interest require License No. NPF-3 be modified as stated in Part VII below, effective immediately.

VII

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED THAT:

1. The licensee shall:

   a) Return six experienced and fully qualified equipment operators, who have been involved in operator license training, to regular shift work to provide two fully qualified equipment operators for each operating shift. The additional qualified individuals will remain on shift duty until such time as they are relieved from duty by other fully qualified individuals who are appropriately trained and certified by the licensee's training department.

b) Provide one additional person for each day shift to relieve the shift foreman of nonlicensed administrative responsibilities.

c) Expedite the on-the-job training schedule for existing equipment operators who are not yet fully qualified. This program shall be accomplished by personnel from Toledo Edison Company or an outside contract organization and shall continue at least until the refueling outage.

Or in the alternative to items a), b) and c) above, place and maintain the facility in a cold shutdown or refueling mode of operation.

2. Prior to return of the station to operations from the scheduled April 1980 refueling outage, each operating shift shall have a complete complement of fully trained personnel in accordance with the staffing and qualification levels set forth in draft ANSI Standard 3.1.

VIII

The licensee, or any other person who has an interest affected by this Order, may, within twenty-five days of the date of this Order, request a hearing. Any request for a hearing shall be addressed to the Director, Office of Inspection and Enforcement, U.S.N.R.C., Washington, D.C. 20555. If a hearing is requested, the Commission will issue an order designating the time and place of hearing. Such a request for hearing SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

IX

In the event the licensee or any other person requests a hearing as provided above, the issues to be considered at such a hearing shall be:

(1) whether the facts set forth in Section II, III, IV and V are true; and

(2) whether this Order should be sustained.

FOR THE NUCLEAR REGULATORY COMMISSION

Victor Stello, Jr.
Director
Office of Inspection
and Enforcement

Dated at Bethesda, Maryland
this 5 day of March 1980.