



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

February 27, 2020

Mr. Ken J. Peters
Senior Vice President and
Chief Nuclear Officer
Attention: Regulatory Affairs
Vistra Operations Company LLC
Comanche Peak Nuclear Power Plant
6322 N FM 56
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2 –
APPROVAL OF CHANGE TO THE QUALITY ASSURANCE PROGRAM AS
DESCRIBED IN THE FINAL SAFETY ANALYSIS REPORT
(EPID L-2019-LLQ-0002)

Dear Mr. Peters:

By letter dated August 14, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19228A086), as supplemented by letter dated January 14, 2020 (ADAMS Accession No. ML20016A318), Vistra Operations Company LLC (Vistra OpCo, the licensee) submitted a request to the U.S. Nuclear Regulatory Commission (NRC) to revise the Quality Assurance Program as described in the Final Safety Analysis Report (FSAR) for the Comanche Peak Nuclear Power Plant, Unit Nos. 1 and 2 (Comanche Peak).

Specifically, the licensee requested approval to revise the FSAR description of (1) the biennial reviews of Emergency Response Guidelines, Functional Restoration Guidelines, and Abnormal Plant Operating procedures; and (2) the Station Operations Review Committee meeting frequency for Comanche Peak. This revision represents a reduction in commitment to Comanche Peak's previously approved Quality Assurance Program as described in the FSAR pursuant to the requirements of Title 10 (10 CFR) of the *Code of Federal Regulations* Section 50.54(a)(4).

The NRC staff has reviewed Vistra OpCo's request and determined that the proposed change to Comanche Peak's FSAR complies with the applicable industry standards and continues to satisfy the requirements of Appendix B, "Quality Assurance Program Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," the Regulatory Guides, and the American National Standards Institute standards referenced, and is therefore, acceptable.

If you have any questions, please call Dennis Galvin, the project manager, at 301-415-6256 or via e-mail at Dennis.Galvin@nrc.gov.

Sincerely,

/RA/

Jennifer L. Dixon-Herrity, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosure:
Safety Evaluation

cc: Listserv

SUBJECT: COMANCHE PEAK NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2 –
APPROVAL OF CHANGE TO THE QUALITY ASSURANCE PROGRAM AS
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(EPID L-2019-LLQ-0002) DATED FEBRUARY 27, 2020

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YDiaz-Castillo, NRR

ADAMS Accession No. ML20054A276**by memorandum**

OFFICE	NRR/DORL/LPL4/PM	NRR/DORL/LPL4/LA	NRR/DRO/IQVB/BC*
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DATE	2/25/2020	2/27/2020	

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UNITED STATES
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WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
REGARDING CHANGES TO THE QUALITY ASSURANCE PROGRAM AS DESCRIBED
IN THE FINAL SAFETY EVALUATION REPORT
VISTRA OPERATIONS COMPANY LLC
COMANCHE PEAK NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2
DOCKET NOS. 50-445 AND 50-446

1.0 INTRODUCTION

By letter dated August 14, 2019 (Reference 1), as supplemented by letter dated January 14, 2020 (Reference 2), Vistra Operations Company LLC (Vistra OpCo, the licensee) submitted a request to the U.S. Nuclear Regulatory Commission (NRC) to revise the Quality Assurance (QA) Program as described the Final Safety Analysis Report (FSAR) for the Comanche Peak Nuclear Power Plant, Unit Nos. 1 and 2 (Comanche Peak).

Specifically, the licensee requested approval to revise the FSAR description of (1) the biennial reviews of Emergency Response Guidelines (ERGs), Functional Restoration Guidelines (FRGs), and Abnormal Plant Operating procedures (ABNs) and (2) the Station Operations Review Committee (SORC) meeting frequency for Comanche Peak. This revision represents a reduction in commitment to Comanche Peak's previously approved QA Program as described in the FSAR pursuant to the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.54(a)(4). The regulation under 10 CFR 50.54(a)(4) requires that changes to a QA program description that represent a reduction in commitment be submitted to the NRC and receive NRC approval prior to implementation.

Chapter 17, "Quality Assurance (QA)," of Comanche Peak's FSAR (Reference 3) describes Comanche Peak's QA Program and includes a commitment to Revision 2 of Regulatory Guide (RG) 1.33, "Quality Assurance Program Requirements (Operation)" (Reference 4). RG 1.33 endorses the American National Standards Institute (ANSI) N18.7-1976/American Nuclear Society (ANS)-3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants."

2.0 REGULATORY EVALUATION

The NRC's regulatory requirements related to QA programs are set forth in Appendix B to 10 CFR Part 50, 10 CFR 50.34(b)(6)(ii), and 10 CFR 50.54(a).

Appendix B to 10 CFR Part 50 establishes the QA requirements for the design, fabrication, construction, and testing of structures, systems, and components (SSCs) for the facility. The

Enclosure

pertinent requirements of Appendix B to 10 CFR Part 50 apply to all activities affecting the safety-related functions of those SSCs and include designing, purchasing, fabricating, handling, shipping, storing, cleaning, erecting, installing, inspecting, testing, operating, maintaining, repairing, refueling, and modifying SSCs.

The regulations in 10 CFR 50.34, "Content of applications; technical information," require that every applicant for an operating license includes information in its FSAR on the managerial and administrative controls to be used to ensure safe operation. The information on the controls shall also include a discussion on how the applicable requirements of Appendix B to 10 CFR Part 50 will be satisfied.

The regulations in 10 CFR 50.54, "Conditions of licenses," require each power plant subject to the requirements of Appendix B to 10 CFR Part 50 to implement a QA program. Additionally, 10 CFR 50.54(a)(4) requires licensees to submit to the NRC, changes to their QA program that reduce commitments.

In evaluating the adequacy of the revision to the FSAR, the NRC staff used the guidance contained in NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants: LWR [Light-Water Reactor] Edition," Section 17.3, "Quality Assurance Program Description" (Reference 5), which provides acceptance criteria for QA program descriptions.

3.0 TECHNICAL EVALUATION

In its letter dated August 14, 2019, the licensee submitted a request for review and approval of a proposed change to its QA Program as described in its FSAR because the proposed change is considered a reduction in commitment in accordance with the provisions of 10 CFR 50.54(a)(4).

The licensee proposed to eliminate the biennial reviews of the ERGs, FRGs, and ABNs. The licensee proposed to rely on programmatic controls already in place to determine if changes to these procedures are necessary. In addition, the licensee proposed to change the meeting frequency of the SORC from "at least once per calendar month and as convened by the SORC Chairman or his designated alternate," to "periodically as determined by the SORC Chairman or his designated alternate."

During the NRC staff's review of the proposed changes, the NRC staff determined that additional information was required to complete its review. On December 11, 2019, the NRC staff transmitted a request for additional information (RAI) to the licensee (Reference 6). The NRC staff requested clarification on how the licensee's current programmatic controls would ensure that ERGs, FRGs, and ABNs will be reviewed to determine if changes are necessary. Section 5.2.15, "Review, Approval, and Control of Procedures," of the ANSI/ANS N18.7-1976/3.2, states, in part, that "Plant procedures shall be reviewed by an individual knowledgeable in the area affected by the procedure and no less frequently than every two years to determine if changes are necessary or desirable."

In addition, the NRC staff requested clarification on how changing the meeting frequency of the SORC from "at least once per calendar month and as convened by the SORC Chairman or his designated alternate," to "periodically as determined by the SORC Chairman or his designated alternate," would continue to ensure the SORC meets at an acceptable frequency. Subsection 4.3.2.2, "Meeting Frequency," of Section 4.3.2, "Standing Committees Functioning as Independent Review Bodies," of ANSI N18.7-1976/ANS-3.2 states, in part, that "During the

period of initial operation such meetings should be held no less frequently than once per calendar quarter. Subsequently, the meeting frequency shall not be less than twice a year.”

By letter dated January 14, 2020, the licensee responded to the NRC staff’s RAI. The licensee stated that the biennial reviews of the ERGs, FRGs, and ABNs would be accomplished as part of the initial license operator training program and the license operator requalification training. Both of these programs are on a 2-year cycle.

Furthermore, the licensee stated that it has an “Operations Review Committee” (ORC) currently functioning as the independent review body required per ANSI N18.7-1976/ANS-3.2. The ORC’s meeting frequency is not less than twice per year, which is consistent with the requirements in Section 4.3.2 of ANSI N18.7-1976/ANS-3.2. The SORC is not the independent review body required by Section 4.3.2.2 of ANSI N18.7-1976/ANS-3.2.

The NRC staff confirmed that as currently stated in Comanche Peak’s FSAR, the SORC’s function is to advise the plant manager on all matters related to safety while the ORC’s function is to provide an independent review of designated areas (e.g., nuclear power plant operations, nuclear engineering, chemistry, etc.), consistent with the requirements of Section 4.3.2.2 of ANSI N18.7-1976/ANS-3.2. The NRC staff also confirmed that the meeting frequency of the ORC is at least once per 6 months.

The NRC staff determined that the review of the ERGs, FRGs, and ABNs as part of the license operator training program and the license operator requalification training on a two-year cycle continues to provide assurance that these procedures will be reviewed to determine if any changes are necessary. In addition, the NRC staff determined that since the ORC and not the SORC is the independent review body required by Section 4.3.2.2 of ANSI N18.7-1976/ANS-3.2, the meeting frequency of the SORC may be changed as proposed by the licensee.

Therefore, the NRC staff determined that both of the proposed changes to the Comanche Peak’s QA Program as described in the FSAR continue to meet the guidance of NUREG-0800, Section 17.3, and therefore, meet the requirements of Appendix B to 10 CFR Part 50, 10 CFR 50.34, and 10 CFR 50.54 and, are acceptable.

4.0 CONCLUSION

The NRC staff used the acceptance criteria of NUREG-0800, Section 17.3, as the basis for evaluating the acceptability of the changes to the Comanche Peak QA Program as described in the FSAR. The NRC staff concludes that the proposed changes follow the NRC guidance contained within and conform to the format of NUREG-0800, Section 17.3. Based on the above, the NRC concludes that the proposed changes meet the applicable portions of Appendix B to 10 CFR Part 50, 10 CFR 50.34, and 10 CFR 50.54 and are, therefore, acceptable.

5.0 REFERENCES

1. McCool, T. P., Vistra Operations Company, LLC, letter to U.S. Nuclear Regulatory Commission, “Biennial Review of Procedures and Station Operations Review Committee Meetings” dated August 14, 2019 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML19228A086).

2. McCool, T. P., Vistra Operations Company, LLC, letter to U.S. Nuclear Regulatory Commission, "Biennial Review of Procedures and Station Operations Review Committee Meetings, Response to NRC Request for Additional Information," dated January 14, 2020 (ADAMS Accession No. ML20016A318).
3. McCool, T. P., Vistra Operations Company, LLC, letter to the U.S. Nuclear Regulatory Commission, "Transmittal of Electronic Licensing Basis Documents Including Certified FSAR Amendment 108," dated August 1, 2017 (ADAMS Package Accession No. ML17226A045).
4. U.S. Nuclear Regulatory Commission, Regulatory Guide 1.33, "Quality Assurance Program Requirements (Operation)," Revision 2, dated February 1978 (ADAMS Accession No. ML003739995).
5. U.S. Nuclear Regulatory Commission, NUREG-0800, Section 17.3, "Quality Assurance Program Description," dated August 1990 (ADAMS Accession No. ML052350376)
6. Galvin, Dennis, U.S. Nuclear Regulatory Commission, email to Jack Hicks Vistra Operations Company LLC, "Comanche Peak RAIs - Quality Assurance Program Reduction in Commitment (EPID L 2019-LLQ-0002)," dated December 11, 2019 (ADAMS Accession No. ML19346B381).

Principal Contributor: Yamir Diaz-Castillo, NRR

Date: February 27, 2020