



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

SAFETY EVALUATION BY THE OFFICE OF SPECIAL PROJECTS

SUPPORTING AMENDMENT NO. 149 TO FACILITY OPERATING LICENSE NO. DPR-33

AMENDMENT NO. 145 TO FACILITY OPERATING LICENSE NO. DPR-52

AMENDMENT NO. 120 TO FACILITY OPERATING LICENSE NO. DPR-68

TENNESSEE VALLEY AUTHORITY

BROWNS FERRY NUCLEAR PLANT, UNITS 1, 2 AND 3

DOCKETS NOS. 50-259, 50-260 AND 50-296

1.0 INTRODUCTION

By letter dated June 17, 1988, as supplemented June 23, and June 24, 1988, the Tennessee Valley Authority (TVA, the licensee) submitted a request for changes to Section 6.0, Administrative Controls, of the Browns Ferry Nuclear Plant, Units 1, 2 and 3, Technical Specifications (TS). The first proposed change would replace the organization charts currently in the TS with more general organizational requirements. Most of these elements are already required by regulation, other TS or the Final Safety Analysis Report (FSAR), as described below. These general requirements capture the essence of those organizational features depicted on the charts that are important to the NRC for ensuring that the plant will be operated safely. In addition, TVA proposed to make several other changes to Section 6.0. These include: changing references of Manager of Nuclear Power to "Senior Vice President, Nuclear Power" in seven different places in the TS; and changing the reference of the "Office of Nuclear Power" to "Nuclear Power Group" in Section 6.5.2.2

2.0 EVALUATION

On March 22, 1988, the staff issued Generic Letter 88-06 entitled "Removal of Organization charts from Technical Specification Administrative Control Requirements." The staff used the Generic Letter as guidance in reviewing the licensee's proposed changes.

Section 6.0 of the licensee's TS is required to contain the details of those administrative controls necessary to assure safe operation of the facility. For the first change, TVA proposed to replace Browns Ferry TS 6.1, 6.2.1, TS Figure 6.2-1 (the figure showing the offsite organization), and TS Figure 6.2-2 (the figure showing the unit onsite organization) with more general organizational requirements. These general requirements capture the essence of those

organizational features depicted on the charts that are important to the NRC for ensuring that the plant will be operated safely.

TVA stated that the proposed changes are justified because they are administrative in nature and do not affect plant operation. TVA notes that, in addition to being required by the TS, the important organizational features depicted on the organization charts are also required or controlled by other regulatory control mechanisms. For example, TVA's Quality Assurance (QA) Program for Browns Ferry is required by 10 CFR 50, Appendix B, to include similar information relating to the organizational structure.

The licensee contends that changes to these charts have resulted in processing unnecessary amendments by both TVA and the NRC. The licensee has stated that deletion of the organization charts will, therefore, eliminate needless expenditure of resources for both organizations.

Regulatory Requirements Applicable to Organizational Structure

10 CFR 50.36, "Technical Specifications," which implements Section 182a of the Atomic Energy Act, was promulgated by the Commission on December 17, 1968 (33 FR 18610). This rule delineates requirements for determining the contents of the TS. The TS set forth the specific characteristics of the facility and the conditions for its operation that are required to provide adequate protection to the health and safety of the public. Specifically, 10 CFR 50.36 requires that:

Each license authorizing operation of a production or utilization facility of a type described in Section 50.21 or 50.22 will include Technical Specifications. The Technical Specifications will be derived from the analyses and evaluation included in the safety analysis report, and amendments thereto, submitted pursuant to 50.34. The Commission may include such additional TS as the Commission finds appropriate.

The regulation further states that the TS will include, among other things, items in the following category:

- (5) Administrative Controls: Administrative controls are the provisions relating to organization and management, procedures, recordkeeping, review and audit, and reporting necessary to assure operation of the facility in a safe manner. Each licensee shall submit any reports to the Commission pursuant to approved Technical Specifications as specified in Section 50.4.

Past Practice

Review of the organization, personnel qualifications, education, experience, training, and their overall capacity to operate a plant safely has always been of concern to the NRC, and its predecessor, the AEC. Before a plant is licensed to operate, a finding is made that the applicant's staff is capable of operating the plant safely. In the past, the organization charts were

included in the TS so that changes made after operation began would require prior NRC approval. This was done to preserve certain specific features of the licensed organization.

While the regulation does not specifically require that the TS contain organization charts, the practice of including organization charts in the TS began in the late 1960s. These charts were used as an aid in depicting the organizational and management relationships thought to be needed to meet the provisions of 10 CFR 50.36(c)(5). The practice of including organization charts in the TS has continued since.

Organization charts do depict the reporting chain for some organizational functions that must be independent of scheduling and operating pressures. Until 10 CFR Part 50, Appendix B, - "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," was adopted in 1970, organization charts were partially relied on by the staff for assuring this function.

As stated in 10 CFR 50, Appendix B, Criterion I, "Organization:"

Such persons and organizations performing quality assurance functions shall report to a management level such that this required authority and organizational freedom, including sufficient independence from cost and schedule when opposed to safety considerations, are provided.

Appendix B further acknowledges that the organizational structures may take many forms, but emphasizes that regardless of structure, the individuals assigned the responsibility for execution of any portion of the program shall have access to such levels of management as may be necessary to perform this function. The licensee's required QA Program specifies and depicts these organizational relationships in greater detail than currently exists in the TS.

The practice of including organization charts in the TS was established before the advent of 10 CFR 50, Appendix B, - "Quality Assurance Criteria for Nuclear Power Plants and Fuel Processing Plants," and other associated guidance documents, such as the Regulatory Guide 1.70, "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants," and NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants-LWR Edition." A general description of the features needed by the staff to make the findings that the applicant is capable of operating the plant safely is now mandated by Appendix B.

Safety Considerations

The fundamental safety issue in the proposal to delete organization charts from the TS is whether there can be reasonable assurance that the organization will operate the plant safely and remain effective without requiring prior staff approval for changes reflected in organization charts.

It has been the staff's experience that organization charts by themselves have been little help to reviewers in assessing the safety significance of changes to the plant and licensee. Nevertheless, because the charts are in the TS, license amendment requests have been required to effect organizational changes

as simple as combining some minor functions under one organizational element shown on the chart. The usefulness of the charts to the staff in recent years has been minimal and the safety relevance of the charts themselves is small.

Specific operational requirements that bear more directly on the safety matters of concern to the staff than the organization charts are required elsewhere in TS. For example, the organizational element responsible for the control room command function is identified separately in the TS, as are the requirements for minimum staffing under various operating modes. The organizational management functions for independent reviews and audits, unit review group and independent safety engineering groups, and shift technical advisor are also specified in other TS. Thus, the organization charts themselves are not needed to support the staff's finding that the organization will operate the plant safely.

In summary, the specific details of the operating organization are not essential to the safe operation of the facility, and the staff concludes that the details can be modified in many ways while maintaining adequate operational safety. Over the years of experience with the details of operating organizations, the staff has been able to identify those organizational characteristics which are important to assure plant safety.

The important features of a licensee's organization (currently depicted on the TS organization charts, but not already included in other TS) necessary for the staff to find that the organization will operate the plant safely are stated below.

- a. Lines of authority, responsibility and communications shall be established and defined from the highest management levels through intermediate levels to and including all operating organization positions. Those relationships shall be documented and updated, as appropriate, in the form of organizational charts, functional descriptions of departmental responsibilities and relationships and job descriptions for key personnel positions, or in equivalent forms of documentation. These organizational relationships will be maintained in a document such as the FSAR or QA Manual.
- b. There shall be an individual executive position (corporate officer) in the offsite organization having corporate responsibility for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support to the plant so that continued nuclear safety is assured.
- c. There shall be an individual management position in the onsite organization having responsibilities for overall unit safe operation which shall have control over those onsite resources necessary for safe operation and maintenance of the plant.

- d. Although the individuals who train the operating staff and those who carry out the health physics and quality assurance functions may report to the appropriate manager on site, they shall have sufficient organizational freedom to be independent from operating pressures.
- e. Senior Reactor Operator (SRO) and Reactor Operator (RO) licenses shall continue to be required for the positions so indicated on the current TS organization charts.
- f. Other TS which reference the current organization charts shall be revised to reference the appropriate functional responsibility or position.

The proposed changes incorporate these features to replace the organization charts being deleted. The licensee has proposed to include the information in item a. above in the Browns Ferry FSAR. Therefore, the staff concludes that the removal of the organization charts from the TS will not prevent the licensee from meeting the standards of 10 CFR 50.36 and the underlying statutory requirements. Moreover, the deletion of unnecessary detail of organization charts will save resources for both the NRC and the licensee and will allow the staff to focus on issues of importance to the plant's safety.

The licensee proposed to delete reference to the title, "Manager of Nuclear Power" in seven different places in the TS and replace it with a reference to "Senior Vice President, Nuclear Power." These titles are for the same position, head of the Office of Nuclear Power. The title change becomes effective with the reorganization of the Office of Nuclear Power scheduled for July 1, 1988. The NRC staff believes that a specific person in the licensee's organization at the Vice President level should carry the responsibility, and that it must be clear who it is. The staff believes that Senior Vice President, Nuclear Power is an appropriate title for this position, and the licensee's proposal is acceptable.

In the June 17, 1988 application, the licensee initially proposed to identify the management officers by general terminology. However, after discussions with the NRC staff, the licensee by letter dated June 23, 1988 modified the request to identify the Senior Vice President, Nuclear Power and the Plant Manager by their titles in accordance with the recommendations of GL 88-06. This change merely adds clarity to the more general terminology issued in the June 17, 1988 request and does not affect the substance of the amendments as noticed nor the staff's proposed no significant hazards consideration determination.

The proposed change of "Office of Nuclear Power" to "Nuclear Power Group" in Section 6.5.2.2 reflects a name change only and does not affect the function of this group.

3.0 ENVIRONMENTAL CONSIDERATION

The amendments involve a change to recordkeeping, reporting or administrative procedures or requirements. The Commission has previously issued a proposed finding that amendments as these involve no significant hazards consideration and there has been no public comment on such finding. 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 nor environmental assessment need be prepared in connection with the issuance of these amendments.

4.0 EXIGENT CIRCUMSTANCES

In its application dated June 17, 1988, the licensee requested that its proposed administrative changes in this evaluation be processed on an exigent basis. This request is asking the Commission to act quickly on the licensee's application dated June 17, 1988. This would not permit a Federal Register notice to be published, allowing 30 days for public comment prior to the Commission acting on the application, in accordance with 10 CFR 50.91(a)(2)(i).

In its letters dated June 17 and 24, 1988, the licensee explained that the proposed amendment is required to be effective before the Office of Nuclear Power may be reorganized. The licensee requested immediate action on its proposed amendment. The licensee stated that it was "extremely important" that the reorganization of the Office of Nuclear Power be implemented by July 1, 1988 in order to achieve a "more effective and responsive" organization. The licensee explained that due to the evolving nature of certain of these corporate organization changes and the resulting revisions to its application for a TS change, it was not able to submit its application in time to avoid exigent processing of the amendment.

The Commission has evaluated the licensee's request and determined that this change should be implemented without unnecessary delay in accordance with 10 CFR 50.91(a)(6). The amendment would permit organizational changes to be made by the licensee as scheduled for July 1, 1988. Since the proposed changes have no adverse effect on safety and would be beneficial to overall efficiency, such changes should be permitted with minimum delay. Consequently, the Commission has determined that these exigent circumstances justify reducing the public notice period normally provided for licensing amendments and issuing the amendment at the close of business June 30, 1988. The Commission has concluded that the licensee has not failed to use its best efforts to make a timely application in order to create the exigency and take advantage of this procedure.

A legal notice requesting public comments by June 30, 1988 was published in the Decatur Daily and Huntsville Times on June 24, 1988. No comments were received.

5.0 NO SIGNIFICANT HAZARDS CONSIDERATION

The revisions to the TS to delete the organization charts from Section 6.0 and change the title of Manager of Nuclear Power to Senior Vice President, Nuclear Power have been evaluated against the standards of 10 CFR 50.92 and have been determined to not involve a significant hazards consideration. These changes do not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated. This change is administrative in nature and is intended to eliminate the need for NRC approval of a license amendment before implementation of an organization change. The changes to titles and references are also administrative in nature. The functions specified in Section 6.0 important to the safe operation of the plant have not been altered or deleted. There are no hardware, procedure, personnel or analysis changes represented by this proposal that adversely affect the probability of occurrence or the consequences of an accident previously evaluated in the plant FSAR.
2. Create the possibility of a new or different kind of accident from any previously evaluated. Since there are no changes in plant design or operation, inclusion of changes in the TS would not create the possibility of a new or different kind of accident from any previously evaluated.
3. Involve a significant reduction in a margin of safety. For the reasons previously stated, adoption of the change would not involve a significant reduction in safety margin for the plant.

The changes to the TS are administrative in nature, should increase the effectiveness of the utility's management controls and should provide a positive contribution to the safety of plant and corporate activities. Consequently, the staff has concluded that the changes in the TS do not involve a significant hazards consideration as defined by 10 CFR 50.92.

Mr. Aubrey Godwin of the State of Alabama was consulted concerning the proposed exigent technical specification change on June 28, 1988. Mr. Godwin has no comments.

6.0 CONCLUSION

The staff has concluded, based on the considerations discussed above, that: (1) these amendments will not (a) significantly increase the probability or consequences of accidents previously evaluated, (b) create the possibility of a new or different accident from any previously evaluated, or (c) significantly reduce a margin of safety and, therefore, the amendment does not involve a significant hazards considerations; (2) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (3) such activities will be conducted in compliance with the Commission's regulations, and the issuance of the amendments will not be inimical to the common defense and security nor to the health and safety of the public.

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Dated: June 30, 1988