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Detroit Edison



October 19, 1998
NRC-98-0123

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington D C 20555-0001

- References:
- 1) Fermi 2
NRC Docket No. 50-341
NRC License No. NPF-43
 - 2) NRC Letter to Detroit Edison, "Fermi 2 - Request for Additional Information Related to Plant Staff Qualifications (TAC NO. MA1465)," dated September 3, 1998
 - 3) NRC Letter to Detroit Edison, "Fermi-2 - Issuance of Amendment (License Amendment 113) Re: Relocation of Items From the Administrative Controls Section of the Technical Specifications (TAC No. M91189)," dated September 10, 1997

Subject: Reply to Request for Additional Information Related to Plant Staff Qualifications

In Reference 2, the NRC requested information concerning Detroit Edison's commitment regarding plant staff qualifications. The NRC noted that the current Fermi 2 Technical Specifications reference American National Standards Institute (ANSI) N18.1-1971, "Selection and Training of Personnel for Nuclear Power Plants," for personnel with the exception of the Radiological Manager, who is required to meet or exceed the requirements of Regulatory Guide 1.8, September 1975 (Revision 1). 1/0
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The NRC stated that through Regulatory Guide 1.8, Revision 2, they currently endorse, with conditions, certain parts of ANSI/ANS 3.1-1981, "Selection,

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Qualification, and Training of Personnel for Nuclear Power Plants” as an acceptable approach for complying with the qualification and training requirements of 10 CFR Parts 50 and 55 for the positions of shift supervisor, senior operator, licensed operator, shift technical advisor, and radiation protection manager. For positions other than those identified, the NRC stated that the Regulatory Guide finds acceptable the approach provided in ANSI N18.1-1971.

Based upon the apparent difference between Detroit Edison’s commitment to ANSI N18.1-1971 and the NRC’s current endorsement of ANS/ANSI 3.1-1981, the NRC requested that Detroit Edison describe how our commitment to ANSI N18.1-1971 satisfies the requirements of 10 CFR Part 55. The NRC suggested that if Detroit Edison determines that additional actions are necessary to revise the existing Technical Specifications, an opportunity to do so is available through the revision of our Improved Technical Specification submittal.

Detroit Edison understands that it must comply with 10 CFR Part 55, and believes that the procedures, processes and programs (including Institute of Nuclear Power Operation (INPO) accreditation of our training programs) currently in place satisfy this rule. We note that the NRC has inspected Detroit Edison’s compliance with 10 CFR Part 55 as recently as December 1997 in a Licensed Operator Requalification Training and Program Evaluation (Inspection Report 50-341/97017 dated January 21, 1998), and has concluded that Detroit Edison is in compliance with 10 CFR Part 55. In addition, the NRC issued Amendment No. 113 to the Fermi 2 Operating License just last year (Reference 3), which involved the relocation of items from the Administrative Controls Section of the Technical Specifications that the NRC had concluded were adequately controlled by existing regulations. The premise of this change, as stated in our request for the amendment, was that since 10 CFR 55 contained the unit staff qualification requirements, there was no need to restate them in the Technical Specifications. The NRC agreed, and stated in their Safety Evaluation Report for Amendment No. 113 that:

“Training and requalification of those positions are as specified in 10 CFR Part 55. The retained administrative controls TS on “Unit Staff Qualifications” provides adequate requirements to assure a competent operating staff.... The staff concludes that the regulatory requirements in 10 CFR 50.54 and Part 55 provide sufficient controls for the training provisions and removing them from the TS is acceptable.”

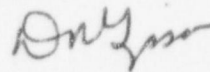
This amendment removed specific references to ANSI N18.1-1971 and to the NRC (Denton) letter dated March 29, 1980 as they relate to training and qualification of licensed Operators and Senior Operators. Based upon the above discussion, we do not believe that changes to our licensing bases or to our Technical Specifications are necessary to ensure compliance with 10 CFR Part 55.

10 CFR 50.109, "Backfitting," provides methods and controls for the "imposition of a regulatory staff position interpreting the Commission rules that is either new or differs from a previously applicable staff position." Detroit Edison is concerned that the method NRC has chosen to pursue this issue circumvents the controls built into the backfit process for ensuring that this change in staff position (from R.G. 1.8, Rev. 1 to R.G. 1.8, Rev. 2) is adequately evaluated from a safety and cost benefit perspective prior to its required implementation. From the fact that this or a similar request has recently been issued on several dockets (Cooper, Farley, Fermi), it is clear that the NRC wishes the industry to adopt Regulatory Guide 1.8, Revision 2 as the licensing basis document for plant staff qualification and training. We believe that this issue has generic implications and that the appropriate forum for this request is through the NRC's own generic issues and backfit processes, not through individual utilities that are in the process of attempting to implement other NRC/industry initiatives such as conversion to the Improved Technical Specifications.

As stated above, we do not believe that this issue belongs in the Improved Technical Specification arena. However, because the question was raised in conjunction with the NRC's review of the Improved Technical Specifications, Detroit Edison requests that the NRC act in a timely manner toward its resolution to ensure that it does not become an impediment to issuance of the Fermi 2 ITS Safety Evaluation Report in May of 1999.

Should you have any questions or require additional information, please contact Mr. Norman K. Peterson of my staff at (734) 586-4258.

Sincerely,



cc: B. L. Burgess
A. J. Kugler
NRC Resident Office
Regional Administrator, Region III
Supervisor, Electric Operators,
Michigan Public Service Commission