Maine Yankee

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UNITED STATES NUCLEAR REGULATORY COMMISSION
Attention: Document Control Desk
Washington, DC 20555

References: (a) License No. DPR-36 (Docket No. 50-309)
(b) Letter: G.A. Zinke to USNRC: "Maine Yankee (Operational) Quality Assurance Program-Revisions 12, 13, and 14", MN-98-05; January 28, 1998.
(c) Letter: M. Webb, USNRC to M.J. Meisner; "Review of Revision 14 to Maine Yankee Quality Assurance Description Submittal in Accordance with 10CFR50.54(a) Requirements"; March 26, 1998.

Subject: Response to Request for Additional Information for Maine Yankee Quality Assurance Program Revision 14

Gentlemen:

Enclosed is Maine Yankee's response to the Request for Additional Information, (Reference (c)). We see nothing in these Quality Assurance Program changes that draws questions with regard to compliance with the criteria of Appendix B to 10 CFR Part 50.

We understand the staff is evaluating our bases for concluding that all exceptions taken to ANSI standards (and Regulatory Guides) in Revisions 12 and 13 of our QA Program do not constitute reductions in commitment. As indicated in Enclosure 5 of Reference (c), the changes are either purely editorial, reflect changes approved by license amendment or are a direct reflection of the plant status as certified under the requirements of 10CFR50.82.

We request your timely review of these changes and would be happy to discuss these changes in detail to help expedite your review.

Very truly yours,

George A. Zinke, Director
Nuclear Safety & Regulatory Affairs

Enclosure

c: Mr. Hubert J. Miller
Mr. Mike Webb
Mr. Mike Masnik
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Mr. Ron Bellamy
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A004

ENCLOSURE

1. NRC Request:

"**Exception to ANSI N45.2.12-1977, Subsection 4.5.1 -** Criterion XVI, "Corrective Action," state, in part, "Measures shall be established to assure that conditions adverse to quality, such as failures, malfunctions, deficiencies, deviations, defective material and equipment, and nonconformances are promptly identified and corrected." Maine Yankee (the licensee) relies, in part, upon its current commitment to ANSI N45.2.12 to satisfy the requirement that conditions adverse to quality be "promptly identified and corrected." Subsection 4.5.1 states, in part, that "in the event that corrective action cannot be completed within thirty days, the audited organization's response shall include a scheduled date for the corrective action."

Since subsection 4.5.1 on ANSI N45.2.12 already allows for delays in corrective actions that cannot be completed within thirty days, the licensee's proposed alternative that corrective actions and management approval will be specified and provided "in accordance with the time frames contained in the Corrective Action Program" is ambiguous. Please clarify.

Maine Yankee Response:

Previous revisions of the Quality Assurance Program contained the words:

"Maine Yankee will specify corrective actions and provide management approval within thirty working days. Corrective action completion dates will be specified in the audit documentation approved by management."

Maine Yankee's proposed change to the above in Revision 14 is:

"Maine Yankee will specify corrective actions and provide management approval in accordance with the time frames contained in the Corrective Action Program."

The intention of this change was to control the correction of audit findings under the Corrective Action Program described in QAP Section XVI. The timeliness requirements of the Corrective Action Programs have been much more clearly defined in recent years in NRC guidance such as Generic Letter 91-18. It is more appropriate and much less ambiguous to specify a timeliness requirement based upon the safety significance of the issue, as identified in Generic Letter 91-18, rather than merely requiring "the audited organization's response to include a scheduled dated for the corrective action," as specified in ANSI N45.2.12-1977.

In particular, Maine Yankee Procedure 0-16-1, Corrective Action Program, Revision 12, dated 12/22/97, Section 6.0 Timeliness, contains the following requirements:

6.1 Discoverer shall initiated the Condition Report and notify the Shift Manager immediately upon discovery of an SCAQ (Significant Condition Adverse to Quality) or CAQ(Condition adverse to Quality).

6.2 Shift Manager shall process CR within one shift.

6.3 The CAPC (Corrective Action Process Coordinator) shall process the CR within one working day of notification.

6.4 Management shall review the significance, assignment, and immediate and/or interim actions within one working day after receipt from the CPAC.

6.5 Responsible Departments shall attempt to complete CRs within 30 days. If unable to disposition and close condition reports within these time frames, they shall provide a documented plan and schedule for completion to the CAPC within 30 days.

Section 7.6.4, of the same procedure, addresses Department Responsibilities and reads as follows:

7.6.4 Attempt to resolve all CRs within 30 days. If not achievable, then provide a plan and schedule for resolution to the Management Review Team and CAPC within the 30 day period.

Discussion:

Maine Yankee believes the previous wording was ambiguous in that it did not specify the "audit documentation" or define the process by which schedule changes were to be initiated or reviewed and did not establish guidelines or expectations.

To be consistent with Section II.14.c of the QAP and to eliminate potential confusion, Maine Yankee intends to amend procedure 0-16-1 steps 6.5 and 7.6.4 to specify the 30 day response time is to be 30 working days.

Maine Yankee believes that the revised wording proposed in Revision 14 which directs the organization to the "time frames contained in the Corrective Action Program" provides a clear message of management expectations, fixes the specific responsibility for actions, and bases the management review of the corrective action time frame on its significance.

This change is also discussed in Item 1 of Enclosure 4 of Reference (c).

Conclusion:

This QAP change was intended to clarify that the timeliness requirements associated with corrective actions should be based upon its safety significance as described in NRC Generic Letter No. 91-18 rather than the ambiguous designation of a scheduled corrective action date selected by the audited organization as described in the ANSI standard. NRC Inspection Manual Part 9900 "Technical Guidance", which was enclosed in NRC GL-91-18, states (section 4.3.1): "Whenever degraded or nonconforming conditions of SSCs subject to Appendix B are identified, Appendix B requires prompt corrective action to correct or resolve the condition. The timeliness of this corrective action should be commensurate with the safety significance of the issue." It is clear by NRC's own letter that this philosophy, and hence our QAP change, satisfy the criteria of Appendix B to 10 CFR Part 50. However, if it appears that this change is going to hinder the expedient review of the Quality Assurance Program, we are willing to withdraw this change, and return to the previous language.

2. NRC Request:

> **"Section III, "Design Control," Subsection B, "Responsibilities," Items 2.j and 3-**Please identify the organizational entity, including requisite qualifications, responsible for Control of Fire Protection and for review of proposed design changes of fire protection systems.

Maine Yankee Response:
Engineering Personnel performing design activities for fire protection systems have in the past and will continue to meet the commitments to ANSI N18.1 as modified by Regulatory Guide 1.8 as discussed in section II.F.1 of the Maine Yankee Quality Assurance Program. Personnel involved in the design of fire protection systems will also meet the requirements of State, local, commercial, and professional regulations and guidelines as appropriate. This QAP change did not affect, in any way, the requisite personnel qualifications which Maine Yankee was previously committed to. The Director of Operations is responsible for control of Fire Protection at Maine Yankee and is responsible for reviewing all proposed design changes, including those associated with fire protection systems, as described in the QA Program. The Maine Yankee Engineering Division is responsible for the control of design activities and for the preparation review and approval of design documents as described in the QA Program.

Discussion:
Previous revisions of the Maine Yankee Quality Assurance Program contained the following:

2.j. Control of Fire Protection in accordance with YA-GEN-9

3. The Fire Protection Coordinator shall be responsible for review of proposed design changes of fire protection systems in accordance with the Yankee Nuclear Services Division General Specifications YA-GEN-9.

   In revision 14 these requirements have been deleted.

Our intention for making this change was to eliminate references to Yankee Nuclear Services Division and to consolidate responsibility for the design review of fire protection systems with the design review of other design applications. On December 1, 1997, the Yankee Nuclear Services Division of The Yankee Atomic Electric Company (A company affiliated to Maine Yankee by ownership, contractual, and licensing arrangements) ceased to exist. Therefore, references to documents maintained by Yankee Nuclear Services Division need to be revised. In this case the specification which was written for operating reactors, no longer applies to Maine Yankee in its permanently shutdown and defueled condition. Furthermore, the criteria provided in Appendix B to 10 CFR Part 50 does not specify any fire protection requirements other than those general design control requirements applicable to other design applications. As in other design applications the specific design requirements are specified in other regulatory relevant documents other than the Quality Assurance Program. The design requirements for Fire Protection at Maine Yankee are governed by 10CFR50.48(f). It was not the intention of this change to have any affect on the requisite personnel qualifications which Maine Yankee was previously committed to.

This change is also discussed in Items 2 and 3 of Enclosure 4 of Reference (c).

Conclusion:
Therefore, this change satisfies the criteria of Appendix B to 10 CFR Part 50.

3. NRC Request:

> **Section III, "Design Control," Subsection B, "Responsibilities," Item 5**-Please identify the person, or organizational entity, (including relevant qualification requirements) responsible for "a. Establishing and implementing a system for processing design changes," and "b, Independent design verification of proposed design changes to assure the adequacy of design."

Maine Yankee Response:
As stated in Item 4 of Enclosure 4 of Reference (c), the organizational entity responsible for establishing and implementing a system for processing design changes and performing independent design verifications is the Engineering Division. Engineering Personnel performing these activities have in the past and will continue to meet the commitments to ANSI N18.1 as modified by Regulatory Guide 1.8 as discussed in section II.F.1 of the Maine Yankee Quality Assurance Program.

Discussion:
Previous revisions of the Maine Yankee Quality Assurance Program contained the following statements:

5. The Manager, Engineering Support, via YNSD service shall be responsible for:

   a. Establishing and implementing a system for processing design changes.

   b. Independent design verification of proposed design changes to assure adequacy of design.

This section has been deleted in the latest revision, Revision 14.

As discussed previously, Yankee Nuclear Services Division (YNSD) no longer exists as an affiliated organization. The responsibility for design changes, the processing of design changes, and the design verification effort are the responsibility of the Maine Yankee Engineering Division as described in section III.B.2. The Engineering Support Department at Maine Yankee has been integrated into the Engineering Division under the direction of the Director of Engineering (a position previously referred to as the Vice-President of Engineering).

The Maine Yankee Engineering has been performing design changes in accordance with the Maine Yankee Engineering Procedures, i.e. the "17 Series" for a number of years. This function is controlled in accordance with Section III.B.2.a. though n. Design changes initiated under YNSD WE-100 series procedures have been reduced in number over time and most recently YNSD personnel have initiated design changes in a staff augmentation role solely under the Maine Yankee Quality Assurance Program and Maine Yankee Engineering Procedures.

This change is discussed in Item 4 of Enclosure 4 of Reference (c).

Conclusion:
This change satisfies the criteria of Appendix B to 10 CFR Part 50, namely Criterion III. Design Control. The functions described by the portion of the QAP being deleted were redundant and parallel to functions already being performed by Maine Yankee organizations in accordance with Maine Yankee's Quality Assurance Program.

4. NRC Request:

Section III, "Design Control," Subsection B, "Responsibilities, Item 6-Please identify the difference in responsibilities and qualifications between the Director of Operations and the Director of Engineering with regards to the review and approval of design changes.

Maine Yankee Response:
The Director of Operations, as indicated in Section Responsibility has assumed the responsibilities of the generic title, "Plant Manager", as defined in ANSI N18.7-1976 and meets the qualification of ANSI N18.1 for that position. As stated in Section III.B.3 & 4 of the QAP, the Director of Operation is responsible for evaluation of the recommendations of the Plant Operations Review Committee (now known as the Independent Safety Review) and for review and approval of proposed design changes. In addition, as the "Plant Manager," the Director of Operations reviews changes to the plant for impact on operations, training, safety, radiological controls, and maintenance and other areas of significance to the operations staff. Ultimately, the Director of Operations' review of design changes is for approval purposes.

The Director of Engineering, a position formerly identified as the Vice-President of Engineering, fulfills the responsibilities delineated in Section III.B.2, Engineering Division. This review includes ensuring that the design change was properly prepared, reviewed and verified pursuant to the design control program described in Section III.B.2. The Engineering Division is responsible for the preparation, review and approval of design documents.

The Director of Operations and the Director of Engineering are both direct reports to the President-Maine Yankee.

Discussion:
Previous revisions of the Maine Yankee Quality Assurance Program contained the following statements:

4. The Director of Operations shall be responsible for:

   a. Evaluation of the recommendation of the Plant Operation Review Committee.

   b. Review and approval of proposed design changes

6. The Vice President, Operations shall be responsible for the review and approval of all design changes.

This section has been modified as follows in the latest revision, Revision 14.

3. The Director, Operations shall be responsible for the review of proposed design changes.

4. The Director of Operations shall be responsible for:

   a. Evaluation of the recommendation of the Plant Operation Review Committee.

   b. Review and approval of proposed design changes

As described in Item 5 of Enclosure 4 and page 5-14 of Enclosure 5 of Reference (c), one layer of management has been removed, therefore this change was submitted as a reduction pursuant to the latest NRC guidance on what constitutes a reduction in commitment. Since the Director of Operations reports directly to the President, the level of management attention of the review and approval of design changes will be maintained.

Conclusion:
As described in Item 5 of Enclosure 5 of Reference (c) this Quality Assurance Program change satisfies the criterion of Appendix B to 10 CFR Part 50.

5. NRC Request:

> **Section IX "Control of Special Processes," Subsection B, "Responsibilities," Item 3-** Please identify the organizational entity, including requisite qualifications, responsible for approving documents for welding, and non-destructive examinations.

Maine Yankee Response:

As stated in Section IX.B.2.d of the latest revision to the Quality Assurance Program submitted as Enclosure C of Reference (c), the Engineering Division is responsible for approving documents for welding, and non-destructive examinations. Engineering Personnel performing these activities have in the past and will continue to meet the commitments to ANSI N18.1 as modified by Regulatory Guide 1.8 as discussed in section II.F.1 of the Maine Yankee Quality Assurance Program.

Discussion:

Previously Maine Yankee depended upon YNSD of Yankee Atomic Electric Company to review and approve documents for welding and NDE work. As discussed previously, YNSD no longer exists as an affiliated entity and the responsibility for review and approval for special processes now resides with Maine Yankee Engineering Division as delineated in Section IX.B.2.d of the Quality Assurance Program.

Maine Yankee Engineering has on staff professional engineers and a metallurgist with experience and knowledge of welding techniques. Maine Yankee also is able to augment its Quality Assurance Department Staff as required to support NDE reviews of its own and vendor procedures.

This change is discussed in Item 8 of Enclosure 4 and page 5-17 of Enclosure 5 of Reference (c).

Conclusion:

It is not appropriate to specify the vendor of choice, namely Yankee Nuclear Service Division, in the Quality Assurance Program. As stated in Item 8 of Enclosure 4 of Reference (c), Maine Yankee has been and continues to be ultimately responsible for these functions. This QAP change continues to satisfy the criteria of Appendix B to 10 CFR Part 50.

6. NRC Request:

Please clarify the purpose or role of **Enclosure 6 , "Summary of 10CFR50.54(a) Evaluation for Changes in Safety Classifications,"** with respect to Revision 14 to the Maine Yankee Quality Assurance Program description.

Maine Yankee Response:

Enclosure 6 is not related to the changes identified in Revision 14. It is related to the non-reduction changes in Revisions 12 and 13 and the relationship between the requirements of the QA Program and the permanently defueled condition certified under 10CFR50.82(a)(1).

Discussion:

The regulations related to the Quality Assurance Program change process, 10 CFR50.54(a), do not require the licensee to submit its evaluation of changes in support of the conclusion that the changes do not constitute a reduction in the commitments in the program description previously accepted by the NRC. However in order to facilitate mutual understanding and enhance the potential for expedient review and approval of the Quality Assurance Program, Maine Yankee submitted a brief summary of the 10 CFR 50.54(a) evaluation that was performed in support of changes made in systems and equipment classifications.

Conclusion:

The information in Enclosure 6 was provided for NRC information only.