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330-436-1380

January 27, 2021
L-21-030

10 CFR 50.90

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

SUBJECT:

Beaver Valley Power Station, Unit Nos. 1 and 2
Docket No. 50-334, License No. DPR-66
Docket No. 50-412, License No. NPF-73

Davis-Besse Nuclear Power Station, Unit No. 1
Docket No. 50-346, License No. NPF-3
Response to Request for Additional Information Regarding an Amendment to Incorporate the Applicable Standard Technical Specification 5.2.2, "Unit Staff," into the Facility Technical Specifications (EPID L-2020-LLA-0169)

By application dated July 27, 2020 (Accession No. ML20209A540), Energy Harbor Nuclear Corp. (EHNC) requested Nuclear Regulatory Commission (NRC) approval for an amendment to the Technical Specifications of Renewed Operating Licenses DPR-66 for Beaver Valley Power Station, Unit No. 1; NPF-73 for Beaver Valley Power Station, Unit No. 2; and NPF-3 for Davis-Besse Nuclear Power Station, Unit No. 1. The proposed amendment would change the Beaver Valley Power Station, Unit Nos. 1 and 2 (BVPS) and the Davis-Besse Nuclear Power Station, Unit No. 1 (DBNPS) Technical Specification (TS) 5.2, "Unit Staff," Subpart 2.e to align with the standard technical specifications (STS) for each type of facility. Additionally, a title listed in the STS will be revised to reflect a more generic title.

On December 30, 2020, the NRC staff issued a request for additional information (RAI) to complete its review. On January 7, 2021 a teleconference was held between the NRC and the EHNC staffs to clarify the RAI. During the teleconference, both staffs agreed that the RAI response would be due by February 8, 2021. The EHNC response is attached.

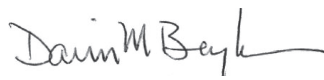
The information provided in this submittal does not invalidate the no significant hazards consideration analysis provided in the July 27, 2020 application.

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There are no regulatory commitments contained in this letter. If there are any questions or if additional information is required, please contact Mr. Phil H. Lashley, Manager - Fleet Licensing, at 330-696-7208.

I declare under penalty of perjury that the foregoing is true and correct. Executed on January 27th, 2021.

Sincerely,



Benyak, Darin 48813
Jan 27 2021 2:39 PM

DocuSign

Darin M. Benyak

Attachment:

Response to Request for Additional Information

cc: NRC Region I Administrator
NRC Region III Administrator
NRC Project Manager - EHNC Fleet
NRC Resident Inspector - Beaver Valley Power Station
NRC Resident Inspector - Davis-Besse Nuclear Power Station
Director BRP/DEP
Site Representative BRP/DEP
Branch Chief, Ohio Emergency Management Agency, State of Ohio (NRC Liaison)
Utility Radiological Safety Board

Response to Request for Additional Information
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By application dated July 27, 2020 (Accession No. ML20209A540), Energy Harbor Nuclear Corp. (EHNC), requested Nuclear Regulatory Commission (NRC) approval for an amendment to the Technical Specifications of Renewed Operating Licenses DPR-66 for Beaver Valley Power Station, Unit No. 1; NPF-73 for Beaver Valley Power Station, Unit No. 2; and NPF-3 for Davis-Besse Nuclear Power Station, Unit No. 1. The proposed amendment would change the Beaver Valley Power Station, Unit Nos. 1 and 2 (BVPS) and the Davis-Besse Nuclear Power Station, Unit No. 1 (DBNPS) Technical Specification (TS) 5.2, "Unit Staff," Subpart 2.e to align with the standard technical specifications (STS) for each type of facility. Additionally, a title listed in the STS will be revised to reflect a more generic title.

In order to complete the review of the application, the NRC requested additional information. The requested information is provided below in bold typeface, followed by EHNC's response.

Request for Additional Information

10 CFR, Part 50.36(c)(5) requires, in part, that technical specifications include administrative controls, including provisions relating to organization and management necessary to assure operation of the facility in a safe manner. 10 CFR, Part 50.34(b)(6)(i), requires, in part, that operating license applications include information regarding the applicant's organizational structure, allocations or responsibilities and authorities, and personnel qualifications requirements.

NUREG-0800 (SRP), Chapter 13, Section 13.1.2-13.1.3, provides regulatory guidance for considerations regarding the structure, functions, and responsibilities of the onsite organization established to safely operate and maintain the facility. This guidance calls for applicants to provide a description of the qualification requirements established for filling each management position category in the operating organization. This guidance also calls for applicants to provide organizational information in an organization chart/table containing the title of each position in the operating organization and indicating the positions for which reactor operator and senior reactor operator licenses are required.

NRC-developed Standard Technical Specification (STS) 5.2.2.d for Westinghouse and Babcock and Wilcox nuclear power facilities (NUREG-1430 and NUREG-1431 respectively) include a standard requirement that either the operations manager or assistant operations manager shall hold an SRO license.

In Section 3.0 of the licensee amendment request (LAR), the licensee proposes the use of the term "operations middle manager" in lieu of the term "assistant operations manager," as listed in the STS. The LAR states that the intention of this alternative

language is to make the requirement more generic. However, there is no information included in the submittal regarding which position(s) can be considered to fill the role of "middle manager" within the operations department.

Without additional context, the proposed specification language could be subject to interpretation such that a manager at an inappropriate low level could be considered a "middle manager." (For example, a shift manager, who oversees supervisors and reports to the operations manager, could be considered a "middle" manager.) Under such an interpretation, circumstances within the operations department could be permitted where neither the operations manager nor the assistant operations manager (or the site-specific equivalent) would be required to hold an SRO license. Such circumstances would be contrary to the intent of the guidance within the applicable STS.

Provide clarification or additional details (such as a position description or an organization chart/table with appropriate indication) regarding how "middle manager" will be defined for the purposes of fulfilling the proposed revised technical specification. Include how the licensee will provide reasonable assurance that an individual at the appropriate level of department management will hold an SRO license, in accordance with the intent of the STS.

Response:

The NRC-developed Standard Technical Specification (STS) 5.2.2.d for Westinghouse and Babcock and Wilcox nuclear power facilities (NUREG-1430 and NUREG-1431, respectively) contains a requirement that either the operations manager **or** (emphasis added) the assistant operations manager shall hold an SRO license.

The proposed amendment replaces the title of assistant operations manager position with the generic title of operations middle manager. This title is taken from ANSI/ANS-3.1, "Selection, Qualification, and Training of Personnel for Nuclear Power Plants," dated November 20, 2014.

The titles and responsibilities for this technical specification position are contained within the site's updated final safety analysis report (UFSAR).

For BVPS, the information is contained in the Unit 2 UFSAR, Section 13.1. For BVPS, the position that would fulfill the operations middle manager position would be the assistant operations manager. The position description follows:

[T]he line person responsible for managing the operation of the respective BVPS unit. This position ensures that conditions adverse to safe, reliable operation of the unit are identified, evaluated, and effective corrective action is completed.

The position is a direct report to the operations manager. Each BVPS unit has its own assistant operations manager. Currently, the assistant operations managers are required to possess an SRO license.

For DBNPS, the information is contained in the DBNPS UFSAR, Section 13.1. For DBNPS, there are two (2) positions, the assistant operations manager – support and assistant operations manager – shift. The assistant operations manager – shift is the relevant position with respect to the operations middle manager position. The assistant operations manager – shift position description follows:

Supervises activities of day-to-day operations of the plant to ensure compliance with Station procedures and regulatory requirements. Coordinates activities with other departments and between operating shifts. Directs and coordinates the activities of the Shift Managers/STAs to ensure safe and efficient plant operation. Ensures adequate engine on shift to diagnose, mitigate, and terminate off-normal events.

The position is a direct report to the operations manager. Currently, the assistant operations manager – shift is required to possess an SRO license.

An implementation activity, should the proposed amendment be approved, is to update the Unit 2 BVPS and DBNPS UFSARs to include a reference that the technical specification position of operations middle manager is fulfilled by the assistant operations manager (BVPS) or assistant operations manager – shift (DBNPS) and to indicate that either the operations manager or the assistant operations manager/assistant operations manager – shift shall possess an SRO license.