



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

March 22, 2022

Mr. Bob Coffey
Executive Vice President, Nuclear
and Chief Nuclear Officer
Florida Power & Light Company
Mail Stop: EX/JB
700 Universe Boulevard
Juno Beach, FL 33408

**SUBJECT: DUANE ARNOLD ENERGY CENTER - REQUEST FOR ADDITIONAL
INFORMATION REGARDING THE DECOMMISSIONING QUALITY
ASSURANCE PROGRAM, REVISION 0 (EPID L-2021-LLN-0003)**

Dear Mr. Coffey:

By letter dated July 30, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21214A125), NextEra Energy Duane Arnold, LLC (NEDA, the licensee) submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for approval of the Decommissioning Quality Assurance Program (DQAP), Revision 0, for the Duane Arnold Energy Center (DAEC). The proposed DQAP is based on the NRC-approved Duane Arnold Quality Assurance Topical Report (QATP) FPL-3. The QATP FPL-3 will no longer be effective at Duane Arnold following approval and implementation of the DAEC DQAP.

The NRC staff has reviewed the subject submittal and determined that additional information is needed to complete its review, as described in the enclosed Request for Additional Information (RAI). In order to continue the review of the proposed changes to the DAEC DQAP, please respond to this request for additional information within 30 days.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

B. Coffey

- 2 -

If you have any questions regarding this request or the ongoing physical security plan review, please contact me at (301) 415-3178 or via e-mail at marlayna.doell@nrc.gov.

Sincerely,



Signed by Doell, Marlayna
on 03/22/22

Marlayna V. Doell, Project Manager
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-331

Enclosure:
Request for Additional Information

cc w/ enclosure: Distribution via Duane Arnold Listserv



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

REQUEST FOR ADDITIONAL INFORMATION

DECOMMISSIONING QUALITY ASSURANCE PROGRAM, REVISION 0

NEXTERA ENERGY DUANE ARNOLD, LLC

DUANE ARNOLD ENERGY CENTER

DOCKET NO. 50-331

By letter dated July 30, 2021 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML21214A125), NextEra Energy Duane Arnold, LLC (NEDA, the licensee) submitted to the U.S. Nuclear Regulatory Commission (NRC) a request for approval of the Decommissioning Quality Assurance Program (DQAP), Revision 0, for the Duane Arnold Energy Center (DAEC). The proposed DQAP is based on the NRC-approved Duane Arnold Quality Assurance Topical Report (QATP) FPL-3. The QATP FPL-3 will no longer be effective at Duane Arnold following approval and implementation of the DAEC DQAP.

The following information is needed to complete the NRC staff's technical review. Specifically, the following requests for additional information (RAIs) will facilitate the technical review being conducted by the Division of Reactor Oversight, Quality Assurance and Vendor Inspection Branch staff. Timely and accurate response to these RAIs is requested.

RAI-1

Criterion I, "Organization," of Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities," states, in part, that "the authority and duties of persons and organizations performing activities affecting the safety-related functions of structures, systems, and components (SSCs) shall be clearly established and delineated in writing. These activities include both the performing functions attaining quality objectives and the quality assurance functions. The quality assurance functions are those of: (1) assuring that an appropriate quality assurance program is established and effectively executed; and (2) verifying, such as by checking, auditing, and inspecting, that activities affecting the safety-related functions have been correctly performed."

In Section 1.0, "Organization," of the proposed DAEC DQAP, the Nuclear Assurance Manager (Quality Assurance (QA) Manager) functions and responsibilities have been removed from the site organization to the corporate organization. In the Table of Changes, NEDA states that "after all fuel has been transferred to dry storage, activities at the site that would fall under the requirements of the DQAP will be infrequent. The decrease in these types of activities will no longer necessitate the continuous on-site presence of Nuclear Assurance. The corporate Nuclear Assurance organization will be able to provide the necessary oversight of the site's quality assurance program." However, in Section 1.3, "Station Management," of the proposed

Enclosure

DAEC DQAP there is no mention of the Nuclear Assurance Manager or QA Manager and his/her functions and responsibilities. Therefore, NEDA is requested to provide details of the Nuclear Assurance Manager or QA Manager, his/her functions and responsibilities, and how these functions and responsibilities will still be accomplished when this position is no longer a site position.

In addition, the NRC-approved DAEC QATR FPL-3, Revision 0, delineates site positions responsible for functional areas such as security, maintenance, operations, fuel handling, radiation protection, chemistry, engineering, licensing, and emergency preparedness. However, Section 1.0 of the proposed DAEC DQAP did not mention any positions that are responsible for these functional areas. Therefore, NEDA is requested to provide details of these functional areas and the corresponding positions that are responsible for these functional areas.

RAI-2

In Section 7.0, "Control of Purchased Material, Equipment and Services," of the proposed DAEC DQAP, multiple references were made to the standard International Standard Organization (ISO)/International Electrotechnical Commission (IEC)-17025, "General Requirements for the Competence of Testing and Calibration Laboratories," for the purpose of procuring commercial grade calibration and testing services from domestic and international laboratories.

In an NRC safety evaluation dated February 2015 (see ADAMS Accession No. ML14322A535), the NRC staff concluded that Revision 0 of NEI 14-05A, "Guidelines for the Use of Accreditation in Lieu of Commercial Grade Surveys for Procurement of Laboratory Calibration and Test Services," provided an acceptable approach for licensees and suppliers of basic components for using the International Laboratory Accreditation Conference (ILAC) accreditation process in lieu of performing surveys as part of the commercial-grade dedication process. This approach addressed procurement of calibration and testing services performed by domestic and international laboratories that are accredited to ISO/IEC-17025:2005 by Accreditation Bodies (ABs) that are signatories to the ILAC Mutual Recognition Arrangement (MRA).

In a letter dated April 16, 2019 (ADAMS Accession No. ML19056A451), the NRC staff concluded that the 2017 edition of the ISO/IEC-17025 maintains the same technical and quality requirements as the 2005 edition of ISO/IEC-17025. It was also noted in this letter that the NRC's acceptance of ISO/IEC-17025:2017 would only be applicable during the 3-year transition period, which began on November 30, 2017, and expired on November 30, 2020, with the expectation that the industry would seek recognition of the 2017 edition of ISO/IEC-17025 beyond the transition period through a revision of NEI 14-05A. Due to the travel restrictions resulting from the Coronavirus pandemic in 2019, in a letter dated November 20, 2020 (ADAMS Accession No. ML20325A192), the NRC extended its recognition of the 2017 edition of ISO/IEC-17025 from November 30, 2020, to June 1, 2021.

In an NRC safety evaluation dated November 23, 2020 (ADAMS Accession No. ML20322A019), the NRC staff concluded that Revision 1 of NEI 14-05A, which references ISO/IEC-17025:2017, continues to provide an acceptable approach for licensees and suppliers subject to the QA requirements of Appendix B to 10 CFR Part 50 for using laboratory accreditation by ABs that are signatories to the ILAC MRA, in lieu of performing commercial-grade surveys as part of the commercial-grade dedication process for procurement of calibration and testing services performed by domestic and international laboratories. It was also noted in the safety evaluation that after June 1, 2021, the 2005 edition of ISO/IEC-17025 will become invalid and only accreditation to the 2017 edition of ISO/IEC-17025 can be achieved and recognized under the

ILAC MRA process. Therefore, NEDA is requested to remove references to the 2005 edition of ISO/IEC-17025 in the proposed DQAP and only reference the 2017 edition of ISO/IEC-17025.

RAI-3

Regulatory Guide 1.28, "Quality Assurance Program Criteria (Design and Construction)," Revision 5, Section C, "Regulatory Position," Subsection 4.b, "External Audits," bullet (2), states, in part, that "the applicant or licensee should either audit its supplier's QA program on a triennial basis or arrange for such an audit. The triennial period begins when an audit is performed. The licensee or applicant may perform an audit when the supplier has completed sufficient work to demonstrate that its organization is implementing a QA program that has the required scope for purchases placed during the triennial period. If a subsequent contract or a contract modification significantly enlarges the scope or changes the methods or controls for activities performed by the same supplier, the licensee or applicant should conduct an audit of the modified requirements, thus starting a new triennial period."

In Section 18.0, "Audits," of the proposed DAEC DQAP, Subsection 18.4 states that "external audits of suppliers provided materials, parts, equipment or services within the scope of this DQAP are scheduled and performed based on the importance of the activity and to confirm implementation of the supplier's Quality Assurance Program at a frequency of not less than three (3) years with an audit extension period identified in D above."

External audits are performed at a frequency of not more than three (3) years, or at an interval not to exceed three (3) years. Therefore, NEDA is requested to clarify the frequency of external audits in the proposed DAEC DQAP.

Duane Arnold ISFSI QAPD RAI Letter DATE March 22, 2022

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