

December 5, 2001

Mr. J. A. Price  
Vice President - Nuclear Technical Services - Millstone  
c/o Mr. David A. Smith  
Dominion Nuclear Connecticut, Inc.  
Rope Ferry Road  
Waterford, CT 06385

SUBJECT: MILLSTONE NUCLEAR POWER STATION, UNIT NOS. 2 AND 3 - RE:  
REVISION TO TECHNICAL SPECIFICATIONS TO CLARIFY THE LICENSED  
OPERATOR QUALIFICATION STANDARDS (TAC NOS. MB2829 AND  
MB2319)

Dear Mr. Price:

The Commission has issued the enclosed Amendment Nos. 258 and 199 to Facility Operating License Nos. DPR-65 and NPF-49 for the Millstone Nuclear Power Station, Unit Nos. 2 and 3, respectively, in response to your application dated August 9, 2001, as supplemented by letter dated November 19, 2001. The request was submitted in response to Regulatory Issue Summary 2001-01, "Eligibility of Operator License Applicants."

The amendment modifies the Technical Specifications (TSs) to clarify the licensed operator qualification standards.

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

**/RA/**

Victor Nerses, Sr. Project Manager, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket Nos. 50-336 and 50-423

Enclosures: 1. Amendment No. 258 to DPR-65  
2. Amendment No. 199 to NPF-49  
3. Safety Evaluation

cc w/encls: See next page

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Units 2 and 3

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DOMINION NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-336

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 258  
License No. DPR-65

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by the applicant dated August 9, 2001, as supplemented November 19, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. DPR-65 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 258, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of issuance, and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

*/RA/*

James W. Clifford, Chief, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: December 5, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 258

FACILITY OPERATING LICENSE NO. DPR-65

DOCKET NO. 50-336

Replace the following pages of the Appendix A, Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

6-2

6-5

Insert

6-2

6-5

DOMINION NUCLEAR CONNECTICUT, INC., ET AL.

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 199  
License No. NPF-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by the applicant dated August 9, 2001, as supplemented November 19, 2001, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
  - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
  - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
  - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
  - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.



2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-49 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 199, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated in the license. Dominion Nuclear Connecticut, Inc. shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of issuance, and shall be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION

**/RA/**

James W. Clifford, Chief, Section 2  
Project Directorate I  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical  
Specifications

Date of Issuance: December 5, 2001

ATTACHMENT TO LICENSE AMENDMENT NO. 199

FACILITY OPERATING LICENSE NO. NPF-49

DOCKET NO. 50-423

Replace the following page of the Appendix A Technical Specifications, with the attached revised page. The revised page is identified by amendment number and contain a marginal line indicating the area of change.

Remove

6-5

Insert

6-5

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 258

TO FACILITY OPERATING LICENSE NO. DPR-65 AND

AMENDMENT NO. 199

TO FACILITY OPERATING LICENSE NO. NPF-49

DOMINION NUCLEAR CONNECTICUT, INC.

MILLSTONE NUCLEAR POWER STATION, UNIT NOS. 2 AND 3

DOCKET NOS. 50-336 AND 50-423

1.0 INTRODUCTION

By letter dated August 9, 2001, as supplemented by letter dated November 19, 2001, Dominion Nuclear Connecticut, Inc. (DNC), the licensee for Millstone Nuclear Power Station, Unit Nos. 2 and 3 (MP2 and MP3) requested the Nuclear Regulatory Commission's (NRC's) approval to amend its operating license Nos. DPR-65 and NPF-49 by revising the Technical Specifications (TSs). The proposed amendment revises the TSs to clarify the qualification standards for licensed operators at MP2 and MP3, in response to Regulatory Issue Summary (RIS) 2001-01, "Eligibility of Operator License Applicants." Subsequent to the licensee's submittal, the Institute of Nuclear Power Operations (INPO) suggested alternative wording to the change. On November 19, 2001, DNC provided modified wording based on discussions between INPO, DNC, and NRC. The November 19, 2001, supplement was within the scope of the original application and did not change the staff's proposed no significant hazards consideration determination.

2.0 BACKGROUND

In accordance with 10 CFR 55.31(a)(4), as amended on March 25, 1987, a license applicant must provide evidence that he or she has successfully completed the licensee's requirements to be licensed as a reactor operator (RO) or senior operator (SO). An authorized representative of the licensee shall certify this evidence on the license application. The required certification must include the details of the applicant's qualifications, training, and experience. In lieu of these details, the Commission may accept certification that the applicant has successfully completed a Commission-approved training program that is based on a systems approach to training (SAT) and uses a simulation facility that is acceptable to the Commission.

Revision 2 of Regulatory Guide (RG) 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," which was published in conjunction with the 1987 rule change, provided guidance on an acceptable method of implementing this regulation. The NRC staff had reviewed the industry's licensed operator training program experience guidelines in effect at the

time of the 1987 rule change and determined that they were equivalent to the baseline experience criteria of RG 1.8, Revision 2. As indicated in the statements of consideration for the 1987 rule change, a licensee's training program would be considered approved by the NRC when it conformed to Revision 2 of RG 1.8 or was accredited by the National Nuclear Accrediting Board (NNAB).

On March 19, 1987, Generic Letter (GL) 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing - 10 CFR Part 55 and Conforming Amendments," informed licensees that they had the option of substituting an accredited SAT-based program for their operator training program previously approved by the NRC. The GL indicated that this option might be implemented upon written notification to the NRC and that it did not require any staff review. The GL also noted the NRC's expectation that licensees would update their licensing basis documents (e.g., their final safety analysis reports (FSAR) and TS(s)), as necessary, to conform with their accredited program status.

In November 1987, the NRC published NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators' Licenses," that reiterated and clarified the NRC staff's expectations regarding 1) 10 CFR 55.31(a); 2) Revision 2 of RG 1.8; 3) accredited training programs; and 4) the need for licensees to update their licensing basis documents per 10 CFR 50.71(e). NUREG-1262 reminded licensees that Revision 2 of RG 1.8 would go into effect on March 31, 1988. This NUREG also noted that facilities having NNAB accredited license training programs did not need to conform to the guidance in Revision 2 of RG 1.8.

Operator license applicants and licensees must provide the NRC with sufficient information to enable the staff to determine whether to grant or deny the applications. However, some licensees (including MP2 and MP3) either did not respond to GL 87-07 and/or failed to update their licensing basis documents to eliminate inconsistencies and contradictions. This has made it difficult for the NRC staff to determine whether or not some license applicants have successfully completed their licensee's requirements to be licensed as an RO or SO. The fact that every licensee has voluntarily obtained and periodically renewed the accreditation of its licensed operator training program suggests that every licensee is implementing the education and experience guidelines endorsed by the NNAB. The NRC staff understands that the current version of those guidelines is outlined by the National Academy for Nuclear Training (NANT) in its "Guidelines for Initial Training and Qualification of Licensed Operators (NANT 2000 guidelines), which was issued in January 2000.

Consequently, unless otherwise informed by a licensee, the NRC believes that the education and experience guidelines described in the NANT 2000 guidelines are the licensee's education and experience requirements to be licensed as an RO or SO.

In an effort to clarify the situation, the NRC staff revised NRC Form 398 to make it clear that when a licensee certifies, pursuant to 10 CFR 55.31(a)(4), that an applicant has successfully completed a Commission-approved, SAT-based training program, it means that the applicant meets or exceeds the minimum education and experience guidelines currently outlined by the NANT (and by extension, Revision 3 of RG 1.8). Licensees can use revised NRC Form 398 to document any exceptions or waivers that the applicant has taken from the baseline education and experience criteria outlined by the NANT. As described in RIS 2001-01, the NRC has determined that, with the exception of guidance pertaining to certified instructors seeking an SO

license, the NANT 2000 guidelines for education and experience of RO and SO candidates are equivalent to corresponding guidelines contained in RG 1.8, Revision 3. Certified instructors applying for an SO license can use the revised NRC Form 398 to document the details of their experience. This will minimize the potential for misunderstanding and the need to seek additional information.

### 3.0 EVALUATION

The current MP2 and MP3 TSs indicate that licensed operators, as members of the licensee's staff, are qualified to ANSI N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel." However, as previously stated, the NRC currently expects RO's and SO's to be qualified to the education and experience guidelines of NANT 2000 or RG 1.8, Revision 3.

The MP2 and MP3 operator training programs have been developed using the NRC-endorsed NANT guidance in place prior to the issuance of the NANT 2000 guidelines, have been accredited by the NNAB using the previous guidance, and have been conducted in NRC-certified simulation facilities. Using the MP2 and MP3 education and experience guidance from the accredited operator training programs to complete the current NRC Form 398 will result in significant effort on the part of DNC and NRC to develop and process waivers for license applicants. Changing the MP2 and MP3 TSs to clarify that applicants for RO and SO licenses are qualified using RG 1.8, Revision 3 guidance will negate the need for waivers.

The proposed administrative clarification modifies the MP2 and MP3 TSs to avoid confusion between the qualification standards of the licensee's staff who are qualified to ANSI N18.1-1971 and the licensed operator applicants who, after November 1, 2001, will be qualified to the education and experience guidelines of RG 1.8, Revision 3. Therefore, the administrative change, modifying RO and SO applicant education and experience guidelines, is acceptable. The training of the operators is not affected, only the education and experience necessary to enter the program has been changed.

### 4.0 SUMMARY

The staff has reviewed the proposed administrative changes to the MP2 and MP3 TSs Section 6.3.1, MP2 TS Section 6.4, and the MP3 TS Section 6.4.1. The proposed administrative change adopts the education and experience guidelines of RG 1.8, Revision 3 for RO and SO applicants. Therefore, the proposed modifications to the MP2 and MP3 TSs are acceptable.

### 5.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Connecticut State official was notified of the proposed issuance of the amendment. The State official had no comments.

### 6.0 ENVIRONMENTAL CONSIDERATION

This amendment changes recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets 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 or environmental assessment need be prepared in connection with the issuance of this amendment.

## 7.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: R. Pelton

Date: December 5, 2001