

## **NON-CONCURRENCE PROCESS COVER PAGE**

The U.S. Nuclear Regulatory Commission (NRC) strives to establish and maintain an environment that encourages all employees to promptly raise concerns and differing views without fear of reprisal and to promote methods for raising concerns that will enhance a strong safety culture and support the agency's mission.

Employees are expected to discuss their views and concerns with their immediate supervisors on a regular, ongoing basis. If informal discussions do not resolve concerns, employees have various mechanisms for expressing and having their concerns and differing views heard and considered by management.

Management Directive, MD 10.158, "NRC Non-Concurrence Process," describes the Non-Concurrence Process (NCP), <http://nrcweb.nrc.gov:8600/policy/directives/catalog/md10.158.pdf>.

The NCP allows employees to document their differing views and concerns early in the decision-making process, have them responded to (if requested), and attach them to proposed documents moving through the management approval chain to support the decision-making process.

NRC Form 757, "Non-Concurrence Process" is used to document the process.

Section A of the form includes the personal opinions, views, and concerns of a non-concurring NRC employee.

Section B of the form includes the personal opinions and views of the non-concurring employee's immediate supervisor.

Section C of the form includes the agency's evaluation of the concerns and the agency's final position and outcome.

NOTE: Content in Sections A and B reflects personal opinions and views and does not represent official factual representation of the issues, nor official rationale for the agency decision. Section C includes the agency's official position on the facts, issues, and rationale for the final decision.

At the end of the process, the non-concurring employee(s):

- ☐ Concurred
- ☒ Continued to non-concur
- ☐ Agreed with some of the changes to the subject document, but continued to non-concur
- ☐ Requested that the process be discontinued
- ☐ The non-concurring employee(s) requested that the record be non-public.
- ☐ The non-concurring employee(s) requested that the record be public.
- ☐ This record is non-public and for official use only.
- ☒ This record has been reviewed and approved for public dissemination.



NON-CONCURRENCE PROCESS

NCP PM 10/21/2016  
NCP-2016-015

SECTION A - TO BE COMPLETED BY NON-CONCURRING EMPLOYEE

TITLE OF SUBJECT DOCUMENT Columbia - Issuance of Amendment Re: Adoption of TSTF-425, Rev. 3		ADAMS ACCESSION NO. ML16253A025
DOCUMENT SIGNER L. John Klos		SIGNER TELEPHONE NO. 415-5136
TITLE Project Manager	ORGANIZATION NRR/DORI/LPLIV-1	
NAME OF NON-CONCURRING EMPLOYEE(S) T. Martinez-Navedo, S. Som, S. Ray, R. Mathew, S. Matharu		TELEPHONE NUMBER 415-6561
TITLE Electrical Eng (TMN) and Senior Electrical Eng(rest)	ORGANIZATION NRR/DE/EEEB	
<input type="checkbox"/> DOCUMENT AUTHOR <input type="checkbox"/> DOCUMENT CONTRIBUTOR <input checked="" type="checkbox"/> DOCUMENT REVIEWER <input type="checkbox"/> ON CONCURRENCE		
NON-CONCURRING EMPLOYEE'S SUPERVISOR Jacob Zimmerman		
TITLE Branch Chief	ORGANIZATION NRR/DE/EEEB	

☒ I WOULD LIKE MY NON-CONCURRENCE CONSIDERED AND WOULD LIKE A WRITTEN EVALUATION IN SECTION B AND C.

☐ I WOULD LIKE MY NON-CONCURRENCE CONSIDERED, BUT A WRITTEN EVALUATION IN SECTIONS B AND C IS NOT NECESSARY.

WHEN THE PROCESS IS COMPLETE, I WOULD LIKE THE NCP FORM: ☒ PUBLIC ☐ NON-PUBLIC

REASONS FOR THE NON-CONCURRENCE, POTENTIAL IMPACT ON MISSION, AND THE PROPOSED ALTERNATIVES  
(use continuation pages or attach Word document)

Full Title: Columbia Generating Station - Issuance of Amendment Re: Adoption of TSTF-425, Rev. 3 (CAC NO. MF6042)

The non-concurring employees identified above (staff in the Electrical Engineering Branch) object to the license amendment for Columbia Generating Station to implement Technical Specification Task Force (TSTF) 425, Revision 3, "Relocate Surveillance Frequencies to Licensee Control - RITSTF Initiative 5b." The objections are similar to those previously addressed in other non-concurrences (NCP-2015-009 (ML15322A197), NCP 2015-012 (ML16033A197), NCP-2016-005 (ML16141A025), NCP-2016-010 (ML16148A057), NCP-2016-011 (ML16176A235)). The issues are also the subject of Differing Professional Opinion DPO-2016-003 which was accepted on 10/19/16.

SIGNATURE <i>T. Martinez-Navedo, S. Som, S. Ray, R. Mathew, S. Matharu</i>	DATE 10/19/16
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**NON-CONCURRENCE PROCESS**

NCP-2016-015

**SECTION B - TO BE COMPLETED BY NON-CONCURRING EMPLOYEE'S SUPERVISOR**

TITLE OF SUBJECT DOCUMENT

Columbia - Issuance of Amendment Re: Adoption of TSTF-425, Rev. 3

ADAMS ACCESSION NO.

ML16253A025

NAME

Jacob I. Zimmerman

TITLE

Branch Chief

TELEPHONE NUMBER

(301) 415-1220

ORGANIZATION

NRR/DE/EEEB

COMMENTS FOR THE NCP REVIEWER TO CONSIDER (use continuation pages or attach Word document)

I agree with the comments, logic, and reasoning by the EEEB staff expressing their concerns with approving the license amendment request to relocate most periodic frequencies of Technical Specification surveillances to the Surveillance Frequency Control Program for AC and DC electric power systems.

My recommendation to the NCP Reviewer is to seriously consider the concerns of the EEEB staff and withhold approval of the Columbia LAR and other similar LARs until all issues are appropriately addressed.

SIGNATURE

DATE

10/24/16

NON-CONCURRENCE PROCESS

NCP-2016-015

SECTION C - TO BE COMPLETED BY NCP COORDINATOR

TITLE OF SUBJECT DOCUMENT

Columbia - Issuance of Amendment Re: Adoption of TSTF-425, Rev. 3

ADAMS ACCESSION NO.

ML16253A025

NAME

Eric J. Benner

TITLE

Deputy Division Director

TELEPHONE NUMBER

(301) 415-3112

ORGANIZATION

NRR/DORL

AGREED UPON SUMMARY OF ISSUES (use continuation pages or attach Word document)

The EEEB staff is objecting to the issuance of the amendment to Columbia license to implement TSTF-425 (Risk-Informed Surveillance Frequencies). The EEEB non-concurrence has four core objections to the proposed license amendment request (LAR):

1. The proposed amendment would modify the Columbia Technical Specifications (TSs) in a manner that doesn't meet the current licensing basis of Columbia and NRC regulatory requirements. Specifically, General Design Criterion (GDC) 17, GDC 18, 10 CFR 50.36(c)(3), and 10 CFR Appendix B Criterion III.
2. The Topical Report (TR) Safety Evaluation (SE) was not reviewed by the Office of the General Counsel (OGC).
3. There are no backstops provided for the Surveillance Requirement (SR) frequencies that would be relocated to the licensee controlled document.
4. The proposed amendment is risk-based, not risk-informed.

EVALUATION OF NON-CONCURRENCE AND RATIONALE FOR DECISION (use continuation pages or attach Word document)

The objections raised in this non-concurrence are identical to those raised by EEEB staff during the NRC review of a TSTF-425 LAR for the Perry Nuclear Power Plant, Unit 1 (NCP-2015-012) and similar to those raised in a pending DPO (DPO-2016-003). The non-concurrence, including the NRC's response to the non-concurrence is available under Agencywide Documents Access and Management System Accession No. ML16033A197. As no new issues have been raised by the current non-concurrence, nor has additional technical justification for the issues been provided, I find that the previous resolution of the issues remains valid. Thus, the NRC staff should proceed with issuance of the LAR.

TYPED NAME OF NCP COORDINATOR

Kimberly J. Green

TITLE

Sr. Project Manager

ORGANIZATION

NRR/DORL/LPL3-1

SIGNATURE--NCP COORDINATOR



DATE

10/24/16

TYPED NAME OF NCR APPROVER

Eric J. Benner


TITLE

Deputy Division Director

ORGANIZATION

NRR/DORL

SIGNATURE--NCP APPROVER



DATE

10/24/16