



**CENTERIOR
ENERGY**

PERRY NUCLEAR POWER PLANT

10 CENTER ROAD
PERRY, OHIO 44081
(216) 259-3737

Mail Address:
P.O. BOX 97
PERRY, OHIO 44081

Robert A. Stratman
VICE PRESIDENT - NUCLEAR

September 27, 1993
PY-CEI/NRR-1678 L

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

Perry Nuclear Power Plant
Docket No. 50-440
License Amendment Request: Clarification
of Licensed Operator Qualification
and Training Requirements

Gentlemen:


Enclosed is an application for amendment of the Facility Operating License (NPF-58) Appendix A Technical Specifications for the Perry Nuclear Power Plant (PNPP) Unit 1.

This License Amendment application proposes revisions to Sections 6.3.1 and 6.4.1 of the PNPP Unit 1 Technical Specifications to clarify the current requirements for unit staff qualifications and training programs. These changes are being proposed to remove Technical Specification requirements that are superseded due to a revision of 10 CFR 55 "Operator Licenses," which became effective on May 26, 1987, and the addition of a new part 50.120 entitled "Training and Qualification of Nuclear Power Plant Personnel" which became effective on May 26, 1993.

A Summary, a Discussion of the Proposed Changes, a Safety Assessment and the Environmental Considerations are provided in Attachment 1. Attachment 2 provides a copy of the marked up Technical Specification pages. Attachment 3 is the Significant Hazards Consideration. Please make the changes proposed herein effective upon issuance of the amendment.

If you have any questions or require additional information, please contact Kevin Donovan, Manager - Regulatory Affairs, at (216) 259-3737 extension 5606.

Sincerely,



Robert A. Stratman

RAS:TSH:ss
Attachments

cc: NRC Project Manager
NRC Resident Inspector Office
NRC Region III
State of Ohio

060034

Operating Companies
Cleveland Electric Illuminating
Toledo Edison

9310070216 930927
PDR ADOCK 05000440
P PDR

A001
11

SUMMARY

The purpose of this proposed License Amendment is to update the Perry Nuclear Power Plant (PNPP) Unit 1 Technical Specification requirements contained in Sections 6.3.1, "Unit Staff Qualifications," and 6.4.1, "Training." This update is necessary to replace or delete Technical Specification requirements that have been superseded by the NRC's revision of 10 CFR 50 and 55, effective May 26, 1987 (52 FR 9453), and the NRC's addition of a new 10 CFR 50.120, effective May 26, 1993 (58 FR 21904).

DISCUSSION OF THE PROPOSED CHANGES

A. Background

At the time the PNPP Technical Specifications were issued, the "Unit Staff Qualifications" section stated that the licensed operators and senior operators would meet or exceed the requirements specified in the H. R. Denton (NRC) March 28, 1980, letter to all power reactor applicants and licensees regarding qualification and training of reactor operators. Subsequently, the NRC amended its regulations in 10 CFR 50 and 55, effective May 26, 1987, to clarify the regulations for licensing of operators and senior operators.

Included among the new rules were detailed requirements for licensed operator qualifications and training programs. In conjunction with the issuance of the revised rules, the NRC also issued Revision 2 to Regulatory Guide (RG) 1.8, "Qualification and Training of Personnel for Nuclear Power Plants," April 1987, which provided specific guidance for implementing the new training program requirements for licensed operators and senior operators.

The new rules also provided, in lieu of the detailed requirements contained in the RG for operator and senior operator qualifications and training programs, for the NRC's acceptance of certification that the license applicant had successfully completed a Commission approved training program based on "a systems approach to training" [10 CFR 55.31(a)], and for the Commission's approval of a requalification program "developed by using a systems approach to training" [10 CFR 55.59(c)].

With respect to the "systems approach," the NRC stated in Generic Letter (GL) No. 87-07, "Information Transmittal of Final Rulemaking for Revisions to Operator Licensing - 10 CFR 55 and Conforming Amendments," dated March 19, 1987, and in NUREG-1262, "Answers to Questions at Public Meetings Regarding Implementation of Title 10, Code of Federal Regulations, Part 55 on Operators' Licenses," published November 1987, that the NRC would accept a licensee's licensed operator training program if it was certified to be accredited and based on a "systems approach to training," and that, with respect to licensed operators, this accreditation obviated the need to conform to Revision 2 of RG 1.8.

In accordance with the guidance contained in GL 87-07, the Cleveland Electric Illuminating Company (CEI) certified, by letter dated June 9, 1988 (PY-CEI/NRR-0866L), that both the initial and requalification operator and senior operator training programs for PNPP Unit 1 were accredited by INPO on January 27, 1988, and that these programs were based on a systems approach to training in accordance with the requirements of revised 10 CFR 55.31(a) and 55.59(c).

On March 20, 1985, the NRC issued "Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel" (50 FR 11147) which endorsed the training accreditation program developed by the Institute of Nuclear Power Operations (INPO), in association with its National Academy for Nuclear Training. Subsequently, on November 18, 1988, the NRC issued an amended "Commission Policy Statement on Training and Qualification of Nuclear Power Plant Personnel" (53 FR 466073), providing additional information regarding the NRC's experience with industry accreditation of training programs for various types of unit staff personnel, and providing guidance that reflected current Commission and industry guidance. However, on April 17, 1990 the U.S. Court of Appeals for the District of Columbia Circuit concluded that the Commission's Policy Statement did not meet the intent of the Congressional directive to create mandatory requirements for personnel training programs at civilian nuclear power plants. In response to the court's decision, on May 26, 1993, the NRC issued the rule which added 10 CFR 50.120 and superseded the policy statement on training and qualification of nuclear power plant personnel.

The new rule establishes the requirements for (1) determining training and qualification requirements for all appropriate personnel, (2) developing training programs, and (3) implementing and maintaining these programs effectively on a continuing basis. The programs must be derived from a "systems approach to training." The training program must provide for the training and qualification of the following categories of nuclear power plant personnel: non-licensed operator, shift supervisor, shift technical advisor, instrument and control technician, electrical and mechanical maintenance personnel, radiological protection technician, chemistry technician, and engineering support personnel. The above training programs at PNPP were initially accredited by INPO in 1988 and their accreditation was renewed in 1992.

In the Federal Register Notice accompanying the new rules, the NRC stated that the new rules supersede all current regulations for unit staff training and that those facility licensees that have made a commitment different from or more than that required by these new rules may apply to the Commission for license amendments and Technical Specification changes, so that they can conform to these new rules (see Federal Register Notices 52 FR 9454 and 58 FR 21904).

As indicated above, CEI has conformed to the new rules. However, the commitments for unit staff qualifications and training programs contained in Sections 6.3.1 and 6.4.1 of the PNPP Unit 1 Technical Specifications no longer match up with the new requirements. Therefore, changes are

proposed to Section 6.3.1 to incorporate the new 10 CFR 55 requirements for licensed operator and senior operator qualifications and to remove commitments superseded by the new rule. The new 10 CFR 50.120 requirements for a systems approach to training for selected nuclear power plant personnel, in conjunction with the previously issued 10 CFR 55 regulations on licensed operator training, will permit deletion of Section 6.4.1. These proposed changes are consistent with the guidance provided to Part 50 Licensees by the NRC staff in GL 87-07 and NUREG-1262 for obtaining relief from prior license commitments that have been superseded by or are different from the new rules, including the March 28, 1980, NRC letter to all licensees.

B. Description of Proposed Changes

Accordingly, the following administrative changes are proposed to Technical Specification Sections 6.3.1 and 6.4.1 for PNPP, Unit 1 (see Attachment 2), to clarify the current requirements for unit staff qualifications and training programs.

1. Remove the statement from Section 6.3.1 that licensed operators and senior operators shall meet or exceed the minimum qualifications of "the supplemental requirements specified in Sections A and C of Enclosure 1 of the March 28, 1980 NRC letter to all licensees," and replace it with a statement to comply with the requirements of 10 CFR 55.
2. Delete Section 6.4.1.

SAFETY ASSESSMENT

Technical Specification Section 6.3.1, "Unit Staff Qualifications," currently requires each member of the unit staff, which includes licensed operators and senior operators, to meet or exceed the minimum qualifications of ANSI N18.1-1971, "Selection and Training of Nuclear Power Plant Personnel." Section 6.3.1 also requires licensed operators and senior operators to meet or exceed the minimum qualifications of the supplemental requirements specified in Sections A and C of Enclosure 1 of the March 28, 1980, NRC letter to all licensees.

Technical Specification Section 6.4.1, "Training," currently requires that a retraining and replacement training program for the unit staff, which includes licensed operators and senior operators, shall meet or exceed the requirements and recommendations of Section 5.5 of ANSI N18.1-1971 and Appendix A of 10 CFR 55 and the supplemental requirements specified in Sections A and C of Enclosure 1 of the March 28, 1980, NRC letter to all licensees.

Upon issuance of the revised 10 CFR 55, licensed operator and senior operator qualifications and retraining and replacement training programs were required to comply with the new rule. In NUREG-1262, the NRC staff indicated that standard ANSI N18.1-1971, and RG 1.8, which endorses ANSI N18.1, are superseded by INPO accreditation in accordance with the revised rules, and

that licensees may submit a request to the NRC for an administrative change to their Technical Specifications to delete the requirements which have been superseded. In addition, NUREG-1262 states the following:

"The approval is effective automatically, if you have an accredited program and have certified that it is based on a systems approach in accordance with GL 87-07. You shouldn't expect to see any response from the Commission on changes that are implemented as a result of this rule, with the exception of any license amendments which are required because of something in your Technical Specifications. There are a number of facilities that have a more restrictive requirement in their Technical Specifications than that for which they would have to apply; amending their Technical Specifications to obtain relief is permitted under the rule. It would not have to be acted on within 60 days and would be processed as any routine change to the Technical Specifications."

In addition, NUREG-1262 states that revised 10 CFR 55 supersedes the supplemental requirements specified in the March 28, 1980, NRC letter to all licensees.

This Amendment request therefore involves a proposed administrative change to the PNPP Unit 1 Technical Specifications to eliminate inconsistencies with the current regulations concerning qualifications and training programs.

The licensed operator qualifications and training programs will continue to comply with the requirements of 10 CFR 55. The NRC, during the rulemaking process, has considered any impact that licensed operator qualifications and training programs may have on accidents previously evaluated. By promulgation of the revised 10 CFR 55 rule, the NRC determined that this impact remains unchanged when licensees certify, in accordance with GL 87-07, that their licensed operator training programs are accredited and are based on a systems approach to training. Therefore, with respect to licensed operator qualifications, Technical Specification 6.3.1 is revised to replace the superseded guidance with a reference to 10 CFR 55. With respect to licensed operator training, there is no need to maintain guidance within the Technical Specifications due to the existence of the 10 CFR Part 55 rulemaking, therefore reference to operator training may be deleted from Section 6.4.1.

The training program for appropriate unit staff personnel other than licensed operators is now addressed by the new 10 CFR 50.120 rulemaking. With the 10 CFR 50.120 rule, the NRC is emphasizing the need to ensure that industry personnel training programs are based upon job performance requirements. Personnel who are subjected to training based on job performance requirements should be able to perform their jobs more effectively, and with fewer errors. This will be accomplished using the systems approach to training, implemented by INPO accredited training programs for selected nuclear personnel. Included within the rule is the requirement that the training program must reflect industry experience. Therefore, due to the existence of the 10 CFR 50.120 rulemaking, there is no need to maintain references to training of unit staff personnel within Technical Specification Section 6.4.1.

In summary, the NRC has concluded, as stated in NUREG-1262, that the standards and guidelines applied by INPO in their training accreditation program are equivalent to those put forth or endorsed by the NRC. Therefore, maintaining INPO accredited, systems based training programs for licensed operators and other nuclear power plant personnel is equivalent to maintaining NRC approved training programs which conform with applicable NRC RGs or NRC endorsed ANSI/ANS standards. Additionally, the proposed Technical Specification changes do not affect plant design, hardware, system operation, or procedures. Therefore, Technical Specification 6.3.1 on unit staff qualifications may be revised as proposed, and Specification 6.4.1 may be deleted in its entirety.

ENVIRONMENTAL CONSIDERATIONS

The proposed Technical Specification Change Request has been reviewed against the criteria of 10 CFR 51.22 for environmental considerations. As shown above, and in Attachment 3, the proposed changes are purely administrative in nature in that the changes are designed to replace requirements that have been superseded with current NRC approved requirements that either meet or exceed the superseded requirements. The proposed changes do not involve a significant hazards consideration, nor increase the types and amounts of effluents that may be released offsite, nor significantly increase individual or cumulative occupational radiation exposures. Consequently, the proposed changes have no significant effect on the human environment. Based on the foregoing, it has been concluded that the proposed Technical Specification changes meet the criteria given in 10 CFR 51.22(c)(9) and (10) for categorical exclusion from the requirement for an Environmental Impact Statement.