



Power Generation Group

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Vice President

April 16, 1997  
PY-CEI/NRR-2160L

United States Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20555

Perry Nuclear Power Plant  
Docket No. 50-440  
10 CFR 50.54(a)(3) Reduction in Scope of Plant Operations Review Committee  
Responsibilities

Ladies and Gentlemen:

The Perry Nuclear Power Plant intends to modify the requirements of the Plant Operations Review Committee (PORC) as described in Chapter 17.2 of the Updated Safety Analysis Report. The changes will refocus the PORC on essential plant safety reviews and eliminate review functions that are redundant to other plant organizational reviews.

Review of this change is being requested pursuant to the provisions of 10 CFR 50.54(a)(3), as it is considered to reduce the commitments in the Quality Assurance Program description previously accepted by the Nuclear Regulatory Commission. There are no adverse effects presented by this commitment reduction. The function of the PORC to advise the General Manager, Perry Nuclear Power Plant Department, on all matters related to nuclear safety remains.

Attachment 1 to this letter provides the Reason for the Proposed Change, Details of the Proposed Change, and Bases for the Proposed Change. Attachment 2 provides marked-up pages from the Updated Safety Analysis Report.

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April 16, 1997

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If you have questions or require additional information, please contact Mr. Henry L. Hegrat,  
Manager - Regulatory Affairs, at (216) 280-5606.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lew W. Myers".

GGR:sc

Attachments

cc: NRC Project Manager  
NRC Resident Inspector  
NRC Region III

### Reason for the Proposed Change

This change applies to the review functions of the Plant Operations Review Committee (PORC) as described in the Perry Nuclear Power Plant (PNPP) Updated Safety Analysis Report (USAR) Chapter 17.2, "Quality Assurance During the Operation Phase." The function of the PORC is to advise the General Manager, Perry Nuclear Power Plant Department (PNPPD), on all matters related to nuclear safety. Under the proposed change, this function is clarified and various PORC reviews which have minimal safety impact or that are duplicative of other plant reviews are being deleted. The proposed change is summarized below:

1. With the exception of fire protection administrative procedures, the PORC will no longer be required to review and recommend approval of procedures.
2. The PORC will no longer be required to review proposed changes to the Operating License, including Technical Specifications, for the presence of an unreviewed safety question.
3. The PORC will no longer be required to review and recommend approval of Emergency Plan and Security Plan changes.
4. The PORC will no longer be required to designate preparers and approvers for procedures and instructions.

Since the function of the PORC is being revised, and selected PORC required reviews are being deleted, the proposed change reduces the commitments in the quality assurance program description previously accepted by the Nuclear Regulatory Commission (NRC). In accordance with 10 CFR 50.54(a)(3), the proposed change requires NRC approval prior to implementation.

### Details of the Proposed Change

USAR Section 17.2.1.3 describes the responsibilities and authorities of various positions having principal responsibilities associated with the Quality Assurance Program for the operation of PNPP Unit 1. The following text changes are proposed for USAR Chapter 17.2:

SECTION 17.2.1.3.4

PAGE 17.2-15

CHANGE Combine the two sentences by deleting everything in the first sentence after the word "which," delete "The PORC shall" in the beginning of the second sentence, and add an "s" to "function" in the second sentence. The revised combined sentence will read "The Plant Operations Review Committee is a special plant committee which functions to advise the General Manager, PNPPD, on all matters related to nuclear safety."

SECTION 17.2.1.3.4.1  
PAGE 17.2-15b and 17.2-15c  
CHANGE Delete items a, h, and i, on page 17.2-15b. Re-letter all the remaining items a through k. Simplify the wording of existing item b. (new item a.)

SECTION 17.2.1.3.4.2.a  
PAGE 17.2-15c  
CHANGE Re-letter items due to deletions of reviews discussed above. The revised sentence should read: "Recommend in writing to the General Manager, PNPPD, approval or disapproval of items considered under Section 17.2.1.3.4.1, a. through d., g., and h., above prior to their implementation;"

SECTION 17.2.1.3.4.2.b  
PAGE 17.2-15c  
CHANGE Re-letter items due to deletion of reviews discussed above, and the deletion of the requirement to perform safety evaluations on Technical Specification changes. This results in the sentence being modified from "...Section 17.2.1.3.4.1.b. through e...." to "...Section 17.2.1.3.4.1.a. through c...."

SECTION 17.2.5.2  
PAGE 17.2-30a  
CHANGE Delete the phrase "shall be reviewed by the PORC and"

SECTION 17.2.5.2  
PAGE 17.2-30b  
CHANGE In the second paragraph delete the phrase "appropriate management personnel as designated in writing by PORC, and approved by" The revised sentence will read "instructions shall be approved by the appropriate section managers or department directors (as applicable) as described in Plant Administrative Procedures." In the third paragraph delete "by PORC" and in the fifth paragraph delete the phrase "reviewed by the PORC and"

Attachment 2 provides marked-up USAR pages with the above changes annotated.

#### Bases for the Proposed Change

##### 1. USAR Section 17.2.1.3.4. Plant Operations Review Committee (PORC)

This section is revised to emphasize the primary function of the PORC by deleting the statement that the Plant Operations Review Committee is a special plant committee which performs review functions for the Perry Departments.

The primary function of the PORC is to advise the Plant Manager (General Manager, Perry Nuclear Power Plant Department) on all matters related to nuclear safety.

2. USAR Section 17.2.1.3.4.1, Item a., Review of all Administrative Procedures

Regulatory Guide 1.33, "Quality Assurance Program Requirements (Operation)", which endorses American National Standards Institute (ANSI) N18.7-1976/ANS-3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants", details the requirements of the on-site review committee (PORC). The review of Plant Administrative Procedures (PAPs) is not listed within the scope of the Regulatory Guide or the ANSI standard. Therefore, elimination of these document types reduces the administrative burden on the PORC and allows the PORC review function to be more appropriately focused on safety oversight. Although the PORC review function will be eliminated, proposed changes to the PAPs will still receive an in-depth review by qualified individuals. An inter-disciplinary review will also be performed if the document impacts multiple work groups. A screening will be performed on all intent changes and revisions to determine if a Safety Evaluation or Technical Specification change is required. The PORC will continue to review the 10 CFR 50.59 Safety Evaluations (if applicable) and any proposed Technical Specification changes (if applicable) for the proposed PAP changes. Overall, elimination of the PORC review requirements for proposed changes to PAPs is consistent with the guidance contained in Regulatory Guide 1.33.

3. USAR Section 17.2.1.3.4.1, Items h., and i., Review of the plant Security Plan and Security Contingency Instructions, Emergency Plan and implementing instructions

Generic Letter 93-07 (GL 93-07) was issued for changes to Technical Specifications (TS) to remove the audit of the emergency and security plans and implementing procedures from the list of responsibilities of the company nuclear audit and review group. In addition the guidance allowed TS changes to remove (1) the review of the emergency and security plans from the list of responsibilities of the PORC and (2) the requirements for the PORC to review procedures, and procedure changes, for the implementation of the emergency and security plans. The basis stated in GL 93-07 for removing these items from the TS is that this requirement is redundant to the information already contained within the individual programs and that the programs should control which group performs the reviews in order to meet the requirements set forth in regulation.

GL 93-07 includes a summary of the regulatory requirements regarding the Security Plan and the Emergency Plan and their implementing procedures. This includes the requirements for reviews and audits of the programs. It is important to note that no specific group is assigned the review responsibilities for information related to the Security and Emergency Plans. Information regarding the required characteristics of the review groups (i.e., independence from personnel which implement the Security and Emergency Plans) is included in the regulations. As stated in the generic letter, although the recommended change removes the requirements that are specific with regard to providing a plant operations perspective in the review and audit of the Security and Emergency Plans and implementing procedures, the NRC specifically states that it is not suggesting that licensees remove reviewers or auditors with this perspective when satisfying the regulatory requirements for these activities. However, removing the requirement that the PORC review these documents introduces flexibility in assigning the responsible group, as long as that group meets the criteria set forth in regulation for independence.

A change in the group designated responsibility for the review does not adversely affect the effectiveness of the Security or Emergency Plans, as long as the regulatory required level of review independence is maintained.

Regulatory Guide 1.33, "Quality Assurance Program Requirements (Operation)", which endorses American National Standards Institute (ANSI) N18.7-1976/ANS-3.2, "Administrative Controls and Quality Assurance for the Operational Phase of Nuclear Power Plants", details the requirements of the on-site review committee (PORC). The review of the Security Plan, Emergency Plan and their respective implementing instructions are not listed within the scope of the Regulatory Guide or the ANSI standard. Therefore elimination of these document types reduces the administrative burden on the PORC and allows the PORC review function to be more appropriately focused on safety oversight. Although the PORC review function will be eliminated, proposed changes to the Security Plan, Emergency Plan, and their implementing instructions will still receive an in-depth review by qualified individuals. An inter-disciplinary review will also be performed if the document impacts multiple work groups. A screening will be performed on all intent changes and revisions to determine if a Safety Evaluation or Technical Specification change is required. The PORC will continue to review the 10 CFR 50.59 Safety Evaluations (if applicable) and any proposed Technical Specification changes (if applicable) for the proposed changes. Overall, elimination of the PORC review requirements for proposed changes to the Security Plan, Emergency Plan and their implementing instructions is consistent with the guidance contained in Regulatory Guide 1.33.

4. USAR Section 17.2.1.3.4.2.b

The USAR Section 17.2.1.3.4.2.b requirement to provide a written determination of whether a proposed operating license or Technical Specification change involves an unreviewed safety question is not required to satisfy the requirements of 10 CFR 50.59. Thus, the USAR requirement for the PORC to review the safety evaluation for operating license or Technical Specification changes to determine whether or not changes to the operating license or Technical Specifications constitute an unreviewed safety question is unnecessary and can be removed. 10 CFR 50.59(a)(1) requires prior NRC approval for changes in the Technical Specifications and for proposed changes, tests, or experiments that involve an unreviewed safety question. The existence of an unreviewed safety question is determined by applying the criteria of paragraph 50.59(a)(2) of 10 CFR:

A proposed change, test, or experiment shall be deemed to involve an unreviewed safety question (i) if the probability of occurrence or the consequences of an accident or malfunction of equipment important to safety previously evaluated in the safety analysis report may be increased; or (ii) if a possibility for an accident or malfunction of a different type than any evaluated previously in the safety analysis report may be created; or (iii) if the margin of safety as defined in the basis for any technical specification is reduced.



The unreviewed safety question determination is only made to provide the basis that a change does or does not require prior approval by the NRC. Since paragraph 50.59(a)(1) states that changes to the Technical Specifications already require NRC approval prior to implementation, an unreviewed safety question determination for Technical Specification changes (which is documented in a safety evaluation), to determine the necessity of prior NRC approval, is not required.

10 CFR 50.90 through 50.92 provides the requirements for requesting amendments to a facility's operating license. Part of this process requires the development of a significant hazards consideration. These criteria are provided in Paragraph 50.92(c) and conclude that no significant hazards considerations exist if operation of the facility in accordance with the proposed amendment would not:

1. Involve a significant increase in the probability or consequences of an accident or malfunction of equipment important to safety previously evaluated; or
2. Create the possibility for a new or different kind of accident from any accident previously evaluated; or
3. Involve a significant reduction in a margin of safety.

This criteria is similar to the unreviewed safety question criteria contained in 10 CFR 50.59(a)(2). Hence, a significant hazards consideration provides essentially the same evaluation/conclusion that a 10 CFR 50.59 safety evaluation would provide.

Before the addition of 10 CFR 50.92, no regulatory guidance regarding significant hazards considerations existed. Due to the absence of guidance, the criteria of 10 CFR 50.59(a)(2) (for making unreviewed safety question determinations) were commonly used for evaluating changes to the Technical Specifications and the operating license. Thus, a 10 CFR 50.59(a)(2) determination was performed in support of proposed changes to the operating license or Technical Specifications. This requirement was included in the Standard Technical Specifications. When 10 CFR 50.92 was approved, the requirement in the Standard Technical Specifications was not revised to reflect the codified criteria regarding significant hazards considerations set forth in 10 CFR 50.92(c). Nor were the PNPP Technical Specifications changed as a result of the incorporation of 10 CFR 50.92(c).

The requirement for the PORC to review the unreviewed safety question determination on proposed operating license or Technical Specification changes was relocated from the Technical Specifications to USAR Section 17.2.1.3.4.2.b during implementation of Amendment 69 (Improved Technical Specifications) to the PNPP Operating License.

Based on the above, the USAR Section 17.2.1.3.4.2.b requirement to provide a written determination of whether a proposed operating license or Technical Specification change involves an unreviewed safety question is not required to satisfy the requirements of 10 CFR 50.59. Thus, the USAR requirement for the PORC to review the safety evaluation for operating license or Technical Specification changes to determine whether or not

changes to the operating license or Technical Specifications constitute an unreviewed safety question is unnecessary and can be removed.

5. USAR Section 17.2.5.2

These changes are being made to be consistent with the changes made in previous sections. The first change removes the requirement for the PORC to review each administrative procedure and changes thereto. This item is discussed in paragraph 2 above. The second change deletes the requirement for the PORC to designate, in writing, sections responsible for procedure/instruction reviews. Since there will no longer be a requirement for the PORC to review these procedures, as discussed in paragraph 2 above, the responsibility for designating procedure reviewers will not be with the PORC. The final change to this section deletes the requirement for the PORC to review recommended changes to the Security Plan, the Emergency Plan, or changes to the implementing instructions to these plans. This item has been previously discussed in paragraph 2 above.



17.2.1.3.3 President - Power Generation

President - Power Generation exercises authority over the Generation Services Department. Generation Services Department provides analytical services.

17.2.1.3.4 Plant Operations Review Committee (PORC)

The Plant Operations Review Committee is a special plant committee which ~~performs review functions for the Perry Departments. The PORC shall~~ function<sup>s</sup> to advise the General Manager, PNPPD, on all matters related to nuclear safety.

17.2.1.3.4.1 The PORC shall be responsible for:

- ~~a. Review of all Administrative Procedures;~~
- a~~h~~. Review of the <sup>written</sup> safety evaluations ~~for (1) proposed procedures/instructions, (2) changes to procedures/instructions, equipment, system or facilities, and (3) tests or experiments performed under the provisions of 10 CFR 50.59 to verify that such actions do not constitute an unreviewed safety question;~~
- b~~h~~. Review of proposed procedures/instructions and changes to procedures/instructions, equipment, systems or facilities which involve an unreviewed safety question as defined in 10 CFR 50.59;
- c~~h~~. Review of proposed tests or experiments which involve an unreviewed safety question as defined in 10 CFR 50.59;
- d~~h~~. Review of proposed changes to Technical Specifications or the Operating License;
- e~~h~~. Investigation of all violations of the Technical Specifications including the preparation and forwarding of reports covering evaluation and recommendations to prevent recurrence to the Vice President - Nuclear and to the Company Nuclear Review Board;
- f~~h~~. Review of all 10 CFR 50.73 reportable events;
- ~~h. Review of the plant Security Plan and Security Contingency Instructions;~~
- ~~i. Review the Emergency Plan and implementing instructions;~~
- g~~h~~. Review of changes to the Process Control Program, the Offsite Dose Calculation Manual, and Radwaste Treatment Systems;

- h. Review of any accidental, unplanned or uncontrolled radioactive release including the preparation of reports covering evaluation, recommendations, and disposition of the corrective action to prevent recurrence and the forwarding of these reports to the General Manager, PNPPD, the Company Nuclear Review Board and the Vice President - Nuclear;
- i. Review of Unit operations to detect potential hazards to nuclear safety;
- j. Investigations or analysis of special subjects as requested by the Chairman of the Company Nuclear Review Board; and
- k. Review of the Fire Protection Program and implementing procedures.

17.2.1.3.4.2 The PORC shall:

- a. Recommend in writing to the General Manager, PNPPD, approval or disapproval of items considered under Section 17.2.1.3.4.1, a. through ~~g.~~<sup>d.</sup>, ~~h.~~<sup>i.</sup>, ~~j.~~<sup>g.</sup>, and ~~k.~~<sup>h.</sup>, above prior to their implementation;
- b. Render determinations in writing with regard to whether or not each item considered under Section 17.2.1.3.4.1 ~~j.~~<sup>g.</sup> through ~~g.~~<sup>c.</sup>, above, constitutes an unreviewed safety question; and
- c. Provide written notification within 24 hours to the Vice President - Nuclear and the Company Nuclear Review Board of disagreement between the PORC and the General Manager, PNPPD, however, the General Manager, PNPPD, shall have responsibility for resolution of such disagreements pursuant to Technical Specification 5.1.1.

Written procedures/instructions shall be established, implemented, and maintained covering the activities referenced below:

- a. The applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978.
- b. The applicable procedures required to implement the requirements of NUREG-0737 and supplements thereto.
- c. Security Plan implementation.
- d. Emergency Plan implementation.
- e. Process Control Program implementation.
- f. Offsite Dose Calculation Manual implementation.
- g. Radiological Environmental Monitoring Program implementation.
- h. Fire Protection Program implementation.

Each administrative procedure for the activities listed above, and changes thereto, ~~shall be reviewed by the PORC and~~ shall be approved by the General Manager, PNPPD, prior to implementation. All procedures/instructions shall be reviewed periodically as set forth in administrative procedures.

Temporary changes to procedures/instructions which do not change the intent of the approved procedures/instructions shall be approved for implementation by two members of the plant management staff, at least one of whom holds a Senior Operator license. These temporary changes shall be documented. The temporary changes shall be approved by the original approval authority within 14 days. For changes to

procedures/instructions which may involve a change in intent of the procedures/instructions, the original approval authority shall approve the change prior to implementation.

Procedures/instructions for the activities listed above and other procedures/instructions which affect plant nuclear safety, and changes thereto, shall be prepared, reviewed and approved. Each such procedure/instruction or procedure/instruction change shall be reviewed by a qualified individual(s) other than the individual(s) which prepared the procedure/instruction or procedure/instruction change, but who may be from the same section as the individual(s) which prepared the procedure/instruction or procedure/instruction change. Instructions shall be approved by ~~appropriate management personnel as designated in writing by PORC, and approved by the appropriate section heads~~ <sup>managers or department directors</sup> as described in Plant Administrative Procedures. <sup>(as applicable)</sup>

Sections responsible for reviews, including cross-disciplinary reviews, shall be designated in writing ~~by PORC~~ and approved by the General Manager, PNPPD. The individual(s) performing the review shall meet or exceed the qualification requirements of appropriate section(s) of ANSI N18.1-1971.

Each review shall include a determination pursuant to 10 CFR 50.59 of whether or not the potential for an unreviewed safety question exists. If such a potential does exist, a safety evaluation per 10 CFR 50.59 to determine whether or not an unreviewed safety question is involved shall be performed. Pursuant to 10 CFR 50.59, NRC approval of items involving unreviewed safety questions shall be obtained prior to implementation.

The Plant Security Plan and Emergency Plan, and implementing instructions, shall be reviewed at least once per 12 months. Recommended changes to the Plans and implementing instructions shall be ~~reviewed by the PORC and approved by the General Manager, PNPPD.~~ NRC approval shall be obtained as appropriate.