

March 19, 2008

EA-08-42

Mr. James A. Spina, Vice President
Calvert Cliffs Nuclear Power Plant, Inc.
Calvert Nuclear Power Plant
1650 Calvert Cliffs Parkway
Lusby, Maryland 20657-4702

SUBJECT: CALVERT CLIFFS NUCLEAR POWER PLANT, UNITS 1 AND 2,
REQUALIFICATION INSPECTION REPORT NO. 05000317/2008007 AND
05000318/2008007

Dear Mr. Spina:

On February 22, 2008, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection at Calvert Cliffs Nuclear Power Plant (CCNPP) Units 1 and 2. The enclosed report documents the inspection results, which were discussed on February 22, 2008, with E. Dean and other members of your staff.

The inspection examined activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel. The inspection was focused on the review and closure of an unresolved item (URI) No. 05000317 and 318/2007005-01, "Timely NRC notification of SRO license restriction."

This report documents one NRC-identified finding of very low safety significance. The finding was determined to involve a Severity Level IV violation of NRC requirements. However, because of the very low safety significance and because the issue was entered into your corrective action program (CAP), the NRC is treating the finding as a non-cited violation (NCV) consistent with Section VI.A.1 of the NRC Enforcement Policy. If you contest the NCV in this report, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington, DC 20555-0001; with copies to the Regional Administrator, Region 1; the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at CCNPP.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response (if any) will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Mr. James A. Spina

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Should you have any questions regarding this inspection, please contact me at (610) 337-5046, or by E-mail at SLH1@NRC.GOV.

Sincerely,

/RA/

Samuel L. Hansell, Chief
Operations Branch
Division of Reactor Safety

Docket Nos. 050000317/05000318
License Nos. DPR-53/DPR-69

Enclosure: Report No. 05000317/2008007 and 05000318/2008007

cc w/encl:

M. J. Wallace, President, Constellation Generation
J. M. Heffley, Senior Vice President and Chief Nuclear Officer
President, Calvert County Board of Commissioners
C. W. Fleming, Esq., Senior Counsel, Nuclear Generation Group
J. Gaines, Director, Licensing
Director, Nuclear Regulatory Matters
R. McLean, Manager, Nuclear Programs
K. Burger, Esquire, Maryland People's Counsel
R. Hickok, NRC Technical Training Center
S. Pattison, SLO (2)
W. W. Thompson, Manager, Nuclear Training

Mr. James A. Spina

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C. W. Fleming, Esq., Senior Counsel, Nuclear Generation Group
J. Gaines, Director, Licensing
Director, Nuclear Regulatory Matters
R. McLean, Manager, Nuclear Programs
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SUNSI Review Complete: GAJ (Reviewer's Initials)

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Mr. James A. Spina

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U.S. NUCLEAR REGULATORY COMMISSION

REGION I

Docket Nos: 05000317/05000318

License No: DPR-53/DPR-69

Report Nos: 05000317/2008007 and 05000318/2008007

Licensee: Constellation Generation Group, LLC

Facility: Calvert Cliffs Nuclear Power Plant, Units 1 & 2

Dates: November 26, 2007 through February 22, 2008

Inspectors: Gilbert Johnson, Operations Engineer
Peter Presby, Operations Engineer

Approved by: Samuel L. Hansell, Chief
Operations Branch
Division of Reactor Safety

SUMMARY OF FINDINGS

IR 05000317/2008007 and 05000318/2008007, 11/26/07-2/22/08, Calvert Cliffs, Licensed Operator Requalification Program.

This inspection was conducted by two NRC region-based inspectors. On December 20, 2007, an in-office assessment of the 2007 annual operating exam results was performed using the guidance of NRC Manual Chapter 0609, Appendix I, "Operator Requalification Human Performance Significance Determination Process (SDP)" and the NRC Enforcement policy.

1. NRC-Identified and Self-Revealing Findings

Cornerstone: Reactor Safety/Mitigating Systems

The inspectors identified a Severity Level IV non-cited violation (NCV) of 10 CFR 50.74 for failing to report changes in a medical condition within 30 days. This requirement is implemented in Constellation Procedure NO-1-105, "Medical Requirements for Licensed Operators," Revision 4, Section 5.1 (D). As a result, a disqualifying medical condition for a Senior Reactor Operator (SRO) existed and was not reported to the NRC for approximately 18 months. Upon notification, the NRC determined this medical condition required a change to his license. Constellation personnel submitted the medical change documentation when they first became aware of the issue. In response, Region I added a no-solo license restriction for the individual's SRO license.

The violation is more than minor because it had the potential to impact the NRC's ability to perform its regulatory function since the NRC would have placed the restriction on the license eighteen months earlier. The issue was evaluated using the traditional enforcement process. This finding was of very low safety significance because at no time did the individual stand watch without additional personnel available, as required by the added license restriction. In addition, Constellation was timely in their reporting of the medical condition to the NRC when they received the updated information from the individual's primary care physician.

B. Licensee-Identified Findings

None.

Report Details

1. REACTOR SAFETY

1R11 Licensed Operator Requalification Program - Biennial Review (71111.11B)

a. Inspection Scope

The following inspection activities were performed using NUREG-1021, "Operator Licensing Examination Standards for Power Reactors," IP 71111.11, "Licensed Operator Requalification Program." Nine medical records were reviewed to determine whether the records were complete, that restrictions noted by the Constellation doctor were reflected on the individual's license and that the physical examinations were given within 24 months. License restrictions were compared to NRC records. The inspection was focused on the review and closure of an unresolved item (URI) No. 05000317 and 318/2007005-01, "Timely NRC notification of SRO license restriction."

b. Findings

Introduction: The inspectors identified a Severity Level IV non-cited violation (NCV) of 10 CFR 50.74 for failing to report changes in a medical condition of one senior reactor operator (SRO) within 30 days. This requirement is implemented in Constellation Procedure NO-1-105, "Medical Requirements for Licensed Operators," Revision 4, Section 5.1 (D). As a result, a disqualifying medical condition for the SRO existed and was not reported to the NRC for approximately 18 months. Upon notification, the NRC determined this medical condition required the imposition of a "no solo" condition on the individual's license.

Description: The individual was tested by a cardiologist in May 2003, and was subsequently prescribed a medication to control a known heart condition. The individual did not report the medical condition nor the prescribed medication to the Constellation Environmental Health and Safety Department as required by Constellation Procedure NO-1-105.

During a routine physical examination in January 2005, Constellation's Physician Assistant (PA) noted that the individual had listed a new medication on his pre-physical survey, and the PA recognized that this medication is usually prescribed for a heart condition. The PA requested information from the individual's primary care physician to determine the medication's impact on the SRO. When the PA received the diagnosis from the cardiologist, he promptly initiated the process to notify the NRC of the condition. Following notification, the NRC placed a no-solo restriction on the individual's license.

The reporting requirements of 10 CFR 50.74, "Notification of change in operator or senior operator status," are administratively controlled at the station by Constellation Procedure NO-1-105 "Medical Requirements for Licensed Operators," Section 5.1 (D). Revision 4 of this procedure was in effect during the time-frame that the violation occurred. The procedure requires licensed operators to immediately report any

Enclosure

changes in their medical conditions to their supervisor. Each individual's license has a license condition to observe the operating procedures and other conditions specified in the facility license.

The performance deficiency involved untimely reporting of changes in the medical status of a SRO within 30 days as required by 10 CFR 50.74. Constellation Procedure NO-1-105 "Medical Requirements for Licensed Operators," Section 5.1 (D), requires licensed operators to immediately report any changes in their medical conditions to their supervisor. The SRO's license requires the individual to observe the operating procedures and other conditions specified in the facility license.

Analysis: The violation is more than minor because it had the potential to impact the NRC's ability to perform its regulatory function since the NRC would have placed the restriction on the license eighteen months earlier. It was evaluated using the traditional enforcement process. The NRC's review of the issue determined the finding to be a Severity Level IV violation consistent with the Enforcement Policy Supplement I, "Reactor Operations," Section D.3., "A failure to meet regulatory requirements that have more than minor safety." The SRO's medical condition change went unreported for eighteen months. This finding was of very low safety significance because at no time did the individual stand watch without having additional personnel available to render assistance as required by the imposed restriction. In addition, the facility was timely in their reporting of the medical condition to the NRC when they received the pertinent information from the individual's primary care physician.

Enforcement: 10 CFR 50.74 requires, in part, that "each licensee shall notify the Commission within 30 days of a licensed operator or senior operator who has a permanent disability or illness as described in 10 CFR 55.25." 10 CFR 55.25 requires "if during the term of the license, the licensee develops a permanent physical or mental condition that causes the licensee to fail to meet the requirements of 10 CFR 55.21 of this part, the facility licensee shall notify the Commission after learning of the diagnosis." ANSI/ANS 3.4, 1983 version, identifies "disqualifying conditions" as medical conditions that, potentially, do not meet the requirements of 10 CFR 55.21. Contrary to the requirements, between May 2003 and January 2005, a licensed operator had a "disqualifying condition" and Calvert Cliffs did not notify the NRC within the required 30 days. The May 2003 cardiologist examination described a condition that met the ANSI/ANS 3.4 criteria for a "disqualifying condition." This Severity Level IV violation is being treated as a NCV consistent with Section VI.A.1 of the NRC Enforcement Policy. When recognized at the first opportunity, Constellation personnel took prompt action to notify the NRC and entered the issue into their corrective action program (IRE-027-329). Based on the above, unresolved item (URI) No. 05000317&318/2007005-01, "Timely NRC notification of SRO license restriction," is closed. **(NCV 05000317-318/2007005-01, Failure to Promptly Report a Senior Licensed Operator Permanent Disability)**

4. OTHER ACTIVITIES4OA6 Meetings, Including Exit

The inspectors presented inspection results to Constellation management at the conclusion of the inspection on November 30, 2007, during an interim exit meeting held at the site. On December 20, 2007, Constellation personnel were contacted via telephone to discuss additional information related to the issue. A final telephone exit meeting was held on February 22, 2008, to discuss the violation and to obtain the status of Constellation's corrective actions.

ATTACHMENT
SUPPLEMENTAL INFORMATION
KEY POINTS OF CONTACT

Licensee Personnel

W. Holston - Training Manager
R. Pace - General Supervisor Operations Training
N. Lavato - Operations Continuing Training Supervisor
T. Riti - General Supervisor, Operations
C. Walker - Simulator Tester
E. Dean. - Operations Manager

NRC Personnel

G. Johnson, Operations Engineer
P. Presby, Operations Engineer
S. Kennedy, Senior Resident Inspector

LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

Opened and Closed

05000317-318/2008007-01 NCV Failure to Promptly Report a Senior Licensed Operator
Permanent Disability

Closed

05000317&318/2007005-01 URI Timely NRC notification of SRO license restriction