

August 13, 2004

Mr. J. V. Parrish
Chief Executive Officer
Energy Northwest
P.O. Box 968 (Mail Drop 1023)
Richland, WA 99352-0968

SUBJECT COLUMBIA GENERATING STATION (CGS) - AUDIT OF THE MANAGEMENT
OF REGULATORY COMMITMENTS (TAC NO. MC3456)

Dear Mr. Parrish:

On May 27, 2003, the Office of Nuclear Reactor Regulation Office Instruction LIC-105, "Managing Regulatory Commitments Made by Licensees to the NRC [Nuclear Regulatory Commission]," was published. LIC-105, which is publicly available electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the Internet at the NRC web site (Accession No. ML022750041), provides the NRC staff and its stakeholders with a common reference for handling regulatory commitments made by licensees for commercial nuclear reactors to the NRC staff. The guidance is consistent with the industry guidance prepared by the Nuclear Energy Institute (NEI), NEI 99-04, "Guidance for Managing NRC Commitment Changes." LIC-105 specifies that once every 3 years, the NRC staff will audit a licensee's commitment management program.

An audit of Energy Northwest's commitment management program was performed on site on June 17, 2004. The NRC staff concludes that: (1) the licensee had implemented or is tracking for future implementation regulatory commitments, and (2) the licensee had implemented an effective program to manage regulatory commitment changes. Details of the audit are set forth in the enclosed audit report.

Sincerely,

/RA/

William A. Macon, Jr., Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosure: Audit Report

cc w/encl: See next page

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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION
REGULATORY COMMITMENTS MADE BY ENERGY NORTHWEST TO
THE NUCLEAR REGULATORY COMMISSION
COLUMBIA GENERATING STATION
DOCKET NO. 50-397

1.0 INTRODUCTION AND BACKGROUND

On May 27, 2003, the Office of Nuclear Reactor Regulation (NRR) Office Instruction LIC-105, "Managing Regulatory Commitments Made by Licensees to the NRC," was published. LIC-105, which is publicly available electronically from the Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Room on the Internet at the NRC web site (Accession No. ML022750041), provides the NRC staff and its stakeholders with a common reference for handling regulatory commitments made by licensees for commercial nuclear reactors to the NRC staff. The guidance is consistent with the industry guidance prepared by the Nuclear Energy Institute (NEI), NEI 99-04, "Guidance for Managing NRC Commitment Changes."

According to LIC-105, which cites the definition from NEI-99-04, a "regulatory commitment" is an explicit statement to take a specific action agreed to, or volunteered by, a licensee and submitted in writing on the docket to the NRC. LIC-105 further directs the NRR Project Manager to "audit the licensee's commitment management program by assessing the adequacy of the licensee's implementation of a sample of commitments made to the NRC in past licensing actions (amendments, reliefs, exemptions, etc.) and activities (bulletins, generic letters, etc.)." The audit is to be performed every three years.

2.0 AUDIT PROCEDURE AND RESULTS

An audit of the Columbia Generating Station (CGS) commitment management program was performed on site on June 17, 2004. Copies of plant records were subsequently reviewed at NRC Headquarters to complete the audit. The audit consisted of two major parts: (1) verification of the licensee's implementation of NRC commitments, and (2) verification of the licensee's program for managing NRC commitment changes.

2.1 Verification of Energy Northwest's Implementation of NRC Commitments

2.1.1 Audit Scope

The primary focus of this part of the audit is to confirm that the licensee has implemented those commitments made to the NRC as part of past licensing actions/activities. The audit should, therefore, ensure that the sample of completed commitments was implemented in a manner that satisfied both the action committed to and the overall intent of the commitment.

The NRC staff reviewed samples of Energy Northwest's commitments that were approved by the NRC to justify a licensing action (amendment, exemption, etc.) or resolve a licensing activity (bulletin, generic letter, etc.) to evaluate whether the commitments were implemented in a manner that satisfied both the action committed to and the overall intent of the commitment. For commitments that had not yet been implemented, the NRC staff evaluated whether these commitments were being effectively tracked for future implementation by the committed schedule. The NRC staff searched ADAMS for past licensing actions/activities and evaluated whether the licensee entered associated commitments into their tracking database. The NRC staff evaluated the licensee's implementation of specific regulatory commitments by reviewing licensee commitment management records and other documentation that could demonstrate that the specific actions were completed in accordance with the stated commitment and schedule. Each commitment was also evaluated to determine whether the commitment was captured, as appropriate, in an update to the CGS Updated Final Safety Analysis Report (UFSAR).

2.1.2 Audit Results

CGS procedure number SWP-LIC-01, "Regulatory Commitment Management," describes the licensee's regulatory commitment management process. This procedure defines how written commitments to regulatory agencies are to be made only by those individuals with signature authority for correspondence addressed to regulatory agencies. Specifically:

Prior to placing a commitment in an outgoing letter, the responsible managers are expected to obtain support from the managers of the implementing organizations. A Regulatory Commitment Identification Form should be attached to all outgoing regulatory correspondence that contains commitments during the concurrence and approval process.

Once commitments are identified, Plant Tracking Log (PTL) codes are properly assigned on the Regulatory Commitment Identification Form for each proposed commitment and the commitments entered into the PTL. For commitments that are ongoing and are implemented in plant procedures, items are created in the Requirement Tracking System (RTS) to facilitate future identification and tracking.

The NRC staff reviewed reports generated by the RTS for the commitments listed below and evaluated the status of their completion. The NRC staff found that the licensee's commitment tracking programs had captured all the regulatory commitments that were identified by the NRC staff before and during the audit.

The specific regulatory commitments that were audited are as follows (as described in CGS plant records):

Docketed Correspondence	Regulatory Commitment as Stated in Licensee Submittal and Licensee's Tracking Number	Audit Results - Verification of Implementation
<p>NRC Issuance GL 95-07 August 17, 1995 ----- CGS Submittal June 30, 1999 GO2-99-121</p>	<p>Modify HPCS system injection valve HPCS-V-4 to preclude pressure locking during the R-15 refueling outage. PTL #160195</p>	<p>Complete. HPCS-V-4 was modified on 6/22/01 under PMR 99-0108-0.</p>
<p>NRC Issuance GL 95-07 August 17, 1995 ----- CGS Submittal June 30, 1999 GO2-99-121</p>	<p>Modify RCIC system valve RCIC-V-31 to preclude pressure locking during the R-15 refueling outage. PTL #160202</p>	<p>Complete. RCIC-V-31 was modified on 6/1/01 under PMR 99-0107-0.</p>
<p>CGS Submittal February 19, 2003 ML030590246 ----- NRC Issuance NOED 03-4-001 February 21, 2003 ML030520647</p>	<p>Perform a causal analysis for the degraded DG-1 bearing(s) after removal. PTL #197339</p>	<p>Complete. Root cause analysis on DG1 bearings completed 4/7/03.</p>
<p>CGS Submittal October 22, 2002 ML023050386 ----- NRC Issuance Amendment 184 January 27, 2003 ML030280681</p>	<p>Maintain contingency plans for obtaining and analyzing highly radioactive samples of reactor coolant. PTL #197991</p>	<p>Complete. Procedure PPM 12.10.12, Rev. 2, effective 4/15/04, incorporates this commitment.</p>
<p>CGS Submittal October 22, 2002 ML023050386 ----- NRC Issuance Amendment 184 January 27, 2003 ML030280681</p>	<p>Maintain the capability for classifying fuel damage events at the alert level threshold. PTL #197992</p>	<p>Complete. RTS commitments entered into procedure EPIP 13.1.1A and EPIP 13.8.1 where appropriate.</p>

Docketed Correspondence	Regulatory Commitment as Stated in Licensee Submittal and Licensee's Tracking Number	Audit Results - Verification of Implementation
<p>CGS Submittal October 22, 2002 ML023050386 ----- NRC Issuance Amendment 184 January 27, 2003 ML030280681</p>	<p>Maintain I-131 site survey detection capability, including the ability to assess radioactive iodines released to offsite environs. PTL #197993</p>	<p>Complete. RTS commitments entered into procedure EPIP 13.1.1A and EPIP 13.8.1 where appropriate.</p>
<p>NRC Issuance GL 2003-01 June 12, 2003 ML031620248 ----- CGS Submittal August 11, 2003 ML032260330</p>	<p>Reperform ASTM E741 tracer gas test to support GL 2003-01 response and resubmittal of alternate source term license amendment. PTL #205294</p>	<p>Complete. Testing was completed on 11/4/03 under WO 01062664.</p>
<p>NRC Issuance GL 2003-01 June 12, 2003 ML031620248 ----- CGS Submittal August 11, 2003 ML032260330</p>	<p>Determine the value for the most limiting unfiltered inleakage into the CRE during a hazardous chemical event. PTL #205296</p>	<p>Open. Evaluation in progress.</p>
<p>NRC Issuance GL 2003-01 June 12, 2003 ML031620248 ----- CGS Submittal August 11, 2003 ML032260330</p>	<p>Following the guidance in Reg Guide 1.196, perform an analysis to confirm reactor control capability is maintained in the event of smoke. PTL #205298</p>	<p>Open. Evaluation in progress.</p>

As described in Section 2.1.1 above, the NRC staff found that all of the above commitments were adequately captured in the licensee's database and that each commitment was implemented as specified or was being appropriately tracked for completion.

2.2 Verification of Energy Northwest's Program for Managing NRC Commitment Changes

2.2.1 Audit Scope

The primary focus of this part of the audit is the licensee's performance related to implementing controls for modifying or deleting commitments made to the NRC. The audit should ensure that changes to commitments (modifications or deletions) are evaluated in accordance with the licensee's programs and procedures, that the licensee's technical evaluations adequately justify the change, and that the NRC is informed of commitment changes that have safety or regulatory significance.

The NRC staff reviewed the licensee's commitment change process to: (1) evaluate the licensee's methodology for proposed changes to regulatory commitments with particular consideration given to the intent of the original commitment and the safety and regulatory significance of the proposed change; and, (2) evaluate the licensee's method of communicating commitment changes to the NRC when reports are warranted due to either safety or regulatory considerations. The NRC staff also evaluated the licensee's administrative controls for maintaining commitment "traceability" (e.g., markings or notations within procedures) to ensure that licensee personnel are able to recognize that future changes to the affected design features or operating practices require evaluation of the proposed change in accordance with the commitment change control process.

2.2.2 Audit Results

CGS procedure number SWP-LIC-01 includes a consistent process to change NRC regulatory commitments of low safety significance without adversely affecting the level of safety at CGS. This process is based on the guidance of NEI 99-04 and provides a logical method for evaluating commitments for possible revision or deletion. Appropriate NRC notification in response to regulatory commitment changes is also defined.

CGS procedure number SWP-LIC-02, "Licensing Basis Impact Determinations," is used to perform an applicability determination for any proposed commitment revision or deletion. The results of this review will determine if the proposed commitment change is covered by another codified process (e.g., 10 CFR 50.59, 10 CFR 72.48, or 10 CFR 50.54). CGS procedure number SWP-LIC-03, "Licensing Document Change Process," is used to evaluate individual changes to regulatory commitments embodied in the plant's UFSAR or to justify reductions in scope of the UFSAR.

Once commitment changes are identified, a Regulatory Commitment Change Form is completed and reviewed. NRC notification is provided as necessary, as determined by the commitment change evaluation process defined in SWP-LIC-01. PTL and RTS items tracking the commitment are updated as appropriate to document the regulatory commitment change. In addition, an annual report is provided to the NRC summarizing regulatory commitment changes that require NRC notification but did not require prior NRC notification.

The NRC staff determined that CGS procedure number SWP-LIC-01 closely follows the guidance of NEI 99-04 in that it sets forth the need for identifying, tracking, and reporting commitments, and it provides an acceptable mechanism for changing commitments.

Additionally, the effectiveness of the procedure, as well as SWP-LIC-02 and SWP-LIC-03, is demonstrated by the products that are produced and maintained.

The specific commitment changes that were audited are as follows (as described in CGS plant records):

Docketed Correspondence	Original Regulatory Commitment and Licensee's Tracking Number	Audit Results - Verification of Change
CGS Submittal 2000 Annual Operating Report February 23, 2001 ML010650173	Revise procedures associated with power oscillation monitoring to require that the ANNA system be operable and in service from greater than 25% reactor power and less than 50% core flow. PTL #62133	Revised 8/18/00. Eliminated requirement for continuous ANNA watch while in the AIA at steady state due to installation of OPRM which provides an audible alarm.
CGS Submittal 1999 Annual Operating Report February 29, 2000 ML003694647	Letter G02-93-055 committed to an enhanced monitoring program for Rosemount dp transmitters. PTL #104285	Deleted 10/5/99. All actions have been completed and the commitment is no longer needed.
CGS Submittal 1999 Annual Operating Report February 29, 2000 ML003694647	Plant QA procedure PQA-03 will be revised to provide direction to evaluate surveillance deficiency findings against plant reporting requirements. PTL #108284	Deleted 10/13/99. QA surveillance findings are reviewed for reportability under the corrective action program.
CGS Submittal 2000 Annual Operating Report February 23, 2001 ML010650173	Revise pre-fire plans to include shutdown of ventilation systems as a fire brigade leader action. PTL #110598	Deleted 7/6/00. This action is now directed from the control room by approved plant procedures.
CGS Submittal 2002 Annual Operating Report February 27, 2003 ML030730459	Test backup scram valves at 18 month intervals as part of the RPS logic functional test to verify operability. PTL #110953	Revised 4/30/02. Testing interval changed to 24 months.

Docketed Correspondence	Original Regulatory Commitment and Licensee's Tracking Number	Audit Results - Verification of Change
CGS Submittal 1999 Annual Operating Report February 29, 2000 ML003694647	Revise Procedure PPM 11.2.2.5 to require exposure controls for non-routine high radiation area entries expected to be greater than 50 mrem per task. PTL #116677	Deleted 12/30/99. The commitment failed to address the violations it was intended to correct.
CGS Submittal 2002 Annual Operating Report February 27, 2003 ML030730459	Revise internal process to enhance the effectiveness of industry events training by July 1, 1993. PTL #140312	Deleted 11/19/02. Incorporation of OE into training programs is preserved by other requirements.
CGS Submittal 1999 Annual Operating Report February 29, 2000 ML003694647	Workers are required to notify HP personnel prior to starting work in radiological areas. PTL #144467	Revised 6/10/99. Change requires workers to have a face-to-face meeting with HP only for those instances which are radiologically significant or have the potential to change radiological conditions.
CGS Submittal 1999 Annual Operating Report February 29, 2000 ML003694647	A startup plan would be developed in accordance with a POC-approved procedure. PTL #159531	Revised 6/18/99. Revision 26 to the OQAPD eliminated the need for POC to review plant procedures which was approved by the NRC.
CGS Submittal 2000 Annual Operating Report February 23, 2001 ML010650173	Doors R-6 and R-6A located between the RHR pump rooms will remain closed and locked and will only be opened during shutdown modes of the plant and in the unlikely event of fire in RHR room on northeast corner of the plant (Fire Zone R-V). PTL #170082	Deleted 9/26/00. Administrative means will be used to keep doors R-6 and R-6A normally closed, and to control fire fighting actions.
CGS Submittal 2002 Annual Operating Report February 27, 2003 ML030730459	Perform augmented RFW nozzle inspections in accordance with WNP-2 response to NUREG-0619. PTL #185190	Revised 11/19/2002. Changed to implement the latest NRC approved industry recommendations.

As described in Section 2.2.1 above, the NRC staff found that all of the above commitment changes were adequately identified, evaluated, and reported.

3.0 CONCLUSION

The NRC staff concludes that, based on the above audit: (1) the licensee had implemented or is tracking for future implementation, regulatory commitments, and (2) the licensee had implemented an effective program to manage regulatory commitment changes.

4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

A. Carlyle
C. Perino

Columbia Generating Station

cc:

Mr. Dale Atkinson (Mail Drop PE08)
Vice President, Technical Services
Energy Northwest
P.O. Box 968
Richland, WA 99352-0968

Mr. Rodney L. Webring (Mail Drop PE04)
Vice President, Nuclear Generation
Energy Northwest
P.O. Box 968
Richland, WA 99352-0968

Mr. Albert E. Mouncer (Mail Drop PE01)
Vice President, Corporate Services/
General Counsel/CFO
Energy Northwest
P.O. Box 968
Richland, WA 99352-0968

Thomas C. Poindexter, Esq.
Winston & Strawn
1400 L Street, N.W.
Washington, DC 20005-3502

Chairman
Energy Facility Site Evaluation Council
P.O. Box 43172
Olympia, WA 98504-3172

Mr. Bob Nichols
Executive Policy Division
Office of the Governor
P.O. Box 43113
Olympia, WA 98504-3113

Mr. D. W. Coleman (Mail Drop PE20)
Manager, Performance Assessment
and Regulatory Programs
Energy Northwest
P.O. Box 968
Richland, WA 99352-0968

Ms. Lynn Albin
Washington State Department of Health
P.O. Box 7827
Olympia, WA 98504-7827

Ms. Christina Perino (Mail Drop PE20)
Manager, Licensing
Energy Northwest
P.O. Box 968
Richland, WA 99352-0968

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-4005

Chairman
Benton County Board of Commissioners
P.O. Box 190
Prosser, WA 99350-0190

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P.O. Box 69
Richland, WA 99352-0069