

January 6, 2005

Mr. Paul D. Hinnenkamp  
Vice President - Operations  
Entergy Operations, Inc.  
River Bend Station  
5485 US Highway 61N  
St. Francisville, LA 70775

SUBJECT: RIVER BEND STATION, UNIT 1 - AUDIT OF LICENSEE COMMITMENT  
MANAGEMENT PROGRAM (TAC NO. MC3564)

Dear Mr. Hinnenkamp:

The enclosed report provides the results of an audit conducted by U.S. Nuclear Regulatory Commission (NRC) staff from July 19 through 22, 2004, of the commitment management program at River Bend Station, Unit 1 (RBS). Based on the audit, the NRC staff concludes that (1) RBS has implemented commitments to the NRC on a timely basis and (2) RBS has implemented an effective program for managing NRC commitment changes.

We would like to extend our appreciation to your licensing staff who participated in the audit, both before and during the audit. If you have any questions, please have your staff contact me.

Sincerely,

*/RA/*

Michael K. Webb, Senior Project Manager, Section 1  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Docket No. 50-458

Enclosure: Audit Report

cc w/encl: See next page

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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION (NRR)

REGULATORY COMMITMENTS MADE BY THE LICENSEE TO

THE NUCLEAR REGULATORY COMMISSION (NRC)

RIVER BEND STATION, UNIT 1 (RBS)

DOCKET NO. 50-458

1.0 INTRODUCTION AND BACKGROUND

On May 27, 2003, the Office of Nuclear Reactor Regulation (NRR) issued Office Instruction LIC-105, "Managing Regulatory Commitments Made by Licensees to the NRC." LIC-105, 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 Number ML022750041), provides the NRC staff and its stakeholders with a common reference for handling regulatory commitments made to the NRC staff by licensees for commercial nuclear reactors. 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 3 years.

2.0 AUDIT SCOPE AND RESULTS

2.1 Audit Scope

The audit was performed at the RBS site on July 19 - 22, 2004. Since no such audit was performed before issuance of LIC-105, the NRC staff defined the period covered by this audit to go back approximately 3 years from the date of the audit.

LIC-105 limits the audit of commitments to those made in writing to the NRC as a result of past licensing actions (amendments, exemptions, etc.) or licensing activities (bulletins, generic letters, etc.). Prior to the audit, in order to generate a list of items for the audit, the NRC staff searched ADAMS for the licensee's licensing action and licensing activity submittals dated in the last 3 to 4 years. Then from this list, the NRC staff selected a representative sample of submittals to audit.

In addition, the NRC staff selected a sample of items from the licensee's most recent Commitment Change Summary Reports, submitted as attachments to letters forwarding Revisions 16 and 17 (dated March 12, 2003, Accession Number ML0307707621 and

December 11, 2003, Accession Number ML033560531, respectively) to the Updated Safety Analysis Report (USAR). The NRC staff also selected a sample of additional commitment changes performed since the December 11, 2003, report (from a report that was generated by the licensee). The NRC staff again ensured that the sample selected related to the licensee's licensing action and licensing activity submittals and asked the licensee to provide documentation to support the audit.

The licensee provided documentation to support the NRC staff audit in each of the sample areas discussed above. The licensee's documentation included summary sheets providing the status of the commitment and appropriate backup documentation, as needed (i.e., plant procedures, examination records, and/or other plant documentation).

## 2.2 Verification of Licensee's Implementation of NRC Commitments

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. For commitments that had not yet been implemented, the NRC staff aimed to ascertain that they have been captured in an effective program for future implementation.

RBS commitments are tracked in accordance with Entergy Operations, Inc., Nuclear Management Manual Procedure LI-110, Revision 0, "Commitment Management Program." The licensee enters commitments made to the NRC using a commitment tracking database called Licensing Research System (LRS). Each week, the licensing staff generates from the database a two-week "Look ahead" of commitments with impending due dates and distributes the list to the applicable organization(s). Periodically the licensing staff also performs longer-term "all open" commitment queries and distributes the results to the responsible staff. Since the system was created, the licensee has entered more than 12,000 licensee-defined commitments; at the time of audit there were 119 open items, of which 53 were 10 CFR Part 55, Operators' licenses, renewals. There were 21 active commitments that met the NEI 99-04 definition of "regulatory commitment."

The NRC staff reviewed documentation generated by the licensee related to items that are categorized as amendments, NRC Bulletin responses, or Generic Letter responses, to evaluate the implementation of the licensee's procedure LI-110, including the status of their completion. For the sample of commitments selected for the audit, the NRC staff found that the licensee's commitment tracking program had captured all of the regulatory commitments and that all of the commitments were met or were on schedule.

## 2.3 Verification of the Licensee's Program for Managing NRC Commitment Changes

### 2.3.1 Change Control Procedure Verification

The NRC staff reviewed the licensee's procedure LI-110, Revision 0, against NEI 99-04. Section 5.8 of LI-110, Changing or Deleting Obligations or Commitments, discusses how changes shall be conducted. The process to change commitments and the Commitment Change Evaluation Form that is used to document the changes are derived from NEI 99-04.

The NRC staff found that the licensee's procedure is consistent with the guidance in NEI 99-04.

## 2.3.2 Procedure Implementation Assessment

### 2.3.2.1 Commitment Changes Reported to the NRC

The NRC staff reviewed documentation generated by the licensee related to items categorized as Commitment Changes. The NRC staff found that the licensee had properly addressed each regulatory commitment selected for this audit and that the licensee had implemented an effective program to manage commitment changes.

### 2.3.2.2 Commitment Changes Not Reported to the NRC

The licensee indicated that they report all commitment changes to the NRC; therefore, this section is not applicable.

### 2.3.2.3 Notifications to the NRC of Commitment Changes

Regarding periodic notification of commitment changes, the licensee routinely provides these reports. As indicated above, the last such report was submitted on December 11, 2003.

### 2.3.2.4 Traceability of Commitments

Section 5.6, Implementing Document Changes, of LI-110, addresses those actions that the licensee staff are to take when performing revisions to an implementing document. When changing documents, LI-110 directs that licensee staff should review the document being changed against the commitment report to determine whether or not the change will maintain satisfactory implementation of the commitment. If ownership for implementing a commitment transfer from one department to another, the person who originates the transfer must obtain approval and acceptance of ownership with the new department. Based on input from responsible departments, plant licensing staff review and update commitment implementation information and incorporate the data into the LRS database. Section 5.7, Procedure Improvement, notes that commitments that are implemented by procedures should be explicitly cross-referenced or identified in the procedure to facilitate the change and to ensure traceability of the commitment. Section 7.0, Records, of LI-110, addresses documentation of the decisions made in applying the commitment change process.

Based upon the licensee's implementation of the requirements of LI-110, the NRC staff found that the licensee's commitments were traceable.

## 3.0 CONCLUSION

The NRC staff concludes that, based on the above audit, (1) the licensee has implemented NRC commitments on a timely basis, and (2) the licensee had implemented an effective program to manage regulatory commitment changes.

4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

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Date: January 6, 2005

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June 2004