



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 30, 2008

Mr. Charles G. Pardee
President and
Chief Nuclear Officer
Exelon Nuclear
Chief Nuclear Officer
AmerGen Energy Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: CLINTON POWER STATION, UNIT NO. 1 AND LASALLE COUNTY STATION,
UNITS 1 AND 2 - AUDIT OF THE LICENSEE'S MANAGEMENT OF
REGULATORY COMMITMENTS (TAC NOS. MD9397, MD9398 AND MD9399)

Dear Mr. Pardee:

In Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000, the Nuclear Regulatory Commission (NRC) informed licensees that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes," contains acceptable guidance for controlling regulatory commitments and encouraged licensees to use the NEI guidance or similar administrative controls to ensure that regulatory commitments are implemented and that changes to the regulatory commitments are evaluated and, when appropriate, reported to the NRC.

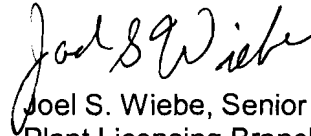
The NRC Office of Nuclear Reactor Regulation has instructed its staff to perform an audit of licensees' commitment management programs once every 3 years to determine whether the licensees' programs are consistent with the industry guidance in NEI 99-04, and that regulatory commitments are being effectively implemented.

C. Pardee

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An audit of Clinton Station's (CPS's) Unit 1 and LaSalle County Station's (LCS's) Units 1 and 2 commitment management programs was performed at CPS during the period September 15 – 16, 2008, and at LCS during the period September 17 – 18, 2008. The NRC staff concludes, based on the audit, that (1) CPS and LCS have implemented NRC commitments on a timely basis, and (2) have implemented an effective program for managing NRC commitment changes. Details of the audit are set forth in the enclosed audit report.

Sincerely,



Joel S. Wiebe, Senior Project Manager
Plant Licensing Branch III-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-461, 50-373 and 50-374

Enclosure:
Commitment Management Audit Report

cc w/encl: See next page

Clinton Power Station, Unit No. 1

cc:

Distribution via Listserv

LaSalle County Station, Units 1 and 2

cc:

Robert Cushing, Chief, Public Utilities Division
Illinois Attorney General's Office
100 W. Randolph Street
Chicago, IL 60601

Additional Distribution via Listserv

AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

CLINTON POWER STATION, UNIT 1

DOCKET NO. 50-461

LASALLE COUNTY STATION, UNITS 1 AND 2

DOCKET NOS. 50-373 AND 50-374

1.0 INTRODUCTION AND BACKGROUND

In Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000, the Nuclear Regulatory Commission (NRC) informed licensees that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes," contains acceptable guidance for controlling regulatory commitments and encouraged licensees to use the NEI guidance or similar administrative controls to ensure that regulatory commitments are implemented and that changes to the regulatory commitments are evaluated and, when appropriate, reported to the NRC.

The NRC Office of Nuclear Reactor Regulation (NRR) has instructed its staff to perform an audit of licensees' commitment management programs once every 3 years to determine whether the licensees' programs are consistent with the industry guidance in NEI 99-04, and that regulatory commitments are being effectively implemented.

NEI-99-04 defines a "regulatory commitment" as 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. NRR guidelines direct 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 PROCEDURE AND RESULTS

An audit of Clinton Station's (CPS's) Unit 1 and LaSalle County Station's (LCS's) Units 1 and 2 commitment management programs was performed at CPS during the period September 15 – 16, 2008, and at LCS during the period September 17 – 18, 2008. The audit consisted of two major parts: (1) verification of the licensee's implementation of NRC commitments that have been completed and (2) verification of the licensee's program for managing changes to NRC commitments.

2.1 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 commitments made to the NRC as part of past licensing actions/activities. For commitments not yet implemented, the NRC staff determines whether they have been captured in an effective program for future implementation.

2.1.1 Audit Scope

The audit addressed a sample of commitments made during the review period. The audit focused on regulatory commitments (as defined above) made in writing to the NRC as a result of past licensing actions (amendments, exemptions, etc.) or licensing activities (bulletins, generic letters, etc.). Commitments made in Licensee Event Reports or in response to Notices of Violation may be included in the sample, but the review will be limited to verification of restoration of compliance, not the specific methods used. The NRC staff searched Agencywide Documents Access and Management System for the licensee's submittals since the last audit and selected a representative sample for verification.

The audit excluded the following types of commitments that are internal to licensee processes:

- (1) Commitments made on the licensee's own initiative among internal organizational components.
- (2) Commitments that pertain to milestones of licensing actions/activities (e.g., respond to an NRC request for additional information by a certain date). Fulfillment of these commitments was indicated by the fact that the subject licensing action/activity was completed.
- (3) Commitments made as an internal reminder to take actions to comply with existing regulatory requirements such as regulations, technical specifications (TSs), and updated final safety analysis reports. Fulfillment of these commitments was indicated by the licensee having taken timely action in accordance with the subject requirements.

2.1.2 Audit Results

The attached Audit Summary provides details of the audit and its results.

CPS and LCS both use Exelon procedure LS-AA-110, "Commitment Management" to track regulatory commitments. Based on the sample of commitments reviewed, the NRC staff found that commitments tracked in accordance with procedure LS-AA-110, Revision 6, were implemented appropriately. Based on the sample of licensee submittals and NRC safety evaluations reviewed, the NRC staff found that commitments were tracked as specified by procedure LS-AA-110, Revision 6.

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

The primary focus of this part of the audit is to verify that the licensee has established administrative controls for modifying or deleting commitments made to the NRC. The NRC staff compared the licensee's process for controlling regulatory commitments to the guidelines in NEI-99-04, which the NRC has found to be an acceptable guide for licensees to follow for managing and changing commitments. The process is contained in LS-AA-110, Revision 6. The audit also verifies that the licensee's commitment management system includes a mechanism to ensure traceability of commitments following initial implementation. This ensures that licensee personnel are able to recognize that future proposed changes to the affected design features or operating practices require evaluation in accordance with the commitment change control process.

2.2.1 Audit Results

The attached Audit Summary also provides details of the audit results of the licensee's program for managing NRC commitment changes. The NRC staff found that procedure LS-AA-110, Revision 6, was consistent with the guidance found acceptable in NEI 99-04. The NRC staff found that the licensee followed the process in their procedure.

3.0 CONCLUSION

The NRC staff concludes, based on the above audit, that CPS and LCS have implemented NRC commitments on a timely basis. The audit did not identify any instances in which the commitments were not implemented.

4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

Ronald Frantz
Joe Vergara

Principal Contributor: Joel Wiebe

Attachment: Summary of Audit Results

AUDIT SUMMARY

IMPLEMENTATION OF COMMITMENTS:

The following commitments were chosen for audit and determined to be appropriately implemented:

CPS

- AR 497493 License Amendment (LA) 174 Implementation. Revise CPS operating procedure to implement LA 174.
- AR 592369 Letter to NRC - Delta Mururoa Respiratory Protection Suit. Use of Delta Mururoa Respiratory Protection Suit.
- AR 601024 Hydrogen Control - GSI-189 Closure. Complete procurement of portable equipment, procedure development.
- AR 625204 Generic Letter 89-13. Inspection Of Screenhouse To Satisfy GL 89-13
- AR 647800 Generic Letter 86-04 Engineering Expertise on Shift. Commitment to use Options 1 & 2
- AR 666069 LA 124 - Revise Updated Safety Analysis Report (USAR) Sections on Tornado Generated Missile Protection
- AR 667746 LA 141 - Emergency Diesel Generator Allowed Outage Time Extension. Revise USAR Sections 1.8 (Regulatory Guide 1.93) & 8.1.6.1.17.
- AR 668177 Defer Withdrawal of Reactor Pressure Vessel Surveillance Specimens LA 143 Revise USAR Section 5.3.1.6 to note deferral of withdrawal.
- AR 668499 LA 150 - Exelon letter RS-01-276, 11/30/2001. Establish the Technical Basis for Surveillance Requirement 3.0.3.
- AR 674907 Inattentive Security Officer Actions. Safety Conscious Work Environment (SCWE) survey of the security organization.
- AR 682545 Track Action from Letter to NRC dated 10/04/2007. Security SCWE Survey results review - Clinton

LCS

- AR 200992 NRC Commitment Diesel Generator Allowed Outage Time (AOT) Amendment (revise procedure)
- AR 213760 Commitment Change 04-001 for Control Blade Exposure Tracking
- AR 299641 Vulnerability Of Division. 1 & 2 Protective Relay Circuitry
- AR 439082 Actions for Implementation of Core Standby Cooling System License Amendment
- AR 445151 Implementation of Direct Current Power Supply AOT License Amendment
- AR 515613 Generic Letter 89-13 Issues With Heat Exchanger Monitoring Program
- AR 592369 Letter to NRC - Delta Mururoa Respiratory Protection Suit. Use of Delta Mururoa Respiratory Protection Suit.
- AR 674071 Component Design Bases Inspection - Main Control Room Lake Level Indication
- AR 674907 Inattentive Security Officer Actions. Safety Conscious Work Environment (SCWE) survey of the security organization.
- AR 687872 Commitments in NRC Safety Evaluation Report for Third 10-year Inservice Inspection Program Needs To Be Tracked.

MANAGEMENT OF CHANGES TO REGULATORY COMMITMENTS:

Procedure LS-AA-110, Revision 6, was reviewed and found to be consistent with the guidance found acceptable in NEI 99-04.