

October 7, 2008

Mr. J. V. Parrish
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SUBJECT: COLUMBIA GENERATING STATION - AUDIT OF THE LICENSEE'S
MANAGEMENT OF REGULATORY COMMITMENTS (TAC NO. MD9548)

Dear Mr. Parrish:

An audit of the Columbia Generating Station (CGS) commitment management program was performed at the site during the period September 16 - 17, 2008. In Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000, the U.S. 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 the regulatory commitments are being effectively implemented.

The NRC staff concludes, based on the audit, that Energy Northwest (the licensee) has implemented NRC commitments on a timely basis, and (2) the licensee has implemented an adequate program for managing NRC commitment changes at CGS. The details of the audit including the NRC staff observations and recommendations are set forth in the enclosed audit report.

I appreciate the assistance of your staff, particularly Ms. Walli and Mr. Humphreys, during the conduct of the audit. If there are any questions, please contact me at (301) 415-2296.

Sincerely,

/RA/

Carl F. Lyon, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosure: As stated

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Columbia Generating Station

(9/30/08)

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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

ENERGY NORTHWEST

COLUMBIA GENERATING STATION

DOCKET NO. 50-397

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 U.S. 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 the 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, relief requests, exemptions, etc.) and licensing activities (bulletins, generic letters, etc.). The audit is to be performed every 3 years.

2.0 AUDIT PROCEDURE AND RESULTS

An audit of the Columbia Generating Station (CGS) commitment management program was performed at the site during the period September 16 - 17, 2008. The audit reviewed commitments made since the previous audit dated August 13, 2004 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML042290018). 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.

ENCLOSURE

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, relief requests, etc.) or licensing activities (bulletins, generic letters, etc.). Before the audit, the NRC staff searched ADAMS for the licensee's submittals since the last audit and selected a representative sample of regulatory commitments for verification. The identified list of commitments was forwarded to the licensee with a request to locate documentation for the listed regulatory commitments prior to the NRC staff visit.

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, 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 licensee has implemented site-wide procedure SWP-LIC-01, "Regulatory Commitment Management," which describes the regulatory commitment management process at Energy Northwest. The process is based on the guidance provided in Nuclear Energy Institute (NEI) 99-04, "Guidelines for Managing NRC Commitment Changes." The procedure includes a consistent process to change NRC regulatory commitments of low safety significance without adversely affecting the level of safety. The process provides a means of identifying commitments (i.e., Regulatory Commitment Identification Form, Form 968-25260) and a means for evaluating proposed changes to commitments (i.e., Regulatory Commitment Change Form, Form 968-26030). The licensee's procedure RPI 9.0, "Requirements Tracking System," provides administrative controls and responsibilities for the creation, implementation, and maintenance of the Requirements Tracking System (RTS), a database of regulatory requirements and commitments applicable to CGS, including cross-references to the documents or procedures that implement each requirement.

The database and documents furnished by the licensee during the audit provided the status of the commitments and appropriate backup documentation, as needed (e.g., plant procedures, training or examination records, and/or other plant documentation). The NRC staff reviewed the database and documents and summarized the selected commitments information in the attachment to this audit report.

The NRC staff audit was intended to confirm that the licensee has documented its implementation of its regulatory commitments made to the NRC staff as part of past licensing communications, and the commitments that had not yet been implemented or incorporated in design bases documents are captured in an effective manner for future implementation.

The process prescribed in SWP-LIC-01 provides acceptable tools for the licensee to capture the NRC guidance on commitment management programs. The licensee enters the regulatory commitments made to the NRC into a database, the Plant Tracking Log (PTL). The RTS is a component of the PTL. The regulatory commitments are appropriately coded in the PTL. Each commitment is numbered and listed. Status of the commitments, implementation dates, target implementation (documents which finally capture the commitment) document information associated with each specific commitment, and comments are captured in the database. The licensee's staff is adequately trained in updating the database.

The NRC staff audit of the licensee's commitment management program for CGS did not identify any regulatory commitments that were not met. In general, the licensee has maintained the database adequately and the commitments selected for this audit were traceable in the database. For commitments that had been completed, the database generally provided an accurate status of the commitment and provided reference to the implementation document.

The NRC staff review of the database identified the following minor errors, which were referred to the licensee for correction.

1. Procedure 6.3.38 has a typographical error in referencing commitment C-126617 instead of the correct C-12617.
2. The database entry for PTL No. 237628 does not include the closure documentation. The licensee was later able to retrieve the documentation from a different source.
3. There were no PTL entries for two commitments made in the licensee's letter to the NRC dated September 21, 2004 (re: hydrogen and oxygen monitors); however, the CGS staff was able to verify that the commitments had been completed.

In general, documents or procedures that are used to fulfill a commitment are changed to reference the commitment. This provides a means to ensure that commitments are neither removed nor changed without management approval in accordance with the plant procedures. Some minor discrepancies were noted, which were referred to the licensee for correction:

1. PTL No. 233435 references Licensee-Controlled Specification (LCS) RFO 1.3.7.5 as partial fulfillment of the commitment (C-12617). However, the commitment is not referenced in either the LCS or the LCS Bases.
2. By letter to the NRC dated September 21, 2004, the licensee committed to: (1) maintain the capability of monitoring containment hydrogen for beyond design basis accidents and (2) to maintain the capability of monitoring containment oxygen to verify the status of the inerted containment. These commitments are currently implemented in plant procedures PPM 5.8.1, "Post LOCA Hydrogen/Oxygen Monitoring," and ISP-CMS-Q302 (-Q303), "Accident Monitoring Instruments Containment Hydrogen/Oxygen Analyzer Division 1 (Division II) - CC." However, these procedures predate the commitments and do not reference the commitments.

In these examples, the LCS or procedures could be changed or modified without recognizing the commitments.

During the audit, the licensee identified three areas for improvement that were documented on condition reports in the CGS corrective action system.

1. CR No. 00186143. The NRC inspector requested a list of commitments for the past three years. It was discovered that there was no existing log and a database run could not be readily generated for this request. (The licensee subsequently generated the list for the inspector.)
2. CR No. 00186311. SWP-LIC-01 references the incorrect form number for the Regulatory Commitment Identification Form in step 3.1.3.b.
3. CR No. 00186317. RPI 9.0 has not been updated to reflect current practice per SWP-LIC-01.

Based on the results of the on-site audit, the NRC staff concludes that the licensee has implemented the regulatory commitments management program adequately and consistent with NEI 99-04. The attachment to this audit report contains references to the licensee's commitments selected for review and a summary of the audit results.

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 used at CGS is contained in procedures SWP-LIC-01 and RPI 9.0. The primary focus of the audit was to ensure that commitments made to the NRC are implemented and, if changed, the change is made in accordance with the approved plant procedures and with the approval of the plant's management. The audit also verified 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

Detailed processes are provided by which the licensee tracks and implements its regulatory commitments. Any changes to the commitments are processed through the SWP-LIC-01 process. Changes to commitments are reported to the NRC in accordance with the guidance of NEI 99-04. The licensee's process identifies the affected commitments, their origin, original criteria, proposed changes, and justification for change. The commitment changes are documented on Regulatory Commitment Change Forms.

No changes were identified during the audit for the commitments included in the scope of review. Changes to other commitments were appropriately reported to the NRC in the licensee's annual operating report (e.g., the most recent is dated February 29, 2008, ADAMS Accession No. ML080710492)

Based on the results of the on-site audit, the NRC staff concludes that the licensee has implemented regulatory commitment changes appropriately, consistent with NEI 99-04.

3.0 CONCLUSION

Based on the results of the audit, the NRC staff concludes that the licensee has implemented the regulatory commitments management program adequately, and implemented regulatory commitment changes appropriately, consistent with NEI 99-04.

4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

M. Humphreys
L. Walli

Principal Contributor: F. Lyon

Date: October 7, 2008

Attachment: Summary Table

SUMMARY TABLE
 AUDIT OF REGULATORY COMMITMENTS
 COLUMBIA GENERATING STATION
 SEPTEMBER 16 - 17, 2008

REFERENCE FOR LICENSEE COMMITMENTS	IMPLEMENTATION STATUS
Letter dated December 15, 2005, "Submittal of the Third Ten-Year Interval Inservice Inspection Program Plan and 10 CFR 50.55a Requests 3ISI-01 Through 3ISI-07 for Columbia Generating Station" (ADAMS Accession No. ML053620391)	Implemented in Inservice Inspection Program Plan, Sections 6.3 and 6.7.
Letter dated February 13, 2007, "Supplemental Information Regarding License Amendment Request to Technical Specifications Associated with AC and DC Electrical Power" (ADAMS Accession No. ML070520398)	Implemented in the TS Bases and plant-specific calculations.
Letter dated May 22, 2006, "Request for Use of Higher Assigned Protection Factors with Use of French-Designed Air-Line Respirator Equipment" (ADAMS Accession No. ML061520492)	Implemented in procedure PPM 11.2.11.3 and training records.
Letter dated February 5, 2007, "Response to Request for Additional Information Regarding the Proposed Amendment of Facility Operating License to Remove Operating Mode Restrictions for Performing Emergency Diesel Generator Surveillance Testing" (ADAMS Accession No. ML070440139)	Implemented in procedures TSP-DG3/LOCA-B501 and TSP-DG3/LOP-B501.
Letter dated February 2, 2007, "License Amendment Request Proposed Changes to Columbia Technical Specifications: Extension of Surveillance Interval to Verify Closure of Vacuum Breaker CVB-V-1-JK" (ADAMS Accession No. ML070370274)	Implemented in TS Bases.
Letter dated February 8, 2006, "Response to Request for Additional Information Regarding License Amendment Request to Technical Specifications Associated with AC and DC Electrical Power" (ADAMS Accession No. ML060530542)	Implemented in Battery Monitoring and Maintenance Program.
Letter dated March 20, 2006, "Revised Technical Specification Bases Change (For Information) and Summary of Commitments Associated with the License Amendment Request for Extension of Diesel Generator Completion Time" (ADAMS Accession No. ML060880420)	Implemented in procedure PPM 1.3.76, et al.
Letter dated September 21, 2004, "License Amendment Request Adoption of TS Task Force (TSTF) Traveler - 447, Revision 1, Elimination of Hydrogen Recombiners and Change to Hydrogen and Oxygen Monitors" (ADAMS Accession No. ML042880374)	Implemented in procedures PPM 5.8.1 and ISP-CMS-Q302 (-Q303).

Letter dated August 16, 2005, "30-Day Response to NRC Bulletin 2005-02, "Emergency Preparedness and Response Actions for Security-Based Events"" (ADAMS Accession No. ML052350509)	Implemented in procedures PPM 13.1.1 and 13.1.1A.
Letter dated September 29, 2005, "Response to Request for Additional Information Associated with the Alternate Source Term License Amendment Request and TSTF-51" (ADAMS Accession No. ML052850270)	Implemented in procedures PPM 1.20.3, 6.3.2, 6.3.23, 6.3.9, 6.3.38, 6.2.3; ABN-FUEL-HAND, Rev.4; and LCS RFO 1.3.7.5.
Letter dated April 10, 2008, "Three Month Response to NRC Generic Letter 2008-01, "Managing Gas Accumulation in Emergency Core Cooling, Decay Heat Removal, and Containment Spray Systems"" (ADAMS Accession No. ML081080115)	Open in PTL.