



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

October 8, 2008

Vice President, Operations  
Arkansas Nuclear One  
Entergy Operations, Inc.  
1448 S.R. 333  
Russellville, AR 72802

SUBJECT: ARKANSAS NUCLEAR ONE, UNITS 1 AND 2 - AUDIT OF  
ENTERGY OPERATIONS, INC. MANAGEMENT OF REGULATORY  
COMMITMENTS (TAC NOS. MD9665 AND MD9666)

Dear Sir or Madam:

An audit of the Entergy Operations, Inc. commitment management program was performed at the Arkansas Nuclear One site in Russellville, Arkansas on September 15 and 16, 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 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.

The NRC staff concludes, based on the audit, that Entergy has implemented NRC commitments on a timely basis and has implemented an effective program for managing NRC commitment changes at Arkansas Nuclear One. Details of the audit are set forth in the enclosed audit report.

Sincerely,

A handwritten signature in cursive script that reads "Alan Wang".

Alan Wang, Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-313 and 50-368

Enclosure: Audit Report

cc w/encl: Distribution Via ListServ

AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION  
REGULATORY COMMITMENTS MADE BY THE LICENSEE TO  
THE UNITED STATES NUCLEAR REGULATORY COMMISSION  
ENTERGY OPERATIONS, INC.  
ARKANSAS NUCLEAR ONE, UNITS 1 AND 2  
DOCKET NOS. 50-313 AND 50-368

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 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 the Entergy Operations, Inc (Entergy, the licensee) program was performed at the Arkansas Nuclear One, Units 1 and 2 (ANO) site in Russellville, Arkansas on September 15 -16, 2008. The NRC staff dealt mainly with the Nuclear Safety Assurance department, which has a key role in the administration of Entergy's Regulatory Commitment Program. Since no such audit was performed at the ANO site before the issuance of LIC-105, the NRC staff defined the period covered by this audit to go back approximately 3 years prior to the date of the audit. 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, as defined above, 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.). Before the audit, the NRC staff searched ADAMS for the licensee's submittals submitted during in the last 3 years and selected a representative sample for verification. Entergy's commitments are implemented through Nuclear Management Manual EN-LI-110, "Commitment Management Program."

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 NRC staff reviewed reports generated by Entergy's tracking program for the commitments listed in the attached table to evaluate the status of completion. The NRC staff found that Entergy's commitment tracking program had incorporated all the regulatory commitments that were selected by the NRC staff for this audit.

The NRC staff also reviewed plant procedures that had been revised as a result of commitments made by Entergy to the NRC. The attached table summarizes what the NRC staff observed as the current status of licensee regulatory commitments for those selected.

## 2.2 Verification of Entergy'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. At ANO, Nuclear Management Manual EN-LI-110, "Commitment Management Program," includes procedures for managing regulatory commitment changes. The audit reviewed a sample of commitment changes that included changes that were or will be reported to the NRC, and changes that were not or will not be reported to the NRC. 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. The NRC staff reviewed these procedures and concluded that, in general, these procedures follow the guidance of NEI-99-04; set forth the need for identifying, tracking, and reporting commitments, and provide a mechanism for changing commitments.

Based on a review of the licensee's Commitment Change Summary Reports from 2006 and 2007 and various approved Commitment Change Requests, most commitment changes were made as a result of the deletion because the commitment was a one-time task or were captured in other procedures. The NRC staff found that Entergy had properly addressed each regulatory commitment selected for this audit and found that the commitment change process at ANO conforms to the guidance of NEI-99-04. As a result of reviewing Entergy's information, as well as information from other sources, the NRC staff concludes that the procedure used by Entergy for managing NRC commitment changes is appropriate and effective.

### 2.3 Entergy's Self-Assessments of the Regulatory Commitment Management Program

The NRC staff requested information from Entergy regarding any self-assessments performed on the regulatory commitment management program. The NRC staff learned that one self-assessment has been performed at ANO during the audit period. The self-assessment was performed in September 2008, by the Site Quality Assurance personnel. The audit conducted a review of procedure EN-LI-110 for the implementation of license amendment request and safety evaluation reports with commitments. While the self-assessment found no concerns, more frequent self-assessments, with a sampling beyond amendments, would provide additional oversight and help ensure that the procedure and the guidance in NEI-99-04 are being followed.

### 2.4 Additional Observations

The commitment management system (CMS) is the database for tracking all regulatory commitments. The procedure EN-LI-110 focuses on regulatory commitments and is not intended to track obligations or action items. The CMS ensures that regulatory commitments made to the NRC in written correspondence are actively managed. Management includes capturing new commitments, changing existing commitments, and deleting commitments. The CMS includes a description of the commitment, the origin of the commitment, responsible department or individuals and the due date. This procedure is based on the recommendations of NEI 99-04.

Plant licensing is responsible for reviewing applicable plant correspondence for regulatory commitments and entering them in the CMS. Plant licensing then reviews the applicable correspondence from the NRC to ensure that the re-statements of the regulatory commitments by the NRC are accurate. Once the commitments are confirmed, the CMS is used to generate licensing action request (LAR). LARs are a sub-database of the corrective action (CR) database. To close a regulatory commitment in the CMS the associated LARs must be closed.

For the purpose of the audit the NRC staff selected several CMS items, checked the CMS items to determine that the CMS captured the commitments correctly, looked at the CMS printouts of the LAR to see the status of the action associated with the commitment, and confirmed that the CMS reflected the status of the LARs for completion or future action. The NRC staff found no deviations or missed commitments from the items reviewed. The NRC staff did note that the LAR and CMS are separate databases and that the tracking of the LARs requires a separate search from the CR system. If these databases could be linked it would make tracking regulatory commitments more amenable for auditing and tracking.

The licensee also maintains a licensing basis document (LBD) database. This is useful for tracking TS changes, SAR changes, and technical requirements manual changes. The licensee noted that amendments do not always generate regulatory commitments. The implementation of TS, therefore, in itself would not be tracked by the CMS but would be tracked in the LAR and LBD databases. However, since most regulatory commitments generate an item in these databases they provide a backup to the CMS for tracking of regulatory commitments.

### 3.0 CONCLUSION

The NRC staff concludes that, based on the above audit findings, (1) Entergy has an adequate program to implement and manage regulatory commitments, (2) Entergy has an adequate program to implement and manage changes to regulatory commitments, (3) Entergy has an adequate program for identifying regulatory commitments in outgoing correspondence to the NRC, and (4) Entergy has a consolidated mechanism to track implementation of regulatory commitments, such as identification of which commitment is being tracked by which tracking subsystem and how that commitment is being implemented.

### 4.0 ENTERGY PERSONNEL CONTACTED FOR THIS AUDIT

David Bice, CMS Owner, Senior Licensing Specialist  
Robert Clark, Senior Licensing Specialist  
Debbie Waldron, Administrative Specialist III  
Natalie Mosher, Licensing Specialist IV

Principal Contributor: A. Wang

Date: October 8, 2008

TABLE - ENTERGY REGULATORY COMMITMENTS REVIEWED

Source Document	Licensee Tracking No.	Description	Implementation Status
0CAN040701	A-18665	Relocation of Fuel Handling Area Ventilation Requirements to Technical Requirements Manual	Completed
1CAN100701	A-18721	Adoption of Technical Specification Task Force (TSTF) Traveler TSTF-359 regarding Mode restraints	Completed
2CAN050702	LO-LAR-2007-00091	Implementation of Amendment 279 regarding Moderator Temperature Coefficient	Completed
2CAN030706	P-18652	Implementation of Amendment 273 regarding reracking of spent fuel pool	Completed
2CAN040806	R-18471	NRC Order related to reactor pressure vessel head inspection relaxation	Due 8/1/2009
CNRO-2006-00003	A-18542	Commitments made in response to Bulletin 2005-02	Completed
1CAN100702	A-18719	Commitments made regarding structural weld overlay relief request	Due 11/14/2008
2CAN040703	A-18666	Exemption for use of Optimized ZIRLO for use of Next Generation Fuel	Due 3/18/2009
0CAN070404	P-18111	Commitments made regarding Bulletin 2004-01	Completed
0CAN010801	A18768	Commitments made regarding Generic Letter 2008-01	Partially complete Due 10/11/2008

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Alan Wang, Project Manager  
Plant Licensing Branch IV  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

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