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

December 24, 2008

Mr. Edward D. Halpin
Chief Nuclear Officer
STP Nuclear Operating Company
South Texas Project
P. O. Box 289
Wadsworth, TX 77483

SUBJECT: SOUTH TEXAS PROJECT, UNITS 1 AND 2 - RE: REGULATORY COMMITMENTS MANAGEMENT PROGRAM AUDIT REPORT (TAC NOS. MD9523 AND MD9524)

Dear Mr. Halpin:

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 NRC.

In Office Instruction LIC-105, 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, regulatory commitments are being effectively implemented, and changes to regulatory commitments are appropriately reported to NRC.

On August 19, 2008, the NRC staff performed an audit of the STP Nuclear Operating Company's (STPNOC's) South Texas Project (STP), Units 1 and 2, regulatory commitments management program.

The purpose of the audit was to examine STPNOC's regulatory commitments management program and regulatory commitments change process. The audit was conducted by examining the STPNOC commitments management records including a sample of regulatory commitments that have not been previously inspected or otherwise audited by the NRC staff, that are risk significant, and that were important to the NRC staff's decision-making process on the licensing actions for which respective commitments were made by STPNOC.

Based on the results of the on-site audit of STPNOC's procedures, processes, and records for managing regulatory commitments, and review of the identified sample of regulatory commitments and regulatory commitments change report, the NRC staff concludes that STPNOC has implemented the regulatory commitments management program effectively, and implemented regulatory commitment changes appropriately in accordance with NRC staff's Office Instruction LIC-105, and generally consistent with NEI 99-04.

Details of the audit and the NRC staff's conclusions are set forth in the enclosed audit report.

The NRC staff appreciates the resources that were made available by your staff, both before and during the audit. If there are any questions, I can be contacted at (301) 415-1476 or by electronic mail at mohan.thadani@nrc.gov.

Sincerely,

Mohan C. Thadani, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

Enclosure:
As stated

cc w/encl: Distribution via Listserv

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

AUDIT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO THE REGULATORY COMMITMENTS MANAGEMENT PROGRAM

STP NUCLEAR OPERATING COMPANY

SOUTH TEXAS PROJECT, UNITS 1 AND 2

DOCKET NOS. 50-498 AND 50-499

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 NRC.

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 is publicly available electronically from the Internet at the NRC web site, from the Agencywide Documents Access and Management System (ADAMS), Public Electronic Reading Room, ADAMS Accession No. ML022750041. LIC-105 provides the NRC staff and its stakeholders a reference for handling regulatory commitments made by the licensees for commercial nuclear power reactors. The guidance provided in LIC-105 is consistent with industry guidance prepared by NEI in NEI 99-04, "Guidelines for Managing NRC Commitment Changes."

As defined in NEI 99-04 and according to LIC-105, 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 NRC. LIC-105 directs the NRR staff to audit the licensee's commitment management program by assessing the adequacy of the licensee's implementation of commitments made to the NRC in past licensing actions (amendments, relief requests, exemptions, etc.) and activities (bulletins, generic letters, etc.). LIC-105 instructs the NRR project managers to perform audits of the licensees' commitments every 3 years.

On August 19, 2008, the NRC staff performed an audit of the STP Nuclear Operating Company (STPNOC) South Texas Project (STP), Units 1 and 2, regulatory commitments management program.

STPNOC has implemented Procedure OPGP 05-ZN-0002, Revision 4, "Licensing Commitments Management and Administration," which identifies its methods for establishing commitments, commitment identification and tracking, protecting commitments, commitments changes, and interfaces of the commitment management program with the licensee's Corrective Action Program databases.

The procedure specifies the purpose, definition of terms, responsibilities, requirements for effective management of regulatory commitments, and procedures for implementing changes to regulatory commitments.

A summary of the NRC staff's activities, reviews, and conclusions is outlined below.

2.0 AUDIT

As stated above, on August 19, 2008, the NRC staff performed the regulatory commitments management audit at the STP, Units 1 and 2, site. LIC-105 limits the audit of commitments to those made by the licensees in writing to the NRC as a result of licensing actions (e.g., amendments, relief requests, exemptions, etc.) or licensing activities (e.g., bulletins, generic letters, etc.).

In preparation for the audit, the NRC staff searched ADAMS for the licensing actions, licensing activity, and other reports involving regulatory commitments and regulatory commitment changes during past 3 years or so. The staff also contacted STPNOC and obtained its list of regulatory commitments reported to the NRC staff during the past 3-year period. From the collected information, the NRC staff selected a representative sample of regulatory commitments that met the selection criteria identified in LIC-105 for the audit. The NRC staff asked STPNOC to provide the requisite documentation related to the commitments sample selected to support the audit.

The NRC staff also reviewed STPNOC's commitments change report, dated August 11, 2008 (ADAMS Accession No. ML082310641), and culled supplemental information for inclusion in this report as a selected sample of STPNOC's regulatory commitments change process.

The documents furnished by STPNOC included summary sheets providing the status of the commitments, source documents, and appropriate backup documentation as needed (i.e., plant procedures, examination records, and/or other plant documentation). The regulatory commitments management records reviewed by the NRC are: (1) summary of regulatory commitments implementation records, and (2) summary of regulatory commitments change reports.

2.1 Verification of Licensee's Programs for Implementation of Regulatory Commitments

The NRC staff's audit was intended to confirm that the licensee has documented its implementation of its regulatory commitments made to the NRC staff in past licensing communications.

The NRC staff found that the Licensing Commitment Management and Administration procedure for managing the regulatory commitments provides an acceptable tool to capture the

NRC guidance on regulatory commitments management programs, and generally meets the acceptable guidance in NEI 99-04.

The licensee enters the regulatory commitments made to the NRC, that are explicit statements to take a specific action agreed to or volunteered by a licensee and submitted in writing on docket to NRC, into a commitment database. Each commitment is numbered and described by a commitment title and brief description. Comments and implementation dates are captured. The licensee's staff is regularly trained in procedures for entering and updating the regulatory commitments in its regulatory commitments management program. The regulatory commitments program Procedure OPGP 05-ZN-0002, Revision 4, is followed in documenting, tracking, and implementing the regulatory commitments.

The sources of the commitments are documented in a source document. Incorporating documents provide the procedures or processes for maintaining and implementing the commitments. Closing documents provide the procedure or process for assuring that each regulatory commitment was properly completed, appropriately closed, and well documented.

Attachment 1 summarizes the representative sample of selected regulatory commitments that were evaluated for this audit. Based on the review of the selected sample of the regulatory commitments, the NRC staff concludes that the licensee's regulatory commitments management program generally conforms to the NRC accepted guidance in NEI 99-04, and is acceptable.

2.2 Verification of Licensee's Processes for Changes to Regulatory Commitments

The regulatory commitments changes are evaluated in accordance with provisions of Nuclear Energy Institute's guidance in NEI 99-04, "Guidelines for Managing NRC Commitments." The changes are reported to NRC biannually.

Attachment 2 provides the latest STPNOC report regarding changes to regulatory commitments reported to NRC. The report lists the changes to regulatory commitments for the period from August 1, 2006, through July 30, 2008. The report includes a brief summary of the original regulatory commitment, a summary of the revised regulatory commitment, and justification for the change to the regulatory commitment.

Based on its review, the NRC staff concludes that the changes to regulatory commitments are being reported to NRC consistent with the NRC guidance,

3.0 CONCLUSION

Based on the results of the on-site audit of STPNOC procedures, processes, and documentation for managing regulatory commitments; and review of a selected list of regulatory commitments and regulatory commitments changes reported in the licensee's August 11, 2008, report, the NRC staff concludes that STPNOC has implemented the regulatory commitments management program effectively, and implemented regulatory commitment changes appropriately, in accordance with LIC-105 and generally consistent with the NRC accepted guidance in NEI 99-04.

4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

Jamie Paul
Scott M. Head
Wayne Harrison

Principal Contributors: Mohan Thadani
Glenna Lappert

Date: December 24, 2008

Attachments:
As stated

ATTACHMENT 1

REGULATORY COMMITMENTS - SUMMARY OF AUDIT RESULTS

AUDIT PERFORMED AUGUST 19, 2008

SOUTH TEXAS PROJECT, UNITS 1 AND 2

REGULATORY COMMITMENTS - SUMMARY OF AUDIT RESULTS

AUDIT PERFORMED AUGUST 19, 2008

SOUTH TEXAS PROJECT, UNITS 1 AND 2

Letter Number	Subject	Commitment / CR Action No.	Description of Commitment	Implementation Status
NOC-AE-06001985	South Texas Project, Unit 1 – Request for Relief from ASME Boiler and Pressure Vessel Code, Section XI Requirements for the Essential Cooling Water System (Relief Request RR-ENG-2-44)	06-360-3	Repair of the defect will be deferred until adequate time is available for the repair, but no later than the next Unit 1 refueling outage, provided the condition continues to meet the acceptance criteria of Generic Letter 90-05	CLOSED – Commitment closed with Work Action Number 311247, completion date 10/26/06 by Steven D. Blossom. Commitment completion date 11/17/06.
NOC-AE-06001985	South Texas Project, Unit 1 – Request for Relief from ASME Boiler and Pressure Vessel Code, Section XI Requirements for the Essential Cooling Water System (Relief Request RR-ENG-2-44)	06-360-4	Augmented monthly inspections have been implemented to detect changes in the size of the discolored area or leakage. Structural integrity and the monitoring frequency will be re-evaluated if the significant changes in the condition of the dealloyed area are found during this monitoring.	CLOSED – Implemented and closed with the replacement of the flange completed on 10/12/06 which completed the commitment.
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-15	Surveillance Requirements 4.8.2.1(c) and 4.8.2.2(b) will comply with the 12-hour criterion for recharging. The TS amendment request will be revised accordingly.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06.
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-19	The minimum float voltage allowed per cell is 2.17 vdc/cell. The minimum voltage per cell will be included in the Bases as background information for TS 3/4.8.2, "DC Sources."	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06.
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-16	The modified performance discharge test envelopes both the performance discharge test and the service discharge test. References to the performance discharge test as a substitute for the service discharge test will be revised to specify the modified performance discharge test.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06.
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-20	The E1B11 calculation used a final cell voltage of 1.81 vdc which reduced the one-minute rate to 98.75 amps. This voltage value used should have been 1.78 vdc, consistent with the other battery calculations. The calculations are to be updated accordingly.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06.

Letter Number	Subject	Commitment / CR Action No.	Description of Commitment	Implementation Status
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-17	Until sufficient justification is available supporting the 18-month interval, the South Texas Project will use the 12-month intervals between battery performance tests of batteries that show degradation or that reach 85% of the service life for the application.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06.
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-18	A surveillance requirement will be added to require performance discharge tests at least once per 24 months for any battery reaching 85% of the service life expected for the application and capacity is equal to or greater than 100% of the manufacturer's rating.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06.
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-21	A spare non-class 1E battery charger may be provided in the future to serve as an alternate means of restoring the associated battery terminal voltage if the affected batteries have less than the minimum established float voltage and they are to be considered operable after 2 hours. The spare non-class 1E battery charger will be diesel-backed. This provision will be included in the STP Technical Specification Bases. If this modification is made, it will need to be included in STP UFSAR.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06.
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-27	STPNOC will continue to use specific gravity monitoring to measure electrolyte strength in addition to float current monitoring. The STPNOC will relocate the current battery parameter for specific gravity from the TS to the Battery Monitoring and Maintenance Program.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06.
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-28	Maintain a 5% design margin allowing use of 2 amps as the float current limit. This margin will be included in the TS Bases and in the battery sizing calculation.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06.
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-29	STPNOC Commits to incorporate the Battery Monitoring and Maintenance Program into the STP Technical Requirements Manual (TRM).	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06

Letter Number	Subject	Commitment / CR Action No.	Description of Commitment	Implementation Status
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-25	The Battery Monitoring and Maintenance Program provides for battery restoration and maintenance which requires the following actions: ✓ Restore battery cells discovered with float voltage <2.13V. ✓ Equalize and test battery cells discovered with electrolyte level below top of the plates. ✓ Verify that the remaining cells are ≥2.07V when a cell or cells are found to be <2.13V. ✓ Take specific gravity readings prior to each discharge test.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-23	Relocate to the Battery Monitoring and Maintenance program (from 4.8.2.1.b): At least once per 92 days, verify: ✓ There is no visible corrosion at either cell-to-0cell or terminal connections, or the connection resistance is no greater than $150x10^{-6}$ ohm; and ✓ The average cell electrolyte temperature at six connected cells is above 65°F.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-26	Relocate to the Battery Monitoring and Maintenance Program (from 4.8.2.1.b): Within 7 days after a severe battery discharge with battery terminal voltage below 1.6 volts per cell, or severe battery overcharge with battery voltage above 2.5 volts per cell, verify that: ✓ There is no visible corrosion at either cell-to-cell or terminal connections, or the connection resistance of these items is less than or equal to $40x10^{-6}$ ohm; and ✓ The average electrolyte temperature of six connected cells is above 65°F.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06
Original LAR NOC-AE-05001837, NOC-AE-05001913 incorporates changes initiated in the RAI.	South Texas Project, Units 1 and 2 – Response to Request for Additional Information: Proposed Amendment to TS 3/4.8.2 to Modify Requirements Related to Batteries and DC Systems	04-12263-24	Relocate to the Battery Monitoring and Maintenance Program (from 4.8.2.1.c): At least once per 18 months, verify that: ✓ The cells, cell plates, and battery racks show no visual indication of physical damage or abnormal deterioration; ✓ Cell-to-cell and terminal connections are clean, tight, and coated with anti-corrosion material; and ✓ The resistance of each cell-to-cell and terminal connection is less than or equal to $150x10^{-6}$ ohm.	CLOSED – Completion date of commitment to change TS accordingly was completed 2/28/06 with RAI response. Commitments revised in RAI response to LAR NOC-AE-05001837. Expected completion date in RAI of change stated 3/1/06

ATTACHMENT 2

REGULATORY COMMITMENTS CHANGES SAMPLE - SUMMARY OF AUDIT RESULTS

AUDIT PERFORMED AUGUST 19, 2008

SOUTH TEXAS PROJECT, UNITS 1 AND 2

REGULATORY COMMITMENTS CHANGES SAMPLE - SUMMARY OF AUDIT RESULTS

AUDIT PERFORMED AUGUST 19, 2008

SOUTH TEXAS PROJECT, UNITS 1 AND 2

Condition Report Number	Source Document	Source Date	Date of Change	Original Commitment Description	Revised Commitment Description	Justification for Change
04-3365	NOC-AE-04001758 Response to Generic Letter 2003-01	08/05/2004	12/05/2006	NOC-AE-04001758, 08/05/04 – Response to Request for Information on NRC Generic Letter 2003-01 - Control Room Habitability Revise the control room dose accident analyses to reflect the results of the control room inleakage testing. Due Date December 31, 2005	Alternative: Revise the control room dose accident analyses to reflect the results of the control room inleakage testing. Due Date April 30, 2007.	The vendor for the analyses could not produce their deliverables on the needed schedule.
04-12498	NOC-AE-07002237 Response to Generic Letter 2004-02	12/10/2007	07/09/2008	NOC-AE-07002237, 12/10/2007 – Request for Extension for Final Response to Generic Letter 2004-02 and Implementation of Revised Design Basis for ECCS Sump Following completion of the 10 CFR 50, Appendix B activities described above and the associated changes to the STP licensing basis, STPNOC will submit a letter verifying completion of all GL 2004-02 corrective actions and confirming compliance with the regulatory requirements listed in GL 2004-02.	Submittal of letter verifying completion and confirming compliance will be submitted to the NRC by December 12, 2008.	Extension of date to adopt revised ECCS sump strainer design basis is an administrative change and has no effect on plant operations. NRC approval was provided by telephone July 1, 2008, and by correspondence dated July 2, 2008.
06-6838	NOC-AE-01001196 Proposed Amendment to Technical Specification 3.7.1.2	12/03/2001	05/25/2006	Commitment for SDG allowed outage time extension: The NRC Safety Evaluation (SE) lists the compensatory actions for extending the allowed outage times for the Standby Diesel Generators (TS 3.8.1.1), Essential Cooling Water (TS 3.7.4) and Essential Water (TS 3.7.14). The internal memo (HS-HS-35345) documents a phone call with the NRC that confirms that the intent of the SE was that the compensatory actions	Implementation of risk management actions will be based on reaching or expecting to reach the 1E-06 incremental core damage probability risk threshold instead of a prescribed time. This approach is consistent with the Risk Managed Technical specification (RMTS) Guidelines. The specific requirement in the RMTS Guidelines reads: For plant configurations in which the RMAT (Risk Management Action Threshold) either has been	The existing requirements for implementing risk management action (RMA) is simply based on being the configuration beyond a prescribed time. For the Standby Diesel Generator, Essential Cooling Water, and Essential Chilled Water, the RMA is implemented if the SSC will be inoperable for longer than the duration of the allowed outage time prior to approval of Amendment 85/72. For one inoperable MD Auxiliary Feedwater pump, the RMA will be implemented if the duration of the

Condition Report Number	Source Document	Source Date	Date of Change	Original Commitment Description	Revised Commitment Description	Justification for Change
06-6838 (Cont'd)				would be required if the outage duration would be longer than the original allowed outage time (i.e., longer than 72 hours). Commitment for AFW motor-driven pump allowed outage time extension (ref. NOC-AE-01001196): Compensatory measures will be used to offset the increased risk of allowing a 28-day AOT and will be implemented when it is recognized that maintenance on a motor-driven AFW pump will last for more than 14 days. Both commitments to implement compensatory actions are based on a prescriptive time. Procedure 0POP01-ZO-0006 is the implementing procedure for the compensatory action requirements.	exceeded (emergent event) or is anticipated to be exceeded (either planned condition or emergent event), appropriate compensatory risk management actions shall be identified and implemented. For preplanned maintenance activities for which the RMAT is anticipated to be exceeded, RMAs shall be implemented at the earliest appropriate time. The RMAT is the risk management action threshold and is established at 1E-06 incremental core damage probability or 1E-07 incremental large early release probability. RMAs are risk management actions (i.e., compensatory action). These thresholds are consistent with the thresholds used by STPNOC in implementing Maintenance Rule requirements.	inoperable condition will exceed 14 days. These times are prescriptive and do not take into account the actual quantified risk of the plant configuration when the SSC is removed from service or becomes inoperable for an emergent condition. Implementation of the Maintenance Rule (MR) as described in 10CFR50.65(a)(4) requires an assessment of risk for maintenance and that the risk be managed. STPNOC has established a configuration risk management program (CRMP) to comply with the MR. Consistent with NUMARC 93-01, it establishes specific risk thresholds that require compensatory action if the configuration risk exceeds the threshold. The Non-Risk-Significant Threshold is established at an incremental core damage probability (ICDP) of 1E-06. RMA is required for configurations where the risk exceeds that threshold. STPNOC is an industry pilot for a risk-informed process for determining allowed outage times for the STP Technical Specifications (TS). The risk-informed process involves the application of the STP Configuration Risk Management Program (CRMP) to calculate a risk-informed completion time (RICT) based on the time required for the risk calculated for a plant configuration to attain a threshold. The risk thresholds, the process for calculating the configuration risk, and the requirements for PRA quality are

Condition Report Number	Source Document	Source Date	Date of Change	Original Commitment Description	Revised Commitment Description	Justification for Change
06-6838 (Cont'd)						described in the Electric Power Research Institute (EPRI) Risk Managed Technical Specification Guidelines (RMTS Guidelines). The RMTS Guidelines applies the same ICDP threshold for RMA as the MR. The RMTS Guidelines also establishes a incremental large early release probability (ILERP) threshold of 1E-07. These thresholds are known as risk management action thresholds (RMAT). The RMTS Guidelines specifically requires RMAs for conditions that exceed the RMAT: For plant configurations in which the RMAT either has been exceeded (emergent event) or is anticipated to be exceeded (either planned condition or emergent event), appropriate compensatory risk management actions shall be identified and implemented. For preplanned maintenance activities for which the RMAT is anticipated to be exceeded, RMAs shall be implemented at the earliest appropriate time. This commitment change is described in the license amendment request for the risk-informed TS (NOC-AE-06002005). Revising the STP procedure to apply thresholds consistent with the MR and the RMTS Guidelines will establish an internally consistent risk-informed process with one set of criteria that are firmly grounded in industry and regulatory precedent.

Condition Report Number	Source Document	Source Date	Date of Change	Original Commitment Description	Revised Commitment Description	Justification for Change
07-457-66	NOC-AE-07002114 Phase 2 and 3 Mitigation Strategies NOC-AE-07002150 Phase 2 and 3 Mitigation Strategies – RAI Response AE-NOC-07001653 Safety Evaluation for EA-02-026	02/22/2007 05/14/2007 07/11/2007	12/12/2007	NOC-AE-07002114, Attachment 1, Page 4 of 18, Table A.2-3, SFP External Spray Strategy **General Description**, states in part: ... the preferred source of water will be firewater from a yard fire hydrant, if available, since it is more easily deployed. Water can also be supplied by pumping water from the Circulating Water System below ground piping located West of each Fuel Handling Building using the diesel driven portable pump. ... The strategy will be deployed within 2 hours when fuel is stored in an undispersed configuration. Similar commitments were made for the SFP External Makeup Strategy (Table A.2-2) on, Page 2 of 18, where it stated that the portable diesel driven pump can be supplied from several different long term sources and supplement the existing fire water system" to include ..." **Water Source & Capacity** "...1.2E7 gallons from the Circulating Water System." In addition, in NOC-AE-07002150, Attachment 1, Page 2 of 5, RAIs #5 and #8, STP clarified that both the SFP External Makeup (Table A.2-2) and SFP External Spray (Table A.2-3) strategies will be developed to deploy within 2 hours in accordance with NEI guidance.	For both the SFP External Makeup (Table A.2-2) and SFP External Spray (Table A.2-3) strategies the preferred source of water will be firewater from a yard fire hydrant, if available, since it is more easily deployed. Water can also be supplied by pumping water from the Circulating Water System below ground piping located West of each Fuel Handling Building using the diesel driven portable pump. Other sources are the Demineralized Water Storage Tank located east of the Unit 1 Fuel Handling Building or the Organics Basin located southeast of the Unit 2 Fuel Handling Building. ...The SFP External Makeup (Table A.2-2) and SFP External Spray (Table A.2-3) strategies will be capable of being deployed within 2 hours. **Water Source & Capacity:** "... there is available over 1.2E7 gallons from the Circulating Water System and approximately 1 million gallons from the Demineralized Water Storage Tank."	During revision of implementing procedures it was determined that the backup method of connecting the portable pump to draw from the identified Circulating Water locations in the procedure would take more than 2 hours. Therefore two other locations where it was deemed feasible to meet the 2 hour deployment time were identified. The Demineralized Water Storage Tank has a capacity of up to 1 million gallons. The Organics Basin contains water from outage activities and rain water. The capability to deploy the strategies within 2 hours and for at least 12 hours with onsite water sources will be met by the revised strategy. The preferred source of water will continue to be the firewater system from a yard fire hydrant, if available. There are options in the strategies for long term water supply by connecting the portable pump to draw water from the Demineralized Water Storage Tank, the Organics Basin, or the Circulating Water System (CWS) below ground piping to charge the fire header through a yard hydrant. The capability to set-up the portable pump to draw water from the Demineralized Water Tank into the SFP within the 2 hour requirement has been validated (CR 07-457-65). The alternate water supplies are necessary because there may be competing needs for the firewater system. The equipment necessary to use these sources is staged and available. CREE

Condition Report Number	Source Document	Source Date	Date of Change	Original Commitment Description	Revised Commitment Description	Justification for Change
07-457-66 (Cont'd)						07-457-63 validates the flow rates using the Demineralized Water Tank as the water source. CREE 07-457-37 and 07-457-38 validate flow rates and capacities using the CWS which can be still be deployed but will require additional set-up time to access the CWS piping if the CWS is determined to be necessary. The commitment in NOC-AE-07002150, Attachment 1, RAI 8 Page 2 of 7, Table A.2-3 (SFP External Spray Strategy) further clarified that the strategy will be developed to deploy within 2 hours. The (implementing procedures) guidance will require that the strategy be deployed within 2 hours when fuel is not dispersed and no later than 5 hours when fuel is dispersed. While the spray strategy has been developed to ensure deployment within 2 hours, it can be deployed no later than 5 hours when fuel is in a dispersed configuration. These commitments were reflected in the Safety Evaluation for AE-NOC-07001653, Appendix B sections, 2.3.1 and section 2.3.2; however, the specific sources of water were not specified in the "Evaluation" section. It is acceptable to make this change without prior NRC notification and approval. The change will be reflected in the next periodic report of commitment changes and the NRC will be advised of the change during their 2008 inspection of B5b implementation under NRC TI 2515/171.

Condition Report Number	Source Document	Source Date	Date of Change	Original Commitment Description	Revised Commitment Description	Justification for Change
07-491	NOC-AE-02001320 Control Room Envelope Ventilation System	04/25/2002	07/30/2008	Licensee Event Report 02-001 – CRE Ventilation System Failed to Maintain Positive Pressure in the Control Room Corrective Action #2: Revised the Electrical Auxiliary Building HVAC System procedure to include a description of the CRE HVAC boundary, a list of fire dampers that can affect CRE HVAC operability and general precautions reminding personnel that surrounding HVAC systems can affect CRE HVAC operability.	Revised 0POP02-HE-001, Electrical Auxiliary Building HVAC System to remove the description and list described above and to add procedure precautions section to state: During normal (non-emergency) modes of operation, system registers or access panels may be removed to facilitate inspection provided the following precautions are in place. A. Communications are established between the control room and the working group. B. In the event of an HVAC actuation to an emergency mode, the register or access panel is to be reinstalled immediately and secured in place. C. Notify the Control Room that the access panel or register has been reinstalled.	Replacing the damper tables and description in the addendum to the procedure with the instructions for communication with the control room provides Operations with positive and immediate configuration control of system boundaries rather than relying on a lengthy table of information. The use of the dedicated individual for control of the damper configuration is consistent with the guidance for manual actions in Regulatory Issue Summary 2005-20 (now in Part 9900 of the NRC Inspection Manual). The restoration process is simple and there are no environmental conditions that would impact the ability of a dedicated individual to reinstall an access cover or register. Incorporation of the guidance into the operating procedure makes future changes subject to a codified change process (i.e., 10 CFR 50.59). In accordance with NEI 99-04, this corrective action need not be tracked as a commitment. Note that this commitment change was not documented initially, and this justification was performed after the fact as a Condition Report action.

Details of the audit and the NRC staff's conclusions are set forth in the enclosed audit report.

The NRC staff appreciates the resources that were made available by your staff, both before and during the audit. If there are any questions, I can be contacted at (301) 415-1476 or by electronic mail at mohan.thadani@nrc.gov.

Sincerely,

/RA/

Mohan C. Thadani, Senior Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

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