



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

February 28, 2012

Mr. Michael J. Annacone, Vice President  
Brunswick Steam Electric Plant  
Carolina Power & Light Company  
Post Office Box 10429  
Southport, North Carolina 28461

SUBJECT: BRUNSWICK STEAM ELECTRIC PLANT, UNITS 1 AND 2 – AUDIT OF THE  
LICENSEE'S MANAGEMENT OF REGULATORY COMMITMENTS  
(TAC NOS. ME5438 AND ME5439)

Dear Mr. Annacone:

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 the regulatory commitments are being effectively implemented.

An audit of Carolina Power and Light Company's commitment management program was performed at the plant site during the period of September 13 and 14, 2011. Based on the audit, the NRC staff concluded that (1) Brunswick Steam Electric Plant (BSEP), Units 1 and 2 has implemented NRC commitments on a timely basis, and (2) BSEP has implemented an effective program for managing NRC commitment changes. Details of the audit are set forth in the enclosed audit report.

Sincerely,

A handwritten signature in black ink, appearing to read "Farideh E. Saba", is written over the typed name.

Farideh E. Saba, Senior Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-325 and 50-324]

Enclosure: Audit Report

cc w/encl: Distribution via ListServ

AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

BRUNSWICK STEAM ELECTRIC PLANT, UNIT NOS. 1 AND 2

DOCKET NOS. 50-325 AND 50-324

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 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 licensee's regulatory commitments are being effectively implemented.

The document 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 Brunswick Steam Electric Plant (BSEP), Units 1 and 2 commitment management program was performed at the plant site during the period September 13 and 14, 2011. The previous audit was done in June 2008 and recorded in the audit report dated September 30, 2008. This audit reviewed commitments made since the prior 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.

Enclosure

### 2.1.1 Regulatory Commitments 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, or licensing activities. Before the audit, the NRC staff searched ADAMS for the regulatory commitments in the licensee's submittals since last audit for verification. In addition, the NRC staff reviewed the status of the regulatory commitments that were in progress during the last audit.

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 Regulatory Commitments Implementation Audit Results

The licensee's commitment management program is described in the Progress Energy Corporation (PEC), Nuclear Generation Group, Standard Procedure REG-NGGC-0110, Revision 3, "Regulatory Commitments." The PEC procedure is applicable to regulatory commitments made or modified after the effective date of this procedure.

The NRC staff reviewed the licensee's procedure REG-NGGC-0110, Revision 3 and compared it to its previous revision that was reviewed by the NRC staff during the last audit. The NRC staff review identified that the following statement was added in Revision 3 of this procedure, regarding changes to commitment implementation date.

If a Regulatory Commitment has yet to be implemented and implementation plans change, the revised commitment can be implemented but the NRC should be notified of the change as soon as practicable after approval by appropriate management but before any committed completion date. Notification should be accomplished by supplementing, or revising the docketed correspondence containing the original commitment.

The NRC staff found that REG-NGGC-0110, Revision 3 provides guidance to the licensee that is consistent with the intent of NEI 99-04, and that the licensee is

appropriately following its procedure for implementation of the regulatory commitments at the BSEP, Units 1 and 2.

The licensee's commitment database, which is called PassPort<sup>®</sup>, handles the commitments that are open or active. This database is used to track all commitments, including commitments to state and other agencies, and also tracks other plant activities. Each regulatory commitment is captured in a PassPort<sup>®</sup> Action Request (AR), a Nuclear Task Management is initiated, and appropriate actions to implement regulatory commitments are also captured in a PassPort<sup>®</sup> Action Tracking Assignment. The assignment type is usually entered as "COMM," which indicates that this action is an NRC regulatory commitment. Also entered are the due date and the responsible individual for meeting the commitment.

During the audit, the NRC staff reviewed the status of the implementation of the regulatory commitments that were made since the last audit and the commitments that were in progress at that time. The attached Summary of Audit Results table provides details of the audit and its results.

The NRC staff interviewed the BSEP personnel and reviewed documentation generated by the licensee related to the items listed in the attached table that are identified as regulatory commitments in response to different types of actions or communications (Category) with the NRC, in order to assess the implementation of each regulatory commitment, including the completion status. For the commitments reviewed during the audit, the NRC staff found that the licensee had adequately captured all of the regulatory commitments in its PassPort<sup>®</sup> database, which is a data management and tracking tool. The review of the identified commitments in the PassPort<sup>®</sup> database reflected their status consistent with the commitment program.

During the audit, the NRC staff reviewed plant procedures that have been revised as a result of commitments made by the licensee to the NRC. The NRC staff noted that the regulatory commitments are referenced in the affected procedures. In addition, the paragraphs of the procedures are marked by the referenced number assigned for those commitments. As such, the licensee's procedure owner will be advised to refer to all the regulatory commitments associated with each procedure, prior to making any changes to the procedure.

During the audit the NRC staff noticed that the AR for the regulatory commitment listed in the licensee's letter dated May 9, 2008, was closed (shown completed) later than the commitment scheduled completions date. However, the NRC staff verified that all activities associated with this AR were implemented during the refueling outage prior to the scheduled completion date.

Based on the above review, the NRC staff concluded that the licensee adequately implemented all the regulatory commitments made to the NRC in a timely manner.

## 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 compares 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 audit reviews 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.

#### 2.2.1 Regulatory Commitment Changes Audit Results

The process used at BSEP is contained in the PEC Standard Procedure REG-NGGC-0110, Revision 3. The NRC staff reviewed this procedure against NEI 99-04, Revision 0. The REG-NGGC-0110, Revision 3 provides guidance to the licensee to ensure that BSEP is appropriately implementing regulatory commitment changes, as well as tracking changes to the commitments.

The NRC staff found that REG-NGGC-0110 adequately conforms to the guidance and intent of NEI 99-04 for commitment tracking, the commitment change process, traceability of commitments, and reporting requirements. Regulatory commitment changes are processed and tracked by the responsible licensing supervisor, or designee. The evaluation of any commitment changes is to be done by using the "Regulatory Commitment Change Evaluation" form in Attachment 3 of the procedure. The NRC staff reviewed this form and found it to be consistent with the Commitment Evaluation form in NEI 99-04, with minor differences.

During the audit, the NRC staff reviewed Enclosure 2 of the licensee's letter dated August 20, 2008, that provided a summary of the BSEP regulatory commitment changes from August 1, 2006 to July 31, 2008. The one regulatory commitment change reported in this letter was a change in the security related information that was originated by a letter from James Scarola (the licensee) to the NRC dated February 9, 2007. The NRC staff noticed that this is not a regulatory commitment; rather it is the licensee's response to an NRC's security order. However, the NRC staff noticed that this is consistent with the NEI proposal, as captured in the a safety evaluation attached to the NRC's letter dated August 23, 2007, that suggested that "the implementing details found to be acceptable means of meeting the license condition would be treated as commitments and managed in accordance with NEI 99-04." During the audit, the NRC staff found this approach acceptable, since it is endorsed by the NRC in its August 23, 2007, safety evaluation. The NRC staff also concluded that the licensee appropriately reported this change to the NRC.

During the audit, the NRC staff also reviewed Enclosure 2 of the licensee's letter dated August 18, 2010, that provided a summary of the BSEP regulatory commitment changes from August 1, 2008 to July 31, 2010. One regulatory commitment change reported in this letter regarding a commitment that was originated in a letter from the licensee, "Regulatory Operations Bulleting No. 73-6," dated December 13, 1974. The original commitment stated, in part, that engineering safety feature (ESF) operability describes a procedure to be used by shift personnel for utilizing the ESF status board. The revised commitment states that the ESF status boards are no longer used and have been removed from the control room. During the audit, the NRC staff asked how this regulatory commitment change was screened. The licensee responded that in accordance with the PEC procedure, the screening papers are not retained after reporting to the NRC. During the audit, the NRC staff screened and evaluated

this commitment change using Attachment 3 of PEC Standard Procedure REG-NGGC-0110, Revision 3. Based on this independent evaluation, the NRC staff determined that the licensee was not required to report this regulatory commitment change. The NRC staff found this acceptable since the licensee had conservatively reported this change to the NRC.

During the audit, the licensee's staff provided the NRC staff with only one regulatory commitment that was revised since the last audit without reporting to the NRC. This commitment was originated in the licensee's reply to a notice of violation, in a letter dated February 23, 1989. This commitment change is captured in the PassPort® database as AR 387054. The original commitment was made to restore compliance with a Technical Specification which required that facility records be retained in accordance with the American National Standard Institute (ANSI) N45.2.9-1974, "Collection, Storage, and Maintenance of Quality Assurance Records." The proper retention time in accordance with the requirements of this ANSI standard is 5 years. However the original commitment stated that a revision to the equipment clearance procedure should be implemented to require the retention of safety-related clearances as QA records (i.e., life time retention). Therefore the original commitment for retaining the clearance for a life time exceeded the applicable ANSI requirements. The NRC staff reviewed the licensee's Regulatory Commitment Change Evaluation, using Attachment 3 of REG-NGGC-0110 procedure. The NRC staff determined that the licensee adequately evaluated and revised this regulatory commitment, and no notification to the NRC was required.

Discussions with BSEP staff confirmed that REG-NGGC-0110 is being adequately implemented at the plant, which further supports the NRC staff's conclusion that regulatory commitments are being revised in accordance with the guidance contained in NEI 99-04. In addition, the NRC staff reviewed documentation from the licensee related to the items discussed above that involved changes to commitments. The NRC staff found that the licensee properly addressed each regulatory commitment change selected for this audit and has implemented an effective program to manage commitment changes.

### 2.3 Audit Observations and Suggestions

During the audit, the NRC staff noticed that:

- (1) PassPort® database is used for all plant activities. Therefore, unless specific information (such as an AR number) is available, PassPort® is not a friendly tool for searching and identifying regulatory commitments applicable to the NRC.
- (2) Most of the time, an AR for tracking a regulatory commitment was generated after the NRC approval of the licensing action that contained a commitment. As such, no AR was generated in the PassPort® database, if the regulatory commitment completion date was the same as or before the licensing action was approved.

During the audit, the NRC staff and the BSEP licensing personnel discussed ways to improve efficiency and traceability of new regulatory commitments and managing changes to the ongoing regulatory commitments in the PassPort® database. The following items were suggested:

- (1) AR initiation – Initiate an AR in the PassPort® database for any regulatory commitment that is submitted to the NRC, as soon as it is officially submitted.
- (2) Implementation Dates – clearly document in the AR both the regulatory commitment due date and completion date. Make sure that the AR completion date matches the completion date in the closure documentation.
- (3) Regulatory commitment changes – Ensure a new AR is opened for any regulatory commitment changes. Also, retain completed REG-NGGC-0110, Attachment 3 documentation until the next NRC's commitment audit (although not discussed in NEI 99-04).

As an additional observation, the licensee is planning to periodically run a PassPort® report to maintain awareness of upcoming regulatory commitment due dates and ensure due dates are met or appropriately reported to the NRC.

### 3.0 CONCLUSION

The NRC staff concludes that based on the above audit: (1) BSEP has implemented NRC commitments in a timely manner, and (2) BSEP has implemented an effective program for managing NRC commitment changes.

### 4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

Bill Murray	Licensing Engineer
Mark Turkal	Licensing Engineer, as needed
Lee Grzeck	Licensing Engineer, as needed
Annette Pope	Supervisor - Licensing and Regulatory Programs

Principal Contributor: Farideh E. Saba

Attachment: Summary of Audit Results

## SUMMARY OF AUDIT RESULTS

### IMPLEMENTATION OF COMMITMENTS:

No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
1	Pursuant to Title 10 of the <i>Code of Federal Regulations</i> (10 CFR) 20.1705	May 1, 2006 PE&RAS-05-066	Based on satisfactory tests results from applicable pressure drop tests of the various combinations of hose lengths and number and types of connections that are representative of those anticipated to be used, Carolina Power & Light Company (CP&L) will incorporate specific instructions into the respiratory protection program to ensure that the air is supplied to the suit inlet consistent with the conditions for which this equipment was certified	Pursuant to 10 CFR 20.1705	AR190245 <sup>1</sup> AR317806	The necessary training materials were prepared (effective May 3, 2009) and plant procedures were updated (February 19, 2009).
2	Generic Letter (GL) 2008-01	May 9, 2008 BSEP 08-0060	CP&L will complete detailed walkdowns and any necessary ultrasonic examinations of inaccessible piping at locations potentially susceptible to gas accumulation for systems within the scope of Generic Letter (GL) 2008-01 for Brunswick Steam Electric Plant (BSEP) Unit 2, prior to startup from the next refueling outage (i.e., B219R1).	Prior to startup from the B219R1 refueling outage, currently scheduled to begin on February 28, 2009.	AR283500-01	Walkdowns were completed by April 10, 2009.

<sup>1</sup> AR190245 is superseded AR317806.



No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
3	GL2008-01	May 9, 2008 BSEP 08-0060	CP&L will submit a supplemental response to GL 2008-01 within 90 days following the completion of the B219R1 refueling outage. The supplemental response will describe any changes to the 9-month response resulting from walkdowns and ultrasonic examination of inaccessible BSEP Unit 2 piping.	Within 90 days following the completion of the B219R1 refueling outage, currently scheduled to end on April 11, 2009.	AR283500-02	Supplemental response submitted on July 27, 2009, by BSEP 09-0079 letter.
4	GL2008-01	May 9, 2008 BSEP 08-0060	CP&L will complete any necessary ultrasonic examinations or additional inspections of inaccessible piping at locations potentially susceptible to gas accumulation for systems within the scope of GL 2008-01 for BSEP Unit 1 prior to startup from the next refueling outage (i.e., B118R1).	Prior to startup from the B118R1 refueling outage, currently scheduled to begin on February 27, 2010.	AR283500-03	All activities were completed during the outage. However, AR was closed (shown completed) on June 04, 2010.
5	GL2008-01	May 9, 2008 BSEP 08-0060	CP&L will submit a supplemental response to GL 2008-01 within 90 days following the completion of the B118R1 refueling outage. The supplemental response will describe any changes to the nine-month response resulting from walkdowns and ultrasonic examination of inaccessible BSEP Unit 1 piping.	Within 90 days following the completion of the B118R1 refueling outage, currently scheduled to end on April 5, 2010.	AR283500-04	BSEP 10-0089 letter dated July 22, 2010.
6	Amendment	June 19, 2008 BSEP 08-0083 TSC-2008-03	CP&L will establish the Technical Specification (TS) Bases for TS B 3.1.3 and TS B 3.1.4 consistent with those provided in Enclosure 5.	To be implemented with implementation of the amendment.	266789-08	Incorporated by TS Bases Revs 63 (Unit 1) and 60 (Unit 2) on January 14, 2009. Submitted to the NRC by letter dated October 12, 2010, BSEP 10-0113.

No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
7	Amendment	October 6, 2008 PE&RAS-08-037	Removal of the plant-specific TS requirements will be performed concurrently with the implementation of the 10 CFR Part 26, Subpart I requirements.	This commitment will be completed no later than October 1, 2009.	288091-20	Amendment implemented by August 17, 2009.
8	GL 2008-01	October 10, 2008 BSEP 08-0137	CP&L will submit a license amendment request based on the approved TSTF related to the potential for unacceptable gas accumulation, if deemed necessary.	Within 9 months following NRC approval of the TSTF.	295801-01	Awaiting NRC approval of TSTF.

No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
9	GL 2008-01	October 10, 2008 BSEP 08-0137	<p>CP&amp;L will install new vent valves in the Unit 1 and Unit 2 high pressure coolant injection (HPCI), residual heat removal (RHR), and core spray (CS) systems in locations which were determined based on analyses of walkdown and ultrasonic testing (UT) examination results completed to date.</p> <p>CP&amp;L will revise the following fill and vent procedures for the HPCI, RHR, and CS systems to incorporate the addition of new vent valves.</p> <p>1/20P-19, "High Pressure Coolant Injection System Operating Procedure"  1/2OP-17, "Residual Heat Removal System Operating Procedure"  1/20P- 18, "Core Spray System Operating Procedure"</p>	<p>Installation of the new Unit 1 vent valves and associated procedure changes will be completed prior to startup from the B118R1 refueling outage, currently scheduled to begin on February 27, 2010. Installation of the new Unit 2 vents valves and associated procedure changes will be completed prior to startup from the B219R1 refueling outage, currently scheduled to begin on February 28, 2009.</p>	<p>295801-21  295801-22  295801-23  295801-24</p>	<p>Implementing Work Orders listed in 295801-21.</p> <p>Implementing Work Orders listed in 295801-22.</p> <p>295801-23: 1OP-17 Rev 100, 101, and 102 (RHR), 1OP-18 Rev 49 and 50 (CS), 1OP-19 Rev 78 (HPCI)</p> <p>295801-24: 2OP-19 Rev 116 (HPCI), 2OP-17 Rev 152 (RHR), 2OP-18 Rev 63 (CS)</p> <p>All activities were completed during the outage.</p>

No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
10	GL 2008-01	October 10, 2008 BSEP 08-0137	<p>CP&amp;L will revise the following fill and vent procedures for the HPCI, RHR, and CS systems to: (1) incorporate use of additional existing vents as required, in the proper sequence, and (2) fill and vent instrument lines, as required.</p> <p>1/20P-19, "High Pressure Coolant Injection System Operating Procedure" 1/20P-17, "Residual Heat Removal System Operating Procedure" 1/20P- 18, "Core Spray System Operating Procedure"</p>	<p>These revisions will be completed by April 11, 2009 for Unit 1.</p> <p>These revisions will be completed prior to the system being restored to service during the B219R1 refueling outage for Unit 2.</p>	<p>295801-25 295801-26</p>	<p>295801-25: 1OP-19 Rev 74 (HPCI), 1OP-17 Rev 97 (RHR), 1OP-18 Rev 48 (CS)</p> <p>295801-26: 2OP-19 Rev 116 (HPCI), 2OP-17 Rev 152 (RHR), 2OP-18 Rev 63 (CS)</p> <p>All activities were completed during the outage.</p>
11	GL 2008-01	October 10, 2008 BSEP 08-0137	<p>CP&amp;L will revise the following BSEP TS monthly surveillance testing procedures for the GL 2008-01 subject systems to: (1) require entry into the corrective action program when excessive gas accumulation is found to address operability considerations and (2) revise solid stream acceptance criterion to "solid stream for at least 2 minutes."</p> <p>OPT-09.3a, "HPCI System Component Test"</p> <p>OPT-08.1.3a, "LPCI/RHR System Component Test - Loop A"</p> <p>OPT-08.1.3b, "LPCI/RHR System Component Test - Loop B"</p> <p>OPT-07.1.8, "Core Spray System Component Test"</p>	<p>These procedures will be revised by completion of the B219R1 outage, currently scheduled to begin on February 28, 2009.</p>	<p>295801-27</p>	<p>OPT-09.3A Rev 26, OPT-07.1.8 Rev 25, OPT-08.1.3B Rev 9, OPT-08.1.3A Rev 5</p> <p>All activities were completed during the outage.</p>

No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
12	GL 2008-01	October 10, 2008 BSEP 08-0137	CP&L will revise the following BSEP TS quarterly surveillance testing procedures for the GL 2008-01 subject systems to ensure that monthly surveillance testing performance occurs prior to or as part of the quarterly surveillance. OPT-09.2, "HPCI System Operability Test" OPT-08.2.2c, "LPCI/RHR System Operability Test - Loop A" OPT-08.2.2b, "LPCI/RHR System Operability Test - Loop B" OPT-07.2.4a, "Core Spray System Operability Test - Loop A" OPT-07.2.4b, "Core Spray System Operability Test - Loop B"	These procedures will be revised by completion of the B219R1 outage, currently scheduled to begin on February 28, 2009.	295801-28	OPT-09.2 Rev 129 (HPCI), OPT-08.2.2C Rev 71, OPT-08.2.2B Rev 84, OPT-07.2.4B Rev 62, OPT-07.2.4B Rev 61  All activities were completed during the outage.
13	Amendment	July 23, 2009 BSEP 09-0077 TSC-2009-07	Local leakage rate testing of the new X-2 containment penetration metallic liner welds associated with installation of a replacement X-2 penetration sleeve will be performed.	Prior to startup following the B118R1 outage.	No AR	Withdrawn by the licensee on September 3, 2009 and acknowledged by the NRC on September 18, 2009.
14	Amendment	July 23, 2009 BSEP 09-0077 TSC-2009-07	As part of the X-2 containment penetration replacement, a 100 percent examination surface (i.e., liquid penetrant or magnetic particle examination) and spot volumetric (i.e., UT or radiography) will be performed on the metallic liner repair welds.	Prior to startup following the B118R1 outage.	No AR	Withdrawn by the licensee on September 3, 2009 and acknowledged by the NRC on September 18, 2009.

No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
15	Amendment	July 23, 2009 BSEP 09-0077 TSC-2009-07	As part of the X-2 containment penetration replacement, a 100 percent VT-I examination of the accessible surfaces of the new penetration sleeve and containment liner affected by the repair will be conducted.	Prior to startup following the B118R1 outage.	No AR	Withdrawn by the licensee on September 3, 2009 and acknowledged by the NRC on September 18, 2009.
16	Emergency Plan Changes	September 29, 2009 BSEP 09-0089	Submit the FEMA approval letter of the revised EPZ zone descriptions and revised zone descriptions that are consistent with those approved by FEMA.	Within 30 days of FEMA approval of the updated zone descriptions. (FEMA's letter dated October 30, 2009)	NO AR	By letter BSEP 09-0214 dated November 11, 2009.
17	Cyber Security Plan	September 23, 2010 RA-10-025	CP&L and Florida Power Corporation (FPC) will supplement Section 2.1, "Scope and Purpose," of the CP&L and FPC Cyber Security Plan. Section 2.1 will be amended to clarify the balance of plant (BOP) structures, systems and components (SSCs) that will be included in the scope of the cyber security program.	On or before November 30, 2010	366703	Commitment revised by letter dated November 30, 2010, RA-10-026.
18	Cyber Security Plan	November 18, 2009 BSEP 09-0116	The BSEP Cyber Security Plan will be implemented in accordance with the implementation schedule provided in Enclosure 2 and, therefore, be fully implemented within 36 months of the date of NRC approval of the Cyber Security Plan.	According to implementation schedule.	366703	One commitment was completed by July 8, 2010. Three other commitments superseded by the commitments being tracked via 471149.

No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
19	Notice of Violation	November 4, 2010 BSEP 10-0124	Full compliance will be complete, by January 15, 2011, based upon completion of the background investigations that are being reperformed for those DZ Atlantic employees currently badged at Progress Energy nuclear sites, as stated in Section 3 of written response to the Notice of Violation EA-10-032.	January 15, 2011	431635	Background investigations completed as documented in AR 431635-01.  Completed by November 19, 2010.
20	Cyber Security Plan	November 30, 2010 RA-10-026	CP&L and FPC will amend the Carolina Power & Light Company and Florida Power Corporation Cyber Security Pan, as needed, to clarify that BOP SSCs are within the scope of the cyber security program consistent with the NRC's yet to be issued position on BOP cyber security jurisdiction. The timing of the change will be consistent with a schedule to be provided by the NRC staff.	On or before November 30, 2010	366703	Commitment addressed by response in letter dated April 7, 2011, RA-11-011, RAI3.

No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
21	Exemption	December 16, 2010 BSEP 10-0111	BSEP will maintain the following information in site procedures: <ul style="list-style-type: none"> <li>The entry conditions necessary to sequester site personnel, consistent with the conditions specified in the exemption request.</li> <li>Provisions for ensuring that personnel who are not performing duties are provided an opportunity, as well as accommodations, for restorative rest.</li> <li>The exit conditions for departure from the exemption, consistent with the conditions specified in the exemption request.</li> </ul>	30 days after exemption approval.	463454 <sup>2</sup>	Incorporated into OAI-68 Rev 38.  Exemption was approved on June 2, 2011. Regulatory Commitment was completed by June 30, 2011.
22	Amendment	March 16, 2011 BSEP 11-0031 TSC-2010-02	When using AREVA Topical Report BAW-10247PA, "Realistic Thermal-Mechanical Fuel Rod Methodology for Boiling Water Reactors," Revision 0, April 2008, to determine core operating limits, the fuel cladding peak oxide thickness calculated by the RODEX4 corrosion model will be limited to less than the proprietary value defined in Section 2.2 of AREVA Report ANP-2992P, Revision 0, AREVA Response to Additional RAI on the BSEP RODEX4 License Amendment Request (LAR).	Upon implementation of the Unit 1 and Unit 2 license amendments authorizing the incorporation of AREVA Topical Report BAW-10247PA into TS 5.6.5.b.	459973-1 for Unit 1 459973-2 for Unit 2	Ongoing. The licensee closes this AR after completion of the referenced cycles in this regulatory commitment and initiates a new AR for the subsequent cycles.

<sup>2</sup> This regulatory commitment was required for approval of emergency plan changes.



No.	Category	Letter Date and No.	Commitment	Scheduled Date	Action Request No. - Assignment No.	Completion Date - Method
23	Cyber Security Plan	April 7, 2011 RA-1 1-011	Security-related information.	Security-related information.	471149 <sup>3</sup>	Cyber Security Plan license amendment issued July 25, 2011. Commitment tracking assignments issued August 3, 2011 via NTM 471149.
24	Enforcement Discretion	June 29, 2011 RA-11-019	BSEP, Unit Nos. 1 and 2 will submit a LAR for transitioning to NFPA 805. The LAR will include a plant-wide assessment to identify fire areas and fire hazards and evaluate compliance with the existing BSEP, Unit 1 and 2 fire protection licensing basis. This assessment will be performed in accordance with NEI 04-02, "Guidance for Implementing a Risk-Informed, Performance-Based Fire Protection Program under 10 CFR 50.48(c)."	September 30, 2012	477582	Open

<sup>3</sup> AR was initiated prior to approval of this licensing action.

February 28, 2012

Mr. Michael J. Annacone, Vice President  
Brunswick Steam Electric Plant  
Carolina Power & Light Company  
Post Office Box 10429  
Southport, North Carolina 28461

SUBJECT: BRUNSWICK STEAM ELECTRIC PLANT, UNITS 1 AND 2 – AUDIT OF THE  
LICENSEE'S MANAGEMENT OF REGULATORY COMMITMENTS  
(TAC NOS. ME5438 AND ME5439)

Dear Mr. Annacone:

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 the regulatory commitments are being effectively implemented.

An audit of Carolina Power and Light Company's commitment management program was performed at the plant site during the period of September 13 and 14, 2011. Based on the audit, the NRC staff concluded that (1) Brunswick Steam Electric Plant (BSEP), Units 1 and 2 has implemented NRC commitments on a timely basis, and (2) BSEP has implemented an effective program for managing NRC commitment changes. Details of the audit are set forth in the enclosed audit report.

Sincerely,

/ra/

Farideh E. Saba, Senior Project Manager  
Plant Licensing Branch II-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-325 and 50-324

Enclosure: Audit Report

cc: Distribution via ListServ

DISTRIBUTION:

PUBLIC LPL 2-2 R/F  
RidsOgcRp

RidsNrrDorLPL2-2  
RidsAcrsAcnw\_MailCTR

RidsNrrPMBrunswick  
RidsRgn2MailCenter

RidsNrrLACSola  
S. Meighan, NRR

ADAMS ACCESSION No.: ML11272A063

OFFICE	LPL2-2\PM	LPL2-2\LA	LPL2-2\BC	LPL2-2\PM
NAME	FSaba	CSola	DBroaddus	FSaba
DATE	10/02/2011	10/02/2011	2/28/12	2/28/12

OFFICIAL RECORD COPY