

December 15, 2011

MEMORANDUM TO: Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

FROM: Michele G. Evans, Director */ra/*
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

SUBJECT: COMMITMENT MANAGEMENT AUDIT – GUIDANCE
REGARDING COMMITMENT MANAGEMENT AUDITS

This memorandum implements the interim action associated with Recommendation Nos. 1 and 2 described in the Division of Operating Reactor Licensing (DORL) response¹ to the September 19, 2011,² memorandum transmitting the Office of Inspector General's (OIG) commitment management audit. Criteria are described in the enclosure to this memorandum that DORL project managers (PMs) are to use when performing triennial commitment management audits for their assigned licensees. The purpose for these criteria is to assist PMs in planning and conducting commitment management audits, including the selection of a commitment audit sample.

Please contact John Hughey at the inception of audit planning to receive a just-in-time briefing regarding the current initiatives associated with the planning and conduct of commitment management audits. Any questions regarding this matter can be directed to John Hughey at 301-415-3204 (office O8-H8).

Thank you for your assistance with implementing DORL's response to the OIG commitment management audit.

CONTACT: John D. Hughey, NRR/DORL
(301) 415-3204

¹ Agencywide Documents Access and Management System (ADAMS) Accession No. ML112700129.

² ADAMS Accession No. ML112620529.

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¹ Agencywide Documents Access and Management System (ADAMS) Accession No. ML112700129.

² ADAMS Accession No. ML112620529.

INTERIM GUIDANCE REGARDING SAMPLE SELECTION
AND COMMITMENT IMPLEMENTATION VERIFICATION
FOR COMMITMENT MANAGEMENT AUDITS

Section 1 of Office Instruction LIC-105, "Managing Regulatory Commitments Made by Licensees to NRC," Revision 3,¹ provides guidance regarding the conduct of triennial commitment management audits. The September 19, 2011,² Office of Inspector General's (OIG) commitment management audit recommended that this guidance be enhanced with regard to audit sample selection and validation of appropriate commitment implementation. DORL's implementation of these recommendations includes the issuance of this memorandum to DORL staff with the expectation that this interim guidance will be used with the existing Revision 3 of LIC-105.³ This guidance will be incorporated into the next revision of LIC-105, which is scheduled to be issued by September 2012.

Sample Selection

A selection of approximately 10 commitments comprised of open, closed and modified/deleted items should be reviewed. The following sources are to be reviewed when developing a commitment management audit sample:

1. The licensee's list/database of commitments;
 2. License amendment requests and NRC-issued Safety Evaluations;
 3. Licensee responses to NRC Generic Letters;
 4. Licensee responses to NRC Bulletins and Information Notices;
 5. Other licensee docketed correspondence.
- The audit sample should contain commitments that are implemented, awaiting completion of implementation, as well as commitments that have been modified (i.e. revised or deleted).
 - Closed commitments will be selected to verify that they have been properly and completely implemented. Specific guidance regarding the verification of implemented commitments is provided in the next section.
 - Open commitments will be selected to confirm that they are properly documented, tracked and scheduled for implementation.
 - Modified commitments will be selected to determine if the licensee properly evaluated the commitment change or deletion, and if timely notification was made to the NRC, as appropriate.

¹ Agencywide Documents Access and Management System (ADAMS) Accession No. ML090640415.

² ADAMS Accession No. ML112620529.

³ Interim guidance regarding the identification of misapplied commitments has been previously communicated to DORL staff in memorandum dated November 29, 2011; ADAMS Accession Nos. ML113190085.

Enclosure

- There may be instances where it is appropriate to select more than 10 commitments for the audit sample. For example, several commitment items such as a procedure change, a training plan revision, or an initiated plant modification, may be implemented together to address a single issue. In this instance, it is appropriate to consider multiple items to support the audit of a particular commitment issue. In such cases, more than 10 commitments may need to be in the sample to ensure that a sufficiently broad spectrum of commitments is audited.
- The licensee's tracking list of commitments, described in item number 1 above, is to be requested at the inception of audit planning. Ensure that the licensee's list includes all commitments that have been initiated, modified or closed in the last 3 years.
- Commitments related to the sources listed in items 2 through 5 above can be found through an ADAMS search of the last 3 years.

Commitment Implementation Verification

Commitments in the audit sample that the licensee has identified as completed will be reviewed for proper implementation. The purpose of this interim guidance is to establish the expectation that audit sample commitments will be verified to have been properly implemented by direct inspection of the records. Implementing records include the following items:

1. Procedure revisions;
 2. Completed work orders and/or plant walkdowns;
 3. Issued training plans;
 4. Plant design calculations;
 5. Plant drawings;
 6. Issued memorandums;
 7. Initiated licensing actions; and
 8. Inspection Reports.
- The PM will request that the licensee prepare copies of the plant implementation documentation for the completed commitments.
 - The PM should review the implementation documentation during the on-site audit. The review should confirm that any appropriate plant documentation has been revised and that the changes accurately and fully implement the intent of the commitment.
 - In some instances on-site, physical verifications may enhance the audit. For example, the licensee may have updated plant procedures that require that certain equipment be staged in the field with charged power supplies. The PM may choose to physically verify that the staged equipment is in place and maintained appropriately.
 - Special attention should be given to fleet procedures and program documents to ensure that necessary site-specific implementing documents have also been revised.

Disposition of Audit Findings

- The PM should request that the licensee enter any discrepancies identified during the audit into the licensee's corrective action program (CAP). The audit findings and associated CAP item identification numbers will be documented in the audit report.
- Safety concerns or possible regulatory non-conformances will be identified to the PM's DORL Branch Chiefs (BCs) and referred to the regional BC and the Office of Enforcement, as appropriate. The PM should also identify these issues to the resident inspectors while on-site.