



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

February 10, 2012

Mr. Mark E. Reddemann  
Chief Executive Officer  
Energy Northwest  
P.O. Box 968 (Mail Drop 1023)  
Richland, WA 99352-0968

**SUBJECT: COLUMBIA GENERATING STATION – AUDIT OF THE LICENSEE'S  
MANAGEMENT OF REGULATORY COMMITMENTS (TAC NO. ME5297)**

Dear Mr. Reddemann:

In U.S. Nuclear Regulatory Commission (NRC) Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000, the 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.

An audit of the Columbia Generating Station (CGS) commitment management program was performed at the plant site during the period September 21-22, 2011. 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 implemented effectively.

Based on the results of the on-site audit of CGS 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 the licensee has implemented the regulatory commitments management program effectively, and implemented regulatory commitment changes appropriately in accordance with NRC accepted industry guidance in NEI 99-04. No programmatic inconsistencies and deficiencies were noted. Details of the audit and the NRC staff's conclusions are set forth in the enclosed audit report.

M. Reddemann

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The NRC staff appreciates the assistance of 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](mailto: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 No. 50-397

Enclosure:  
As stated

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

AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE'S MANAGEMENT OF REGULATORY COMMITMENTS

ENERGY NORTHWEST

COLUMBIA GENERATING STATION

DOCKET NO. 50-397

1.0 INTRODUCTION AND BACKGROUND

In U.S. Nuclear Regulatory Commission (NRC) Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML003741774), the NRC informed licensees that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes," contains acceptable guidance for controlling regulatory commitments and encouraged licensees to use the NEI guidance or similar administrative controls to ensure that regulatory commitments are implemented and that changes to the regulatory commitments are evaluated and, when appropriate, reported to the NRC.

The NRC Office of Nuclear Reactor Regulation (NRR) has instructed its staff to perform an audit of licensees' commitment management programs once every 3 years to determine whether the licensees' programs are consistent with the industry guidance in NEI 99-04, and that the regulatory commitments are being effectively implemented.

NEI 99-04 defines a "regulatory commitment" as an explicit statement to take a specific action agreed to, or volunteered by, a licensee and submitted in writing on the docket to the NRC. NRR guidelines direct the NRR Project Manager to audit the licensee's commitment management program by assessing the adequacy of the licensee's implementation of a sample of commitments made to the NRC and changes made to the NRC commitments in past licensing actions (amendments, relief requests, exemptions, etc.) and activities (bulletins, generic letters, etc.). The audit is to be performed every 3 years.

2.0 AUDIT PROCEDURE AND RESULTS

On September 21-22, 2011, the NRC staff performed an audit of the Columbia Generating Station (CGS) regulatory commitments program and regulatory change process. The audit reviewed commitments made by the Energy Northwest (the licensee) since the previous audit

Enclosure

on September 16-17, 2008, which was documented in an audit report dated October 7, 2008 (ADAMS Accession No. ML082690531). The audit consisted of two major parts: (1) verification of the licensee's program for implementation of NRC commitments, and (2) verification of the licensee's program for managing changes to NRC commitments.

The licensee has implemented Procedure SWP-LIC-01, "Regulatory Commitments Management," which establishes its methods for identifying, documenting, tracking, and dispositioning regulatory commitments; and justifying changes to regulatory commitments. The procedure specifies the purpose, definition of terms, authorities and responsibilities, and requirements for effective management of regulatory commitments, and procedures for implementing changes to regulatory 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 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, relief requests, exemptions, etc.) or licensing activities (bulletins, generic letters, etc.). Before the audit, the NRC staff performed a search in ADAMS for the licensee's submittals since the last audit and selected a representative sample for verification.

The audit excluded the following types of commitments that are internal to licensee processes:

- (1) Commitments made on the licensee's own initiative among internal organizational components.
- (2) Commitments that pertain to milestones of licensing actions/activities (e.g., respond to an NRC request for additional information by a certain date). Fulfillment of these commitments was indicated by the fact that the subject licensing action/activity was completed.
- (3) Commitments made as an internal reminder to take actions to comply with existing regulatory requirements such as regulations, Technical Specifications, and Updated Final Safety Analysis Reports. Fulfillment of these commitments was indicated by the licensee having taken timely action in accordance with the subject requirements.

### 2.1.2 Audit Results

In preparation for the audit, the NRC staff searched ADAMS for the licensing actions and licensing activities involving regulatory commitments and regulatory commitment changes since

the previous audit. The NRC staff also contacted the licensee 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 developed a representative sample of regulatory commitments that met the selection criteria identified in NRR's guidance. The NRC staff also obtained from the licensee the requisite documentation, including regulatory commitments management and commitments change management procedures, and documentation related to the NRC staff's selected regulatory commitments sample. Attachment 1 summarizes the representative sample of selected regulatory commitments that were evaluated for this audit.

The documents furnished by the licensee included summary sheets providing the status of the regulatory commitments, source documents, and appropriate backup documentation as needed (i.e., Regulatory Commitments Management Procedure SWP-LIC-01, regulatory commitment tracking forms, actions, regulatory commitment change forms, biennial commitments changes and 50.59/72.48 reports, and other plant documentation).

The NRC staff's audit was intended to confirm the licensee's procedures and documentation of regulatory commitments management, and procedures for commitment changes were adequate. The audit was performed to verify that the licensee's documentation of tracking and implementation of regulatory commitments followed the licensee's procedures and addresses the commitments made to the NRC staff in licensing actions of past 3 years.

The NRC staff concluded that the Licensing Commitment Management and Administration procedure for managing the regulatory commitments provided an acceptable tool to capture the NRC regulatory commitments and generally followed the industry 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 regulatory commitments identification, tracking and change forms. Each commitment is numbered and described by a commitment title and brief description. These commitment forms are reviewed and approved by dedicated staff. The licensee's staff is trained in procedures for entering and updating the regulatory commitments status. The regulatory commitments program Procedure SWP-LIC-01 is followed in documenting, tracking, implementing, and changing the regulatory commitments. The sources of the commitments are clearly documented and retained.

Based on the review of the licensee's records and documentation of 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, and industry guidance in NEI 99-04 and is, therefore, acceptable.

## 2.2 Verification of Licensee's Program for Managing Changes to Licensee's Commitments to NRC

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 changes to NRC commitments. The regulatory commitments changes are

evaluated in accordance with NRC staff's accepted provisions of guidance in NEI 99-04. The changes are reported to NRC biannually. The latest Reports to the NRC are provided in ADAMS Accession No. ML100680478.

Based on its review, the NRC staff concludes that the changes to regulatory commitments are being made in accordance with the industry guidance in NEI 99-04.

The licensee's commitments pursuant to B5b are separately documented and are tracked by a dedicated member of the licensee's staff. The licensee provided a complete documentation on the mitigation activities under these commitments. The NRC staff concludes that the licensee's activities on managing B5b commitments are acceptable.

### 3.0 CONCLUSION

Based on the audit, the NRC staff concludes that (1) the licensee has generally implemented commitments management program effectively, and the NRC commitments are implemented in a timely basis, (2) the licensee has implemented its program for managing NRC commitment changes appropriately in accordance with NRC accepted industry guidance in NEI 94-04, and (3) no programmatic inconsistencies and deficiencies were identified.

### 4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

Lisa Williams  
Zachary Dunham  
Don Gregoire

Principal Contributor: Mohan Thadani

Date: February 10, 2012

#### Attachments

1. Summary of Audit Results - Regulatory Commitments
2. Summary of Audit Results - Regulatory Commitments Changes Sample

SUMMARY OF AUDIT RESULTS - REGULATORY COMMITMENTS

Audit Performed September 21-22, 2011

Columbia Generating Station

Letter #	Date	Summary Description	Commitment #	AR #	Notes
G02-07-116 G12-08-104	7/30/2007 6/30/2008	Requirements for maintaining the CRE [control room envelope] boundary in its design condition including configuration control and preventive maintenance.  License Condition(33)	R-12663	209379	G02-07-116 LAR. G12-08-104 Issuance of Amendment 207 Implemented as Control Room Envelope Habitability Program. Completion date 12/14/2009
GO2-08-141	10/8/2008	Within 60 days after NRC approval of a generic Technical Specifications Task Force (TSTF) Traveler relating to gas accumulation, Energy Northwest will evaluate its applicability to Columbia and evaluate adopting the Traveler to either supplement or replace the current TS [Technical Specification] requirements.	N/A for one-time actions	187129-01	Due Date: 2/15/2012
GO2-09-001	1/2/2009	The requested information for anticipated transient without scram (ATWS), abnormal operation occurrence (AOO), American Society of Mechanical Engineers (ASME) Code overpressure, and stability analyses performed for the initial transition core is not yet available. This information will be provided by a separate letter when it is available	N/A for one-time actions	190518-01	Note - GO2-09-050 provided this information and the commitment was completed on 2/23/2009
GO2-09-057	3/30/2009	Removal of the plant-specific working hour restrictions from TS 5.2.2 will be performed concurrently with the implementation of the 10 CFR Part 26, Subpart I requirements. Amendment # 213	N/A for one-time actions	194708	Completed 11/30/2009  Completed 7/28/2009

Letter #	Date	Summary Description	Commitment #	AR #	Notes
GO2-10-098	7/22/2010	Security-related.	N/A for one-time actions	222094-01	Note - Assignment is complete. Superseded by G02-11-066
GO2-10-098	7/22/2010	Security-related.	N/A for one-time actions	222094-02	Note - Assignment canceled on 7/26/2010. Superseded by G02-11-066
GO2-10-98	7/22/2010	Security-related.	N/A for one-time actions	222094-03	Note - Assignment was canceled on 7/26/2010. Superseded by G02-11-066
GO2-10-98	7/22/2010	Security-related.	N/A for one-time actions	222094-04	Note - Assignment was canceled on 7/26/2010. Superseded by G02-11-066
GO2-10-98	7/22/2010	Security-related.	N/A for one-time actions	222094-05	Note - Assignment was canceled 7/26/2010. Superseded by G02-11-066
GO2-10-98	7/22/2010	Security-related.	N/A for one-time actions	222094-06	Note - Assignment was canceled on 7/26/2010. Superseded by G02-11-066
GO2-10-98	7/22/2010	Security-related.	N/A for one-time actions	222094-07	Note - Assignment was canceled on 7/26/2010. Superseded by G02-11-066
GO2-10-98	7/22/2010	Security-related.	N/A for one-time actions	222094-08	Note - Assignment was canceled on 7/26/2010. Superseded by G02-11-066
GO2-10-98	7/22/2010	Security-related.	C-12952	222094-09	Note - Assignment was canceled on 7/26/2010. Superseded by G02-11-066
GO2-11-66	3/31/2011	Security-related.	N/A for one-time actions	237278-01	Due Date is 12/31/2012
GO2-11-66	3/31/2011	Security-related.	N/A for one-time actions	237278-02	Due Date is 12/31/2012
GO2-11-66	3/31/2011	Security-related.	N/A for one-time actions	237278-03	Due Date is 12/31/2012



<b>Letter #</b>	<b>Date</b>	<b>Summary Description</b>	<b>Commitment #</b>	<b>AR #</b>	<b>Notes</b>
GO2-11-66	3/31/2011	Security-related.	N/A for one-time actions	237278-04	Due Date is 12/31/2012
GO2-11-66	3/31/2011	Security-related.	N/A for one-time actions	237278-05	Due Date is 12/31/2012
GO2-11-66	3/31/2011	Security-related.	N/A for one-time actions	237278-06	Due Date is 12/31/2012
GO2-11-66	3/31/2011	Security-related.	N/A for one-time actions	237278-07	Due Date is 12/31/2012
GO2-11-66	3/31/2011	Full implementation of the Columbia Generating Station Cyber Security Plan for all safety, security, and emergency preparedness functions will be achieved.	N/A for one-time actions	237278-08	Due Date is 12/31/2012

SUMMARY OF AUDIT RESULTS - REGULATORY COMMITMENTS CHANGES SAMPLE

Audit Performed September 21-22, 2011

Columbia Generating Station

**Biennial Commitment Changes (ADAMS Accession No. ML100680478).**

M. Reddeman

- 2 -

The NRC staff appreciates the assistance of 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](mailto: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 No. 50-397

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