



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

December 15, 2014

Mr. Michael J. Pacilio
Senior Vice President
Exelon Generation Company, LLC
President and Chief Nuclear Officer (CNO)
Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: CLINTON POWER STATION, UNIT 1 - AUDIT OF THE LICENSEE'S
MANAGEMENT OF REGULATORY COMMITMENTS (TAC NO. MF4530)

Dear Mr. Pacilio:

The U.S. Nuclear Regulatory Commission (NRC) informed licensees in Regulatory Issue Summary (RIS) 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML003741774), dated September 21, 2000, that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes" (ADAMS Accession No. ML003680088), contains acceptable guidance for controlling regulatory commitments. RIS 2000-17 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's Office of Nuclear Reactor Regulation has instructed its staff to perform an audit of licensees' commitment management programs once every 3 years to determine whether the licensees' programs are consistent with the industry guidance in NEI 99-04, and that regulatory commitments are being effectively implemented.

An audit of the commitment management program for Clinton Power Station (CPS), Unit 1, was performed at the facility from November 18–19, 2014. The audit did not identify any significant issues with the CPS's commitment management program and did not identify any misapplied commitments.

Details of the audit are set forth in the enclosed audit report.

M. Pacilio

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If you or your staff has any questions about the audit, please contact me at (301) 415-1380.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Purnell".

Blake Purnell, Project Manager
Plant Licensing III-2 and
Planning and Analysis Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-461

Enclosure:
Audit Report

cc w/encl: Listserv



UNITED STATES
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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

CLINTON POWER STATION, UNIT 1

DOCKET NO. 50-461

1.0 INTRODUCTION AND BACKGROUND

The U.S. Nuclear Regulatory Commission (NRC) informed licensees in Regulatory Issue Summary (RIS) 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML003741774), dated September 21, 2000, that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes" (ADAMS Accession No. ML003680088), contains acceptable guidance for controlling regulatory commitments. RIS 2000-17 encouraged licensees to use the NEI guidance or similar administrative controls to ensure that regulatory commitments are implemented, changes to the regulatory commitments are evaluated, and, when appropriate, reported to the NRC. NEI 99-04 describes a "regulatory commitment" as an explicit statement by a licensee to take a specific action by a certain date and submitted in writing on the docket to the NRC.

The NRC's 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 regulatory commitments are being effectively implemented. An audit of the commitment management program for Clinton Power Station (CPS), Unit 1, was performed at the facility from November 18–19, 2014. The audit reviewed commitments made or changed since the previous audit completed on December 29, 2011 (ADAMS Accession No. ML113540102).

NRR guidelines direct the 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.

2.0 AUDIT PROCEDURE AND RESULTS

The audit consisted of three major parts: (1) verification of the licensee's implementation of NRC commitments that have been completed, (2) verification of the licensee's program for managing changes to NRC commitments, and (3) verification that all regulatory commitments reviewed were correctly applied in NRC staff licensing action reviews.

Enclosure

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 or activities. For commitments not yet implemented, the NRC staff determines whether they have been captured in an effective program for future implementation. 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.

2.1.1 Audit Scope

The audit addressed a sample of regulatory commitments initiated, open, or closed during the review period. Before the audit, the NRC staff searched ADAMS for the licensee's commitments since the last audit and selected a representative sample for verification.

The audit excluded the following items included in the licensee's regulatory commitment tracking system:

- (1) Items which are not regulatory commitments.
- (2) Commitments that pertain to milestones of licensing actions or activities (e.g., commitments to provide information to the NRC by a certain date). Fulfillment of these commitments was indicated by the fact that the subject licensing action or activity was completed.
- (3) Implementation of commitments associated with the Fukushima-Daiichi lessons learned. NRC review and oversight of licensee's actions related to Fukushima-Daiichi lessons learned are ongoing and are led by the NRR Japan Lessons-Learned Division.

2.1.2 Audit Results

The attached Audit Summary includes a listing of the commitments reviewed for implementation. The NRC staff did not identify any issues with the licensee's implementation of commitments. The staff verified that selected commitments related to Fukushima-Daiichi lessons learned were included in the licensee's commitment tracking program.

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 procedures used to manage commitments at CPS are contained in LS-AA-110, Revision 10, "Commitment Management," and LS-AA-110-1001, Revision 7, "Commitment Tracking Program T&RM [Training and Reference Manual] For Use with PassPort," which are the same procedures used at Braidwood Station, Units 1 and 2. As part of the Braidwood Station

commitment audit completed June 5, 2014 (ADAMS Accession No. ML14141A306), the NRC staff found that these procedures were consistent with the guidance in NEI 99-04 for commitment tracking, commitment change process, and reporting requirements.

This audit reviewed a sample of commitment changes.

2.2.1 Audit Results

The attached Audit Summary includes a listing of the changed commitments reviewed. Prior to the audit, the licensee identified that one commitment (AR 00354451-76) for CPS was deleted by Exelon Generation Company, LLC corporate personnel since it was superseded by rulemaking. The commitment change form indicated that the NRC was to be notified of the change during the next scheduled commitment change summary report; however, the licensee identified that this did not occur. The NRC staff determined that this issue did not have significant regulatory impact. The staff did not identify any other issues with the licensee's process for changing commitments.

2.3 Review to Identify Misapplied Commitments

The NRC staff performed a review to identify misapplied commitments. A commitment is considered to be misapplied if the action comprising the commitment was relied on by the NRC staff in making a regulatory decision, such as a finding of public health and safety in an NRC safety evaluation associated with a licensing action. Reliance on an action to support a regulatory decision must be elevated from a regulatory commitment to a legal obligation (e.g., license condition, condition of a relief request, regulatory exemption limitation or condition). A commitment is also considered to have been misapplied if the commitment involves actions that were safety significant (i.e., commitments used to ensure safety).

The commitments reviewed for this audit were evaluated to determine if they had been misapplied. In addition, the NRC staff reviewed the safety evaluations and associated licensee submittals for all license amendments and selected relief requests issued since the last audit. The staff did not identify any misapplied commitments.

3.0 CONCLUSION

For the audit period, the NRC staff did not identify any significant issues with the licensee's commitment management program and did not identify any misapplied commitments.

4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

Timothy Byam
Ronald Frantz

Principal Contributor: Blake Purnell

Attachment: Audit Summary

AUDIT SUMMARY

COMMITMENTS REVIEWED:

Reference No.	Commitment Description
AR 00354451-76	Emergency preparedness procedures for security related events (Bulletin 2005-02)
AR 00577295-13 Change No. 2011-001	B.5.b command and control
AR 01419560-03 Change No. 2012-001	Joint Owners Group program for motor operated valve periodic verification (Generic Letter 96-05)
AR 00425077-02 and -03	Amendment 170 commitments: (2) Provide procedural guidance to control storage in spent fuel pool (3) Provide administrative controls to ensure removal of fuel
AR 00400659-01 and -02	Bulletin 1990-01 commitments (1) Develop training program for loss of fill-oil symptoms (2) Implement enhanced surveillance program for Rosemount
AR 00434643-05, -06, and -07	Amendment 169 commitments for transition to 24-month fuel cycle (5) Validate that AFT has been conservatively established (6) Validated assumptions for drift analysis groups 1 & 2 (7) Validated assumptions for drift analysis group 17
AR 00625204-01	Inspection of screenhouse (Generic Letter 1989-13)

M. Pacilio

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Sincerely,

/RA/

Blake Purnell, Project Manager
Plant Licensing III-2 and
Planning and Analysis Branch
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-461

Enclosure:
Audit Report

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