



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

May 26, 2015

Mr. Edward D. Halpin  
Senior Vice President and Chief Nuclear Officer  
Pacific Gas and Electric Company  
Diablo Canyon Power Plant  
P.O. Box 56, Mail Code 104/6  
Avila Beach, CA 93424

SUBJECT     DIABLO CANYON POWER PLANT, UNITS 1 AND 2 - AUDIT OF THE  
              LICENSEE'S MANAGEMENT OF REGULATORY COMMITMENTS (TAC  
              NOS. MF5208 AND MF5209)

Dear Mr. Halpin:

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," dated September 21, 2000, that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes," 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 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 Diablo Canyon Power Plant, Units 1 and 2 (DCPP), commitment management program was performed at the NRC Headquarters via an electronic portal from April 22 to May 13, 2015. The NRC staff concludes, based on the audit, that Pacific Gas and Electric Company (the licensee) has implemented NRC commitments on a timely basis, and has implemented an effective program for managing NRC commitment changes. Details of the audit are set forth in the enclosed audit report.

E. Halpin

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If you have any questions, please contact the DCPD Project Manager at 301-415-1564 or via e-mail at [Siva.Lingam@nrc.gov](mailto:Siva.Lingam@nrc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'L. John Klos', written over a faint, larger version of the same signature.

L. John Klos, Project Manager  
Plant Licensing Branch LPL 4-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

Enclosure:  
Audit Report

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UNITED STATES  
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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

PACIFIC GAS AND ELECTRIC COMPANY

DIABLO CANYON POWER PLANT, UNIT NOS. 1 AND 2

DOCKET NOS. 50-275 AND 50-323

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," dated September 21, 2000, that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes," 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. NEI 99-04 describes a "regulatory commitment" as an explicit statement to take a specific action agreed to, or volunteered by, a licensee by a certain date and submitted in writing on the docket 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 regulatory commitments are being effectively implemented. An audit of the Diablo Canyon Power Plant, Units 1 and 2 (DCPP), commitment management program was performed at the NRC Headquarters via an electronic portal from April 22 to May 13, 2015. The audit reviewed commitments made since the previous audit held at the site from October 18-21, 2011, which was documented in an audit report dated January 17, 2012 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML113570110).

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.).

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

Enclosure

changes to NRC commitments, and (3) verification that all regulatory commitments reviewed were applied correctly in NRC staff licensing action reviews.

## 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. 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 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, exemptions, etc.) or licensing activities (bulletins, generic letters, etc.). Commitments made in Licensee Event Reports or in response to Notices of Violation may be included in the sample, but the review will be limited to verification of restoration of compliance, not the specific methods used. Before the audit, the NRC staff searched ADAMS for the licensee's submittals since the last audit held at site on October 18-21, 2011, and selected a representative sample for verification.

The audit excluded the following types of commitments that are internal to licensee processes such as those that are

- (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 and Technical Specifications (TSs). Fulfillment of these commitments was indicated by the licensee having taken timely action in accordance with the subject requirements.

### 2.1.2 Audit Results

The licensee has a site-wide commitment program documented in DCP's Commitment Management Administrative Procedure, X14.IDI, "Commitment Identification and Tracking Process", which describes the regulatory commitment management process at DCP. The NRC staff compared the guidance in DCP's X14.IDI procedure to the guidance in NEI 99-04. As a result of this comparison, the NRC staff found that the DCP procedure was consistent

with the NEI guidance for identifying, managing, and closing commitments. The NRC staff also found that the roles and responsibilities, processes, and metrics were clearly identified in the DCPD procedure.

The documents furnished by the licensee during the audit included summary sheets providing the status of the commitments and appropriate backup documentation, as needed (i.e., commitment change evaluation forms, plant procedures, work orders, photographs, examination records, and/or other plant documentation).

The NRC staff audit confirmed that the licensee has documented its implementation of regulatory commitments made to the NRC staff as part of past licensing actions. The NRC staff did not identify any apparent deficiencies in regulatory commitments and the licensee's commitment tracking database was well-maintained.

Licensee personnel were able to provide information and documentation which demonstrated the effective use of the commitment management database and provided status tracking related to the applicable implementation document. During the audit NRC staff reviewed Diablo Canyon Power Plant Annunciator Response procedure (AR PK 19-07, revision 10 Unit 1) which addressed commitments related to Bulletin 2012-01: "Design Vulnerability In Electric Power System" and also reviewed shift orders (shift order 12-03-2012) which addressed commitments related to emergency license amendment request 12-04. The NRC staff found that generally, the selected commitments in the audit sample were implemented effectively. The NRC staff, through the audit process, sought to determine that commitments were implemented in documents such as plant procedures. The attached Summary of Audit Results provides details of the audit.

Based on the above, the NRC staff concludes that the licensee has implemented the regulatory commitments management program effectively in accordance with LIC-105, "Managing Regulatory Commitments Made by Licensees to the NRC," and consistent with NEI 99-04.

## 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 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 changing commitments. The process used at DCPD is contained in DCPD's Commitment Management Administrative Procedure, "Commitment Identification and Tracking Process" (X14.IDI). The audit reviewed a sample of commitment changes that were reported to the NRC.

The audit verified 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 Audit Results

The NRC staff reviewed DCPD procedure X14.IDI and its required forms and associated procedures to determine whether the licensee had an effective program in place to change commitments made to the NRC as part of licensing actions/activities. The attached Summary of Audit Results provides details of this portion of the audit and its results.

The NRC staff reviewed regulatory commitments which were revised. Based on the review of the procedure and the change commitments provided by the licensee the NRC staff finds that the licensee's implementation of its program for managing NRC commitment changes in accordance with its site procedure is satisfactory.

### 2.3 Review to Identify Misapplied Commitments

The commitments reviewed for this audit were also evaluated to determine if they had been misapplied. 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).

Each of the commitments selected for the audit sample were reviewed to determine if any had been misapplied. The NRC did not identify any apparent misapplied commitments during the audit.

#### 2.3.1 Review of Safety Evaluation Reports for Licensing Actions since the Last Audit to Determine if They Are Properly Captured as Commitments or Obligations

In addition to the commitments selected for the audit sample, all license amendment safety evaluations, exemptions and relief request safety evaluations that have been issued for DCPD facility since the last audit were identified. These documents were evaluated to determine if they contained any misapplied commitments as described above. The NRC did not identify any apparent misapplied commitments.

### 3.0 CONCLUSION

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

4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

David Madsen, DCPD Procedure Commitment Database, Program Owner

Principal Contributors: John Klos and Russell S. Haskell

Date: May 26, 2015

Attachment:  
Summary of Audit Results

**Summary of Audit Results  
Pacific Gas and Electric Company  
Diablo Canyon Power Plant, Units 1 and 2  
Regulatory Commitment Audit Performed April 22-May 13, 2015**

Item No.	ADAMS Accession No. with Date and TAC No(s).	Description of the Commitment	Documents Reviewed	Status and Comments
1	ML12300A064 10/25/2012 ME1839	<p>DCPP Commitment No. T36964</p> <p>The licensee's response to Bulletin (BL) 2012-01, Pacific Gas and Electric Company (PG&amp;E) letter DCL-12-104, Ninety-Day Response to NRC Bulletin 2012-01: "Design Vulnerability In Electric Power System" states a commitment:</p> <p>To address off-normal conditions, the annunciator response procedure for a 12 kV [kiloVolt] Bus Voltage Unbalanced Alarm will be revised to require Operations to confirm the alarm by checking the startup 12 kV and 4 kV supply for imbalanced voltages via 3-phase analog voltage indication available in the control room.</p>	<p>PCD Entry T36964.pdf, Commitment Report to BL 2012-01</p> <p>AR PK 19-07, revision 10 (Unit 1).pdf, Diablo Canyon Power Plant Annunciator Response</p>	Closed
2	ML123380142 12/2/2012 MF0317 MF0318	<p>Licensee letter DCL-12-122, DCPP 1 and 2 License Amendment Request 12-04, Emergency Revision to Technical Specification 3.7.10, "Control Room Ventilation System (CRVS)." Commitment 1 of Attachment 3 to implement an operations shift order.</p> <p>An operations shift order has been put in place to ensure the CRVS train placed in the pressurization mode to meet TS 3.3.7 Required Action B.1.1 is maintained in the pressurization mode. This shift order will remain in place, except as required for restoration testing, until the completion of the modification and required testing to restore the CRVS actuation relays and both CRVS trains to OPERABLE status.</p>	<p>Shift Order 12-03-2012.doc</p> <p>SAPN 50525326, Task #12 (Tracking Commitment #1).pdf</p>	Closed

Item No.	ADAMS Accession No. with Date and TAC No(s).	Description of the Commitment	Documents Reviewed	Status and Comments
3	ML123380142 12/2/2012 MF0317 MF0318	<p>Licensee letter DCL-12-122, DCPP 1 and 2 License Amendment Request 12-04, Emergency Revision to Technical Specification 3.7.10, "Control Room Ventilation System (CRVS)" Commitment 2 of Attachment 3 to implement compensatory actions.</p> <p>These compensatory actions continue until the maintenance and post-maintenance testing are complete, in order to minimize the increase in risk during the 13-day period when one CRVS train is inoperable.</p> <ul style="list-style-type: none"> <li>• During the repair of the CRVS actuation circuitry, no other planned maintenance or testing will be performed that would render the CRVS or associated support systems inoperable.</li> <li>• Any planned CRVS maintenance and surveillance testing will be suspended until the repair and testing of the CRVS actuation circuitry is completed and both CRVS trains are returned to service.</li> <li>• No planned increased probabilistic risk assessment (PRA) risk configuration (yellow risk or higher) will be allowed during the repair of the CRVS actuation circuitry.</li> <li>• Emergent increased PRA risk configuration (yellow risk or higher) will require additional risk mitigation actions.</li> <li>• A standing order will be prepared for the control room operators to provide a written instruction to place the standby CRVS train in the pressurization mode in the event that the running CRVS train becomes inoperable.</li> </ul>	<p>SAPN 50525326, Task 13, (Tracking Commitment #2).pdf</p> <p>Standing Order 12-03-12. Item 20.doc</p>	Closed

Item No.	ADAMS Accession No. with Date and TAC No(s).	Description of the Commitment	Documents Reviewed	Status and Comments
4 and 5	ML13102A048 4/11/2013 MF1427	<p>DCPP commitment tracking Nos. T37134 and T37135.</p> <p>DCL-13-038, DCPP (U1) ASME Section XI Inservice Inspection Program Relief Request NDE-RCS-SE-1 R18 to Allow Use of Alternative Depth Sizing Criteria.</p> <p><b>Commitment 1</b> If a reportable flaw is detected and determined to be inside diameter (ID) surface connected during examination of the welds that are included in Relief Request NOE-RCS-SE-1 R18, PG&amp;E will provide a flaw evaluation including the measured flaw size as determined by UT [ultrasonic test] for review by NRC. Eddy current testing will be used to determine if flaws are surface connected. Additional data including details of the surrounding 10 surface contour in the region of the flaw and percentage of the exam area where UT probe liftoff is evident, if any, will be included.</p>	<p>DCL-13-038.pdf</p> <p>PCD Entry T37135.pdf</p> <p>XI1.ID4, Revision 8</p> <p>PCD Entry T37134.pdf</p>	<p>OPEN, as commitment only applies if certain conditions are identified during examinations, and is applicable for the remainder of the third inservice inspection (ISI) interval.</p>

Item No.	ADAMS Accession No. with Date and TAC No(s).	Description of the Commitment	Documents Reviewed	Status and Comments
		<p><b>Commitment 2</b> In the event that any flaw(s) requiring depth sizing is detected during examination of the welds that are included in Relief Request NOE-RCS-SE-1 R18, the following criteria shall be implemented:</p> <ul style="list-style-type: none"> <li>• ID connected flaws detected and measured as less than 50 percent through-wall in depth shall be adjusted by adding a correction factor to the flaw depth such that the adjusted flaw depth is equal to the measured flaw depth plus (contractor RMSE [root mean square error] minus 0.125 in.), prior to comparison to the applicable acceptance criteria;</li> <li>• If ID connected flaw(s) are detected and measured as 50 percent through-wall depth or greater and to remain in service without mitigation or repair, PG&amp;E shall submit flaw evaluation(s) for review and approval by NRC prior to reactor startup. The flaw evaluation shall include:               <ul style="list-style-type: none"> <li>○ Information concerning the mechanism that caused the flaw</li> <li>○ Information concerning the inside surface roughness/profile of the region surrounding the flaw</li> <li>○ Information concerning areas where UT probe lift-off is observed.</li> </ul> </li> </ul>		<p>OPEN, as commitment only applies if certain conditions are identified during examinations, and is applicable for the remainder of the third ISI interval.</p>

Item No.	ADAMS Accession No. with Date and TAC No(s).	Description of the Commitment	Documents Reviewed	Status and Comments
6	ML14088A001 3/28/2014 MF3711	<p>DCPP commitment no. T37108</p> <p>DCL-14-027 (encl. 2), Request for Relief from the Requirements of Appendix IX of ASME Section XI, 2001 Edition with 2003 Addendum.</p> <p><b>Commitment 2</b> As required by Paragraph (a) of Article IX-1000 of Appendix IX of ASME [American Society of Mechanical Engineers Boiler and Pressure Vessel Code] Section XI, the proposed clamping device will not remain in service beyond the next scheduled DCPP, Unit 1, refueling in fall 2015, at which time the defect will be repaired or piping replaced.</p>	<p>PCD Entry 737108.pdf</p> <p>Work Order 60067489.pdf</p>	<p>OPEN</p> <p>Commitment to be completed during the fall 2015 outage for Unit 1.</p>
7	ML13330A557 11/25/2013 MF3240	<p>DCL-13-106, DCPP 1,2 License Amendment Request 13-02</p> <p>Revision to Technical Specifications to Adopt Risk Informed Completion Times TSTF-505, Revision 1, "Provide Risk-Informed Extended Completion Times – RITSTF Initiative 4B"</p> <p>1. Plant procedures will be developed to incorporate the following with regards to probabilistic risk assessment (PRA) model update process:</p> <ul style="list-style-type: none"> <li>• Plant changes affecting systems, structures, and components within the scope of the configuration risk management program (CRMP) will be reviewed prior to implementation to identify if an interim update of the CRMP model or other interim administrative control for the Risk Informed Completion Time (RICT) Program is required; and</li> <li>• Discovered conditions affecting the CRMP model will be addressed in the corrective action program.</li> </ul>	<p>SAPN 50467285, Task #3.pdf</p>	<p>OPEN</p> <p>Commitment to be completed after issuance of LAR.</p>

Item No.	ADAMS Accession No. with Date and TAC No(s).	Description of the Commitment	Documents Reviewed	Status and Comments
8	ML13330A557 11/25/2013 MF3240	<p>DCL-13-106, DCPD 1,2 License Amendment Request 13-02</p> <p>Revision to Technical Specifications to Adopt Risk Informed Completion Times TSTF-505, Revision 1, "Provide Risk-Informed Extended Completion Times – RITSTF Initiative 4B"</p> <p>2. The CRMP model used for the RICT Program will include logic for the pressurizer heaters to require at least one group of functional heaters in order to credit secondary heat removal prior to any application of the RICT Program for a RICT for Technical Specification (TS) 3.4.9.</p>	SAPN 50467285, Task #4.pdf	OPEN Commitment to be completed after issuance of LAR.
9	ML13330A557 11/25/2013 MF3240	<p>DCL-13-106, DCPD 1,2 License Amendment Request 13-02</p> <p>Revision to Technical Specifications to Adopt Risk Informed Completion Times TSTF-505, Revision 1, "Provide Risk-Informed Extended Completion Times – RITSTF Initiative 4B"</p> <p>3. Shared systems and equipment between the two units will be identified in plant procedures used for establishing risk management actions when required by the RICT Program.</p>	SAPN 50467285, Task #5.pdf	OPEN Commitment to be completed after issuance of LAR.

Item No.	ADAMS Accession No. with Date and TAC No(s).	Description of the Commitment	Documents Reviewed	Status and Comments
10	ML13330A557 11/25/2013 MF3240	DCL-13-106, DCPD 1,2 License Amendment Request 13-02 Revision to Technical Specifications to Adopt Risk Informed Completion Times TSTF-505, Revision 1, "Provide Risk-Informed Extended Completion Times – RITSTF Initiative 4B"  4. The error in the PRA model related to not modeling shorter containment sump recirculation time window for small loss-of-coolant accidents (LOCAs) when the containment fan cooling system fails will be corrected in the CRMP model before the RICT Program is implemented.	SAPN 50467285, Task #6.pdf	OPEN Commitment to be completed after issuance of LAR.
11	ML13151A109 5/30/2013 MF5209 MF5208	PG&E Letter, DCL-13-058, 2012 Annual Commitment Change Summary Report	Document publicly available in ADAMS	The commitment dealing with timeliness of corrective actions on quality problems was modified/changed as documented in the Annual Commitment Report dated 5/3/13 in order to consider the present priority system, and to streamline and clarify the program.
12	ML12326A472 11/20/2012 MF5209 MF5208	PG&E letter, DCL-12-117, 2011 Annual Commitment Change Summary Report	Document publicly available in ADAMS	The silica sampling in spent fuel commitment was modified/changed as documented in the Annual Commitment Report in order to account for License Amendment 154 and that DCPD no longer takes credit for Boraflex.

E. Halpin

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If you have any questions, please contact the DCPD Project Manager at 301-415-1564 or via e-mail at [Siva.Lingam@nrc.gov](mailto:Siva.Lingam@nrc.gov).

Sincerely,

*/RA/*

L. John Klos, Project Manager  
Plant Licensing Branch IV-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-275 and 50-323

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