



William G. Hettel  
Vice President, Operations  
P.O. Box 968, Mail Drop PE23  
Richland, WA 99352-0968  
Ph. 509-377-2425 F. 509-377-4674  
wghettel@energy-northwest.com

DEC 28 2015

GO2-15-183

U.S. NRC Region IV  
ATTN: Director, Division of Reactor Safety  
1600 East Lamar Blvd.  
Arlington, Texas 76011-4511

Subject: **COLUMBIA GENERATING STATION, DOCKET NO. 50-397  
CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – FIRST  
STATUS UPDATE**

Reference: Letter EA-14-240 from ML Dapas (NRC) to ME Reddemann (Energy Northwest), "Confirmatory Order – NRC Security Inspection Report 05000397/2015407 and NRC Investigation Report 4-2014-009 Columbia Generating Station," dated September 28, 2015.

Dear Sir:

The purpose of this letter is to provide an update of the actions required by the above referenced confirmatory order. These actions were a result of an Alternative Dispute Resolution mediation session that was held on August 6, 2015, and a signed "Consent and Hearing Waiver Form," dated September 21, 2015 agreed to the issuance of the confirmatory order. Although not complete with the required actions, Columbia Generating Station (CGS) has made progress toward the implementation of these actions as addressed in the enclosure. The enclosure to this letter provides the status of each confirmatory action taken to date by CGS.

There are no commitments being made to the Nuclear Regulatory Commission (NRC) by this letter. Should you have any questions, please contact DM Wolfgramm, Regulatory Compliance Supervisor, at (509) 377-4792.

Executed this 28<sup>TH</sup> day of DECEMBER, 2015

Respectfully,

W. G. Hettel  
Vice President, Operations

**CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – FIRST STATUS UPDATE**  
Page 2 of 2

Enclosure: Columbia Generating Station Confirmatory Order EA-14-240 Element V.J.1,  
Action Status Update 12-28-2015

cc:

NRC Region IV Administrator  
NRC NRR Project Manager  
NRC Sr. Resident Inspector/988C  
CD Sonoda – BPA/1399  
WA Horin - Winston & Strawn

ML15365A516

**CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – FIRST STATUS UPDATE**

Enclosure

Page 1 of 8

**COLUMBIA GENERATING STATION  
CONFIRMATORY ORDER EA-14-240 Element V.J.1  
ACTION STATUS UPDATE 12-28-2015**

**Confirmatory Order Commitment V.A: Common Cause Evaluation**

Requirements

Within 3 months of the date of this Confirmatory Order, Energy Northwest will conduct a common cause evaluation related to the events that formed the basis of this matter.

V.A.1: The common cause evaluation will be conducted by a trained individual outside of the Emergency Services organization at CGS.

V.A.2: The results will be incorporated into Energy Northwest's corrective action program at CGS, as appropriate.

V.A.3: A copy of the completed evaluation will be made available for NRC review.

Actions Taken

The common cause evaluation was completed on 11/19/2015 in accordance with the confirmatory order. Evaluation passed both Department Corrective Action Review Board (DCARB) review on 12/8/2015 and its final review with the Corrective Action Review Board (CARB) on 12/15/2015.

V.A.1: This section has been completed by a trained individual outside of the Emergency Services Department that was identified by the Performance Improvement Program to conduct the common cause evaluation.

V.A.2: All corrective actions and condition reports resulting from the common cause evaluation have been initiated and corrective actions have been entered into the corrective action program.

V.A.3: Product is being submitted under separate cover.

## **CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – FIRST STATUS UPDATE**

Enclosure

Page 2 of 8

### **Confirmatory Order Commitment V.B: Install Wide-Angle Cameras**

#### Requirements

Within 18 months of the date of this Confirmatory Order, Energy Northwest will install wide-angle cameras in Bullet Resistant Enclosures (BREs) to monitor the availability of nuclear security officers.

V.B.1: The cameras will be monitored by security supervisors (i.e., Sergeant or Lieutenant) at a frequency of not less than twice per shift per BRE when cameras are functional.

V.B.2: When the cameras are not functional, security supervisors (i.e., Sergeant or Lieutenant) will conduct security post checks at a frequency of not less than twice per shift, provided there is adequate staffing (i.e., one Lieutenant and two Sergeants) to ensure other commitments can be met.

V.B.3: Until cameras are installed in the BREs, Energy Northwest security management will continue to perform a minimum of two post checks per shift, provided there is adequate staffing (i.e., one Lieutenant and two Sergeants) to ensure other commitments can be met.

V.B.4: Use of cameras to monitor the availability of Nuclear Security Officers (NSOs) inside BREs will be documented.

#### Actions Taken

A project owner has been identified and all of the cameras and software have been procured. Equipment testing is currently being conducted.

V.B.1: Energy Northwest (ENW) has come to an agreement with the collective bargaining unit for monitoring requirements on the BRE cameras. The BRE cameras have not been installed.

V.B.2: Cameras are not currently installed and thus not functional; therefore, Security supervision continues to conduct security post checks at a frequency of not less than twice per shift, provided there is adequate staffing. These checks are currently being tracked through a spreadsheet located with Security supervision.

## **CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – FIRST STATUS UPDATE**

Enclosure

Page 3 of 8

V.B.3: Security supervision continues to conduct security post checks at a frequency of not less than twice per shift, provided there is adequate staffing. These checks are currently being tracked through a spreadsheet located with Security supervision until controlled form is provided in procedure revision.

V.B.4: Procedures have been evaluated and actions have been created to revise applicable procedures for camera operation.

### **Confirmatory Order Commitment V.C: Compliance and Ethics Training**

#### Requirements

Within 6 months of the date of this Confirmatory Order, Energy Northwest will revise its annual compliance and ethics computer-based training to address deliberate misconduct (10 CFR 50.5), compliance therewith, and consequences for non-compliance.

V.C.1: Prior to conducting the training, Energy Northwest will provide its proposed training plan to the NRC for its review. The NRC will communicate to the licensee any concerns regarding the plan within 30 days of submittal for resolution in a manner acceptable to both parties.

V.C.2: Energy Northwest will complete administration of this training within 6 months of the date of this Confirmatory Order.

#### Actions Taken

Revision of computer-based-training (CBT) is being tracked through the corrective action program.

V.C.1: Upon completion the CBT will be provided to Regulatory Affairs for distribution to the NRC.

V.C.2: Upon receipt from the NRC and acceptable to both parties the CBT will be administered to Energy Northwest staff.

**Confirmatory Order Commitment V.D: Regulatory Compliance Affirmation**

Requirements

Energy Northwest will ensure its NSOs understand the need to comply with regulations and the consequences for non-compliance by having NSOs sign a statement affirming the same. This statement will be signed by current NSOs within 6 months of the date of this Confirmatory Order and within 30 days of hire for new NSOs, subject to collective bargaining.

Actions Taken

Action is currently in progress, Security Operations is negotiating the language to be signed by current NSOs with the collective bargaining unit.

**Confirmatory Order Commitment V.E: Lessons Learned Presentation**

Requirements

Energy Northwest will prepare a "lessons learned" presentation, derived from the common cause evaluation, to be delivered to Energy Northwest's Nuclear Security Department at CGS concerning the incidents that formed the basis for this violation and the consequences.

V.E.1: Prior to offering this presentation, Energy Northwest will provide its proposed presentation to the NRC for its review. The NRC will communicate to the licensee any concerns regarding the presentation within 30 days of submittal for resolution in a manner acceptable to both parties.

V.E.2: Energy Northwest will deliver the presentation to the Nuclear Security Department at CGS within 6 months of the date of this Confirmatory Order.

Actions Taken

Lessons learned presentation assignment is being tracked through the corrective action program.

## **CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – FIRST STATUS UPDATE**

Enclosure

Page 5 of 8

V.E.1: Upon completion the lessons learned presentation will be provided to Regulatory Affairs for distribution to the NRC.

V.E.2: Upon receipt from the NRC and acceptable to both parties the lessons learned presentation will be administered to the Security Department at CGS.

### **Confirmatory Order Commitment V.F: Lessons Learned Incorporation**

#### Requirements

Energy Northwest will incorporate the lessons learned, derived from the common cause evaluation referenced in Commitment V.A, and revise procedures at CGS as appropriate. A copy of the revised procedures will be made available for NRC review.

#### Actions Taken

Action is in progress and a comprehensive list of procedures to be revised will be provided in accordance with confirmatory order commitment dates.

### **Confirmatory Order Commitment V.G: Incidents Presentation**

#### Requirements

Within 12 months of the date of this Confirmatory Order, Energy Northwest will prepare a presentation communicating the incidents that formed the basis for this violation to be delivered to an appropriate industry forum (e.g., the NEI Nuclear Security Working Group) subject to acceptance of the conference organizing committees.

V.G.1: This presentation will include, among other things, the significance of the incidents that formed the basis for this violation; the consequences of the actions; and the significant responsibilities of NSOs.

V.G.2: Prior to making the presentation, Energy Northwest will provide its proposed presentation to the NRC for its review. The NRC will communicate to the licensee any concerns regarding the presentation within 30 days of submittal for resolution in a manner acceptable to both parties.

## **CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – FIRST STATUS UPDATE**

Enclosure

Page 6 of 8

V.G.3: Energy Northwest will deliver the presentation within 12 months of the date of this Confirmatory Order.

### **Actions Taken**

Action is in progress to develop presentation to communicate to appropriate industry forum in accordance with the confirmatory order.

V.G.1: Presentation has assignments established in the corrective action program and will be developed in accordance with the confirmatory order.

V.G.2: Upon completion of the presentation, Energy Northwest will submit it to the NRC.

V.G.3: Upon incorporation of comments from the NRC and acceptance by both parties, the presentation will be delivered to the appropriate industry forum.

### **Confirmatory Order Commitment V.H: Safety Culture Assessment**

#### **Requirements**

Within 6 months of the date of this Confirmatory Order, Energy Northwest will ensure that an independent third party will conduct a targeted nuclear safety culture assessment of the security organization at CGS.

V.H.1: Based on the results of the assessment, Energy Northwest will incorporate recommended actions from the assessment into its corrective action program, as appropriate.

V.H.2: A copy of the completed assessment will be made available for NRC review within 30 days of the completion of the assessment.

#### **Actions Taken**

A targeted Nuclear Safety Culture assessment of the Security organization was completed by an independent legal firm, The Zaffus Group. Ms. Connie Lincoln of Lincoln Consulting Group assisted Mr. Zaffus. The interview portion of the assessment



## **CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – FIRST STATUS UPDATE**

Enclosure

Page 7 of 8

was conducted from November 16 through November 25 and included Security management, Security supervision, training staff, and officers across all four squads. Senior management received a formal debrief from the assessors and remain in contact as assessment is being finalized. Energy Northwest expects to receive the report by December 31, 2015 as communicated by assessors.

V.H.1: Upon receiving and reviewing the results of the assessment, corrective action will be incorporated as appropriate.

V.H.2: Upon receiving the completed report from the independent third party, Energy Northwest will submit the report to the NRC within the timeframe specified.

### **Confirmatory Order Commitment V.I: Revise Investigatory Procedures**

#### Requirements

Within 4 months of the date of this Confirmatory Order, Energy Northwest will revise its investigatory procedures to incorporate lessons learned from this matter (e.g., to engage the NRC Regional Office on Energy Northwest's plans to conduct regulatory violation investigations in parallel with the NRC's Office of Investigations).

#### Actions Taken

Action is in progress to revise investigatory procedures.

### **Confirmatory Order Commitment V.J: Provide Action Status Reports**

#### Requirements

#### Notification to NRC When Actions Are Completed

V.J.1: Unless otherwise specified, Energy Northwest will submit written notification to the Director, Division of Reactor Safety, U. S. NRC Region IV, 1600 East Lamar Blvd., Arlington, Texas 76011-4511, at intervals not to exceed 3 months until the terms of this Confirmatory Order are completed, providing a status of each item in the Confirmatory Order.

**CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – FIRST STATUS UPDATE**

Enclosure

Page 8 of 8

V.J.2: Energy Northwest will provide its basis for concluding that the terms of this Confirmatory Order have been satisfied, to the NRC, in writing.

**Actions Taken**

Aforementioned items that have been completed will be provided to the NRC as indicated in the action status and associated enclosures attached or delivered under separate cover.

V.J.1: Action Status Updates will be provided to the NRC on the following dates in accordance with Confirmatory Order commitments:

First Action Status Update:	December 28, 2015 (this submittal)
Second Action Status Update:	March 28, 2016
Third Action Status Update:	June 28, 2016
Fourth Action Status Update:	September 28, 2016
Fifth Action Status Update:	December 28, 2016
Sixth Action Status Update:	March 28, 2017

V.J.2: Several action items are in progress, the written conclusion will be submitted upon completion of all confirmatory action items and are captured in the corrective action program.

**Confirmatory Order Commitment V.K: Civil Penalty**

**Requirements**

Within 30 days of the date of this Confirmatory Order, Energy Northwest shall pay a civil penalty of \$35,000.

**Actions Taken**

Action is complete; payment of civil penalty to the NRC was transmitted on October 19, 2015 by Letter GO2-15-140.