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June 27, 2016

GO2-16-089

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 – THIRD  
STATUS UPDATE**

Reference: Letter EA-14-240 from M. L. Dapas (NRC) to M. E. 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. The enclosure to this letter provides the status of each confirmatory order action taken to date by Energy Northwest.

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

Executed this 27<sup>th</sup> day of June, 2016

Respectfully,

W. G. Hettel  
Vice President, Operations

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Enclosure: Columbia Generating Station Confirmatory Order EA-14-240 Element V.J.1  
– Action Status Update June 28, 2016

cc:

NRC Director-Division of Reactor Safety, Region IV

NRC Region IV Administrator

NRC NRR Project Manager

NRC Sr. Resident Inspector/988C

CD Sonoda – BPA/1399 w/o enclosure

WA Horin - Winston & Strawn w/o enclosure

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**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 November 19, 2015 in accordance with the confirmatory order. Evaluation passed both Department Corrective Action Review Board review on December 8, 2015 and its final review with the Corrective Action Review Board on December 15, 2015.

V.A.1: Complete: This action was conducted 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: Complete: 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: Complete: The Common Cause Evaluation was submitted through correspondence letter GO2-15-182 on December 28, 2015.

**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.

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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 has been conducted along with infrastructure and cabling installations for BRE cameras.

V.B.1: In Progress: Energy Northwest 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: In Progress: The 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 form located with Security supervision.

V.B.3: In Progress: 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 form located with Security supervision.

V.B.4: In Progress: The 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

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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) has been completed and is tracked through the corrective action program. All green badged employees who were required to complete the training have completed the CBT.

V.C.1: Complete: A copy of the CBT was sent to NRC for review through correspondence GO2-16-007. NRC comments were communicated to Energy Northwest via telephone conference on February 17, 2016.

V.C.2: Complete: NRC comments were accepted and incorporated into the CBT. The CBT was made available to all employees on February 25, 2016. All green badged workers with unescorted access were required to take the training by March 23, 2016. Blue badged employees do not have unescorted access and will be required to complete the compliance and ethics training at their next annual site access training tracked through the internal personnel qualification database (PQD).

**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

Complete: The collective bargaining unit has agreed to the non-compliance language and the statement has been read and signed by all current NSOs. Internal PQD process has been utilized to address NSOs on short or long term leave, disability, assignment,

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or military duty to read and sign statement once they return to Energy Northwest as current NSOs.

**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 tracked through the corrective action program and all assignments have been completed.

V.E.1: Complete: The lessons learned presentation was sent to NRC for review through correspondence GO2-16-006. NRC comments were communicated to Energy Northwest via telephone conference on February 17, 2016.

V.E.2: Complete: NRC comments were accepted and incorporated into the lessons learned presentation and the presentation was administered to the Security Department at CGS in several sessions between February 17, 2016 and March 21, 2016. The internal PQD process has been utilized to address Security Department staff on short or long term leave, disability, assignment or military duty to administer lessons learned presentation once they return to Energy Northwest.

**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.

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Actions Taken

Complete: As identified through the common cause evaluation two corrective actions to revise security program implementing procedures SPIP-SEC-01 and SPIP-SEC-14 have been completed and the revised documents were sent to the NRC through correspondence GO2-16-054.

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

Actions Taken

The presentation to an Industry Forum (Security Working Group) was completed in accordance with the confirmatory order.

- V.G.1: Complete: Presentation was developed in accordance with the confirmatory order requirements.
- V.G.2: Complete: The presentation was sent to NRC for review through correspondence GO2-16-026. NRC comments were communicated to Energy Northwest via telephone conference on March 11, 2016.
- V.G.3: Complete: NRC comments were accepted and incorporated into the industry forum presentation that was delivered to the NEI Nuclear Security Working Group on May 11, 2016.

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**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, on November 25, 2015 and an assessment report was completed on December 21, 2015.

V.H.1: Complete: The assessment has been received and corrective actions have been incorporated as appropriate.

V.H.2: Complete: A copy of the targeted nuclear safety culture assessment of the Security organization was sent to the NRC through correspondence GO2-16-019.

**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

Complete: Investigatory procedures were revised in accordance with Confirmatory Order requirements on January 14, 2016.



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**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.

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:

Progress Reports	Due Date	Energy Northwest's Submittal Letter
First Action Status	December 28, 2015	GO2-15-183
Second Action Status	March 28, 2016	GO2-16-052
Third Action Status	June 28, 2016	GO2-16-089 (this submittal)
Fourth Action Status	September 28, 2016	
Fifth Action Status	December 28, 2016	
Sixth Action Status	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.

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Actions Taken

Complete: Payment was transmitted on October 19, 2015 through correspondence GO2-15-140.