



Tennessee Valley Authority, Post Office Box 2000, Spring City, Tennessee 37381

December 19, 2016

10 CFR 50.9

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Watts Bar Nuclear Plant, Unit 2
Facility Operating License NPF-96
NRC Docket No. 50-391

**SUBJECT: WATTS BAR NUCLEAR PLANT (WBN) UNIT 2 - CONFIRMATORY
ORDER [NRC OFFICE OF INVESTIGATION REPORT NO. 2-2011-003] -
EA-12-021 - CORRECTIVE ACTION STATUS UPDATE**

- References:
1. NRC letter dated June 18, 2012, "Confirmatory Order (Effective Immediately) [NRC Office of Investigation Report No. 2-2011-003]"
 2. TVA letter dated August 29, 2013, "Watts Bar Nuclear Plant (WBN) Unit 2 - Confirmatory Order [NRC Office of Investigation Report No. 2-2011-003] - EA-12-021 - Confirmation Action Status Update"

The purpose of this letter is to provide an update of the actions required by the above-referenced confirmatory order (Reference 1). These actions were initially the result of a preliminary settlement agreement reached between NRC and TVA on May 21, 2012 to address an apparent violation. This settlement agreement was later formally documented by NRC in the above-referenced letter. Since submitting its 2013 status update (Reference 2), TVA has completed the remaining required action, the long-term training requirement. Due to Watts Bar Unit 2 receipt of an operating license and entering commercial operations and TVA's decision to sell Bellefonte Nuclear Plant, TVA concludes that Nuclear Construction 10 CFR 50.9 training is no longer required. The enclosure to this letter provides TVA's determination that the Confirmatory Order has been satisfied. There are no new commitments contained in this letter.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 19th day of December, 2016.

U.S. Nuclear Regulatory Commission

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If you have any questions, please contact Gordon Arent at (423) 365-2004.

Respectfully,



Paul Simmons
Site Vice President

Enclosure: Action Status Update

cc (Enclosure):

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**WATTS BAR NUCLEAR PLANT, UNIT 2
ENCLOSURE
ACTION STATUS UPDATE**

Confirmatory Order EA-12-021 resulted from a mediation session between TVA and the NRC, stemming from a 2010 incident in which a subcontractor foreman and electrician working on construction of Watts Bar Unit 2 (WBN2) falsified work order packages for primary containment penetrations.

Since the last update in 2013, TVA received two violations of 10 CFR 50.9: 05000391/2016601-02, "Failure to Maintain Complete and Accurate Material Traceability Information" and 05000390/2016003-01, "Falsified Fire Watch Records." TVA reviewed these violations for commonality with the 2010 incident and whether these violations indicate an ineffectiveness of TVA's Confirmatory Order actions. TVA concluded the incidents underlying these two violations were unrelated and isolated in nature and ultimately involved low safety significance. TVA did not locate other, substantiated allegations, concerns, or condition reports concerning the requirements of 10 CFR 50.9. Therefore, based on this review and the unrelated nature and non-applicability of these two issues to the event that is the basis of this Order, TVA concludes that its actions pursuant to this Order remain effective.

Confirmatory Order Commitment

- a. The Chief Nuclear Officer and the Senior Vice President of Nuclear Construction will issue a joint communication to all Nuclear Power Group and Nuclear Construction employees, including contractors and subcontractors working on a TVA site, regarding expectations for assuring work activities are performed and documented in a complete and accurate manner. The communication will be issued on or before August 1, 2012.

TVA Action Status/Action Taken

This item is complete. A communication was sent June 19, 2012, to Nuclear Power Group and Nuclear Construction employees, contractors and subcontractors. The subject of the communication was "Completeness and Accuracy in Describing our Work is Essential and Required." This communication was signed by the Chief Nuclear Officer and the Senior Vice President, Nuclear Construction.

Confirmatory Order Commitment

- b. These expectations will be reinforced through the use of fleet wide posters and communications. Communications will specifically discuss 10 CFR 50.9, complete and accurate information, willful violations, and their consequences. Posters will be installed on or before October 1, 2012.

TVA Action Status/Action Taken

This item is complete. This message communicating the requirements of 10 CFR 50.9, complete and accurate information, willful violations, and their consequences will be incorporated into the rotation of paper and electronic messaging across the fleet.

Confirmatory Order Commitment

- c. TVA will revise the existing Nuclear Power Group procedure on procedure use and adherence to reinforce the requirements of 10 CFR 50.9 and the need to ensure complete and accurate documentation of work completion steps. TVA will update major contracts to include the requirement to comply with TVA's Procedure Use and Adherence procedure. Revisions will be completed by December 21, 2012.

TVA Action Status/Action Taken

This item is complete. Procedures NPG-SPP-01.2 (Administration of Site Technical Procedures), NC PP-1 (Watts Bar Nuclear Plant Unit 2 Procedure Control), BPP-01.2 (Administration of Site Technical Procures for Bellefonte), and BPP-01.1 (Administration of Site Technical Procedures for Bellefonte) were revised to reference 10 CFR 50.9 requirements. TVA updated major contracts to include the requirement to comply with TVA's Procedure Use and Adherence procedures by December 21, 2012.

A review of the implementing procedures listed above confirmed that the 10 CFR 50.9 requirements remain in place with the exception of NC PP-1 (Watts Bar Nuclear Plant Unit 2 Procedure Control), which has been cancelled.

Confirmatory Order Commitment

- d. TVA will provide 10 CFR 50.9 training (both manager/supervisor as well as craft- level) to employees, including contractor and subcontractor employees, at all Nuclear Construction (Watts Bar Unit 2 and Bellefonte) locations. Training will be completed by December 21, 2012.

TVA Action Status/Action Taken

This item is complete. The 10 CFR 50.9 training was provided to employees including, contractor and subcontractors at Nuclear Construction (Watts Bar Unit 2 and Bellefonte) locations before December 21, 2012. Additionally, individuals began receiving 10 CFR 50.9 training in 2013 as part of the revised general employee training.

Confirmatory Order Commitment

- e. TVA will provide refresher 10 CFR 50.9 training (both manager/supervisor as well as craft-level) to employees, including contractor and subcontractor employees, at all Nuclear Construction (Watts Bar Unit 2 and Bellefonte) locations every two years through 2016. TVA will reassess the continued need for such training thereafter.

TVA Action Status/Action Taken

This item is complete. TVA provided refresher training to employees including, contractor and subcontractors at Watts Bar Unit 2 and Bellefonte in 2014, and at Bellefonte in 2016. Contemporaneous with the receipt of the operating license in 2015, the construction organization at Watts Bar Unit 2 ceased to exist as an independent organization; thus, there was no distinct Watts Bar Unit 2 construction population to train and the site was no longer a

construction site. With the November 2016 announcement about WBN2 entering the reactor oversight process, WBN2 has completed its transition from a construction site to an operating unit. TVA has also announced the sale of Bellefonte Nuclear Plant. Therefore, TVA concludes that Nuclear Construction 10 CFR 50.9 training is no longer necessary.

Confirmatory Order Commitment

- f. TVA will enhance existing 10 CFR 50.9-related general employee training (GET) for new employees, including contractor and subcontractor employees located at TVA nuclear sites, joining Nuclear Power Group and Nuclear Construction and update annual requalification GET training. TVA will complete this item by December 21, 2012.

TVA Action Status/Action Taken

This item is complete. GET - Plant Access Training has been revised (effective November 16, 2012) to enhance requirements for completeness and accuracy of information (10 CFR 50.9). The discussion of 10 CFR 50.9 requirements remains a part of GET. This requirement is applicable to all employees with unescorted access authorization.

Confirmatory Order Commitment

- g. Within six months of issuance of the Confirmatory Order, and again on or before July 1, 2013, TVA will perform checks of the Watts Bar Unit 2 Employee Concerns Program (ECP), to identify undue scheduling pressure issues identified by employees and employees of construction contractors and subcontractors. Issues identified will be addressed commensurate with safety and in accordance with TVA's Corrective Action Program.

TVA Action Status/Action Taken

This item is complete. As described in Reference 2, TVA performed checks of the Watts Bar Unit 2 ECP to identify undue scheduling pressure issues identified by employees and employees of construction contractors and subcontractors as well as assessed results of applicable questions from surveys. Although TVA recognizes that this Confirmatory Order is directed at nuclear construction projects, it is important to note that the WBN Chilled Work Environment Letter received on March 23, 2016, raised issues about undue scheduling pressure within other organizations at Watts Bar Nuclear Plant. TVA is examining and responding to those issues as part of its chilled work environment letter response and has captured those actions in the WBN corrective action program (Root Cause Analysis - CR1155393).

Confirmatory Order Commitment

- h. TVA will perform an effectiveness review of actions taken and actions planned, including those taken in response to the ECP checks described in Item 5.g, on or before July 1, 2013. Based on the results of the effectiveness review, TVA will implement appropriate corrective actions.

TVA Action Status/Action Taken

This item is complete. TVA performed the required review as described in Reference 2. As part of the review for this letter, Watts Bar Licensing reviewed both Watts Bar and Bellefonte Condition Reports (CRs) initiated since August 2013. The purpose was to identify other issues potentially involving 10 CFR 50.9 compliance. Watts Bar Licensing also contacted Employee Concerns with the purpose of identifying other issues potentially involving 10 CFR 50.9 compliance at both Watts Bar and Bellefonte. The issues described above, 05000391/2016601-02, "Failure to Maintain Complete and Accurate Material Traceability Information" and 05000390/2016003-01, "Falsified Fire Watch Records," were each the subject of a concern raised with TVA Nuclear Employee Concerns. Additionally, the first issued was the subject of an NRC request for information, RII-2015-A-0224. Apart from these events, both of which were TVA-identified, TVA has not located other substantiated allegations, employee concerns, or condition reports relating to 10 CFR 50.9.

As stated, TVA reviewed these violations for commonality with the 2010 incident and whether these violations indicate ineffectiveness of TVA's Confirmatory Order actions. TVA concluded the incidents underlying these two violations were unrelated and isolated in nature and are not indicative of a trend. Therefore, based on this review and the unrelated nature of these two issues to the event that resulted in this Order, TVA concludes that its actions taken pursuant to this Order remain effective.

Because Watts Bar Unit 2 has completed the transition to an operating unit, and with the pending transfer of Bellefonte Nuclear Plant to another entity, TVA concludes that Nuclear Construction 10 CFR 50.9 training is no longer necessary.

Confirmatory Order Commitment

i. Upon completion of the terms of the Confirmatory Order, TVA will provide the NRC with a letter discussing its basis for concluding that the Order has been satisfied.

TVA Action Status/Action Taken

This item is complete with the submittal of this letter. As discussed above, TVA concludes that the above provides basis that the Order has been satisfied.