



December 27, 2016

Patricia K. Holahan
Director, Office of Enforcement
U.S. Nuclear Regulatory Commission (NRC)
Washington, DC 20555-0001

Subject: Request for Compliance Review of Confirmatory Order EA-13-196 Issued to Chicago Bridge & Iron Company on September 25, 2014

Dear Ms. Holahan,

On December 31, 2015, Chicago Bridge and Iron (CB&I) sold its nuclear construction business to Westinghouse Electric Company LLC (WEC). WEC now has full responsibility for all AP1000 project work at the Vogtle and V.C. Summer nuclear facilities. With the sale, the majority of CB&I's Nuclear Safety Culture (NSC) management staff transferred to WEC entities that are part of a new WEC company, WECTEC Global Project Services Inc. (WECTEC). By memorandum to the NRC dated August 5, 2016, WECTEC committed to the NRC to "maintain and adhere to the programs and processes" established by CB&I in accordance with Confirmatory Order (CO) EA-13-196.¹

As CB&I's President for Facilities & Plant Services, I now serve as CB&I's Nuclear Safety Officer (NSO). CB&I reorganized the NSC and Employee Concerns Program (ECP) during the first quarter of 2016, as was discussed with NRC staff in Bethesda and Atlanta. At my direction, CB&I has performed a gap analysis to assess our full and complete compliance with all requirements of CO EA-13-196. Based on that assessment, CB&I requests that the NRC staff review evidence demonstrating completion of CO items, including incorporation of ongoing actions (e.g., refresher training) into applicable CB&I work processes, and confirm satisfaction of the CO. We have established a secure web page containing compliance evidence for NRC inspection team review, with instructions provided in the attached document.

We believe it also may be appropriate and timely to consider closure of the CO for the following reasons:

1. CB&I has addressed the core issues underlying the CO, including adoption of industry-standard NSC traits and a demonstrated commitment to maintaining an effective NSC program. For example, the CB&I Lake Charles Fabrication Facility demonstrated its compliance with CO requirements as reported in NRC Inspection Report No.

¹ Memorandum, D. Durham, President WEC, to P. Holahan, Director Office of Enforcement, "WECTEC Commitment for Ongoing Compliance to Confirmatory Order EA-12-189 and EA-13-196," dated August 5, 2016.

99901425/2015-201. Additionally, the NRC recently closed a 2013 Chilling Effect letter issued to Lake Charles.

2. The nuclear construction sale resulted in significant reduction in CB&I's work force involvement in NRC-regulated work and a greatly reduced incidence of NSC and SCWE concerns. To the extent that the nuclear construction sale resulted in a portion of CB&I's workforce transferring to WECTEC, WECTEC has committed to maintain the programs and processes established by CB&I for AP1000 project work at the Vogtle and V.C. Summer sites.
3. CB&I's NRC-regulated work at Lake Charles concluded earlier this month. Our remaining NRC-regulated work is covered by either CB&I NSC and ECP programs, those managed as client or licensee programs, or both.

Based on CB&I's diligence in adopting industry-standard NSC traits and developing an effective NSC program, combined with the reasons previously described, we are requesting closure of the CO.

Sincerely,



Kelly D. Trice
President, CB&I Facilities & Plant Services
Chicago Bridge and Iron
One CB&I Plaza
2103 Research Forest Drive
The Woodlands, TX 77380

Attachment 1: CB&I EA-13-196 Compliance Evidence Matrix



NRC Confirmatory Order EA-13-196 Compliance Evidence Matrix

Chicago Bridge and Iron (CB&I) has stored Confirmatory Order (CO) compliance evidence on a secured website. Access to this website will be granted to Nuclear Regulatory Commission (NRC) inspectors once they have been assigned for review.

To gain access, please email Nicole Lachance, Nuclear Safety Culture Program Manager, at nicole.lachance@cbi.com. Nicole will facilitate granting access from CB&I's Information Technology team and notify inspectors once access is granted.

Once access is granted, all folders can be accessed by clicking [here](#).

- Evidence specific to action A – Communication – can be accessed by clicking [here](#).
- Evidence specific to action B – Training – can be accessed by clicking [here](#).
- Evidence specific to action C – Work Processes – can be accessed by clicking [here](#).
- Evidence specific to action D – Assess and Monitor NSC and SCWE – can be accessed by clicking [here](#).
- Evidence specific to action E – Other – can be accessed by clicking [here](#).

Additional links associated with specific CO actions are provided in the following table.



Confirmatory Order EA-13-196 Compliance Summary

Sect	#	Sub	Action	Objective Evidence
A	1	a	Written Communication	Recorded in NRC Inspection Report No. 99901425/2015-201. Click to review written communication from Chief Executive Officer.
A	1	b	Posting of Written Communication	Click to review samples confirming display of written communication.
A	1	c	All Hands Meetings	Click to view sign-in sheets and presentation slides.
A	2	a	Nuclear Safety Culture (NSC) Policies/Procedures Provided to NRC	Click to view copies of material submitted.
A	2	b	Maintain Nuclear Safety and NSC Policies, Guidance and Related Materials	Recorded in NRC Inspection Report No. 99901425/2015-201.
A	2	c	Nuclear Safety and NSC Policies, Guidance and Related Materials: Distribute copies and inform employees where materials are located. Provide during orientation.	Recorded in NRC Inspection Report No. 99901425/2015-201.
A	3	a	Share Experience/Insights	Recorded in NRC Inspection Report No. 99901425/2015-201.
A	3	b	RIC Panel Participation	Recorded in NRC Inspection Report No. 99901425/2015-201.
A	4	-	Lake Charles Periodic Reinforcement of Expectations	Click to view copies of sample communication.
B	1	a	NSC Training to Include Case Studies of Discriminatory Practices.	Recorded in NRC Inspection Report No. 99901425/2015-201.

Sect	#	Sub	Action	Objective Evidence
B	1	b	NSC Training: Key Terms	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	1	c	Develop/Revise ECP, NSC, Nuclear Safety Training for All CB&I Employees	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	1	d	Include CAP in Employee Training	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	1	e	NSC Training - Willful Violations (include case studies)	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	1	f	Orientation includes Deliberate Misconduct (include 10 CFR 52.4 and 10 CFR Part 50 Appendix B)	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	1	g	Training Material Available to NRC upon Request	Click to view current training material.
B	2	-	Pilot Training	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	2	a	Commence Supervisor Training	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	2	b	Complete Supervisor Training	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	2	ci	Initiate Supervisor Refresher Training (instructor led after 2 years, CBT after 4 years)	Click to view refresher training attendance records.
B	2	cii	Supervisory Training Computer-Based	N/A: scheduled to begin in 2018.
B	2	d	Record Retention for Supervisors (Training records will be made available to the NRC upon request)	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	3	-	Instructor led training twice per year for new supervisors.	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	4	a	Non-Supervisor Training Six Months after Supervisor Training	Recorded in NRC Inspection Report No. 99901425/2015-201.

Sect	#	Sub	Action	Objective Evidence
B	4	b	Complete Non-Supervisor Training	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	4	c	Refresher Non-Supervisor Training Computer Based	Recorded in NRC Inspection Report No. 99901425/2015-201. Click to access computer-based training format.
B	4	d	Non-Supervisor Training Instructor Led for New Employees (part of orientation)	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	4	e	Record Retention for Non-Supervisors	Recorded in NRC Inspection Report No. 99901425/2015-201.
B	5	-	Short-term Employee Training (Less than 90 Days): One Pager with key NSC terms	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	1	a	Executive Review Board (ERB) Development – Benchmarking	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	1	b	Executive Review Board Members (management, Legal, HR)	Click to view ERB membership rosters.
C	1	c	Executive Review Board Procedure, Decisions Available to NRC	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	1	d	ERB Track Willful Violations and Deliberate Misconduct	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	2	a	Employee Concerns Program (ECP) Development	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	2	b	Employee Concerns Program Reporting	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	2	c	Employee Concerns Program Training to ECP personnel	Click to view ECP staff qualifications.

Sect	#	Sub	Action	Objective Evidence
C	2	d	ECP Effectiveness, Assessments: include willful violations and deliberate misconduct	Quarterly NSCMP reports
C	3	-	Supervisor Performance Appraisal	Click to view appraisal form.
C	4	-	Corrective Action Program Trending: Establish trending process, where applicable	Click to view trending information.
C	5	-	ECP Exit Interview/Survey (employee participation, actions available to NRC)	Recorded in NRC Inspection Report No. 99901425/2015-201. Click to view exit survey information.
C	6	-	Anonymous Reporting Services	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	7	a	Nuclear Safety Culture Oversight: Assess twice per year with external consultant	Click to view nuclear safety culture monitoring panel (NSCMP) information.
C	7	b	Nuclear Safety Culture Oversight: Benchmarking	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	7	c	Nuclear Safety Culture Oversight: directed by NSO	Recorded in NRC Inspection Report No. 99901425/2015-201. Click to view NSCMP oversight information.
C	7	d	Tracking Willful Violations and Deliberate Misconduct	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	8	-	Enter Chilling Effect Letter Conditions into Corrective Action Program (CAP)	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	9	-	Revise CAP Guidance	Recorded in NRC Inspection Report No. 99901425/2015-201.
C	10	-	Revise CB&I Procedure Use and Adherence	Click to view procedure.
D	1	-	Company Nuclear Safety Officer (NSO)	Click to view NSO information.
D	2	-	NSC Survey Development: Third Party Consultant	Click to view consultant information. Click to view 2014 survey results.

Sect	#	Sub	Action	Objective Evidence
D	2	a	NSC Surveys: Every Two Years	Consultant reports not available as of Oct. 13, 2016. Click to view 2016 survey copies.
D	2	b	NSC Surveys: Provide results to NRC upon request	For 2014: Recorded in NRC Inspection Report No. 99901425/2015-201. 2016 consultant reports not available as of Oct. 13, 2016.
D	2	c	NSC Surveys: Communicate results to employees within 3 months	For 2014: Recorded in NRC Inspection Report No. 99901425/2015-201. Click to view 2014 information. 2016 consultant reports not available as of Oct. 13, 2016
D	2	d	Will Violations/Deliberate Misconduct Survey Statements	Click to view survey templates.
D	3	a	Chilling Effect Letter assessment: Independent Focus	Recorded in NRC Inspection Report No. 99901425/2015-201.
D	3	b	Chilling Effect Letter assessment: Evaluate Independent Focus	Recorded in NRC Inspection Report No. 99901425/2015-201.
D	4	-	Review Independent Chilling Effects Letter Assessment	Recorded in NRC Inspection Report No. 99901425/2015-201.
E	1	-	Chilling Effects Conditions Entered into Corrective Actions Program	Recorded in NRC Inspection Report No. 99901425/2015-201.
E	2	a	Revise Code of Conduct	Recorded in NRC Inspection Report No. 99901425/2015-201.
E	2	b	Include Code of Conduct in Training	Recorded in NRC Inspection Report No. 99901425/2015-201.