



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

January 13, 2022

Mr. Robert Schuetz
Chief Executive Officer
Energy Northwest
76 North Power Plant Loop
P.O. Box 968 (Mail Drop 1023)
Richland, WA 99352

SUBJECT: COLUMBIA GENERATING STATION - ISSUANCE OF AMENDMENT NO. 266
TO REMOVE LICENSE CONDITION 2.C.(34) AND REVISE LICENSE
CONDITION 2.C.(35) (EPID L-2021-LLA-0074)

Dear Mr. Schuetz:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment No. 266 to Renewed Facility Operating License No. NPF-21 for the Columbia Generating Station (Columbia). The amendment consists of changes to the Renewed Facility Operating License in response to your application dated April 28, 2021, as supplemented by letter dated August 24, 2021.

The amendment removes License Condition (LC) 2.C.(34) and revises LC 2.C.(35). The LC 2.C.(34) is no longer applicable because the Columbia Final Safety Analysis Report (FSAR) has been updated to include the license renewal commitments. The revision to LC 2.C.(35) clarifies that future changes to the license renewal commitments, as dictated by operating experience, are made under the provisions of Title 10 of the *Code of Federal Regulations* Section 50.59, "Changes, tests, and experiments." The proposed changes do not result in changes to the Technical Specifications or operating requirements for Columbia.

A copy of the related Safety Evaluation is also enclosed. Notice of Issuance will be included in the Commission's monthly *Federal Register* notice.

Sincerely,

/RA – S. Lee for/

Mahesh L. Chawla, Project Manager
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-397

Enclosures:

1. Amendment No. 266 to NPF-21
2. Safety Evaluation

cc: Listserv



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

ENERGY NORTHWEST

DOCKET NO. 50-397

COLUMBIA GENERATING STATION

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 266
License No. NPF-21

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Energy Northwest (the licensee) dated April 28, 2021, as supplemented by letter dated August 24, 2021, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

2. Accordingly, by Amendment No. 266, Renewed Facility Operating License No. NPF-21 is hereby amended by deletion of paragraph 2.C.(34), and revision of paragraph 2.C.(35) as set forth in the licensee's application dated April 28, 2021, as supplemented by letter dated August 24, 2021, and evaluated in the NRC staff's safety evaluation enclosed with this amendment.
3. The license amendment is effective as of its date of issuance and shall be implemented within 90 days from the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Jennifer L. Dixon-Herrity, Chief
Plant Licensing Branch IV
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to Renewed Facility
Operating License No. NPF-21

Date of Issuance: January 13, 2022

ATTACHMENT TO LICENSE AMENDMENT NO. 266

COLUMBIA GENERATING STATION

RENEWED FACILITY OPERATING LICENSE NO. NPF-21

DOCKET NO. 50-397

Replace the following page of Renewed Facility Operating License No. NPF-21 with the attached revised page. The revised page is identified by amendment number and contain vertical lines indicating the areas of change.

Renewed Facility Operating License

REMOVE

-8-

INSERT

-8-

- (34) Deleted
- (35) The licensee's FSAR, as updated with the license renewal FSAR supplement submitted pursuant to 10 CFR 54.21(d) and supplemented with Appendix A of NUREG-2123 with the exception of Commitments Nos. 55, 56, 57, and 71, and as revised pursuant to the criteria set forth in 10 CFR 50.59, describes certain future programs and activities to be completed before the period of extended operation. Energy Northwest shall complete these activities no later than July 20, 2023 and shall notify the NRC in writing when implementation of these activities is complete.
- (36) To prevent lateral motion of the core plate, the licensee shall install core plate wedges around the periphery of the core plate within the shroud on or before December 20, 2021. Upon completion of the core plate wedge installation, the licensee shall submit a written report to the NRC staff summarizing the results of the installation. The licensee shall also submit a written report regarding any corrective action taken related to core plate rim hold-down bolts or core plate wedges and the results of extent of condition reviews on or before December 20, 2021.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 266 TO

RENEWED FACILITY OPERATING LICENSE NO. NPF-21

ENERGY NORTHWEST

COLUMBIA GENERATING STATION

DOCKET NO. 50-397

1.0 INTRODUCTION

By application dated January 19, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML100250656), Energy Northwest (the licensee) requested renewal of Facility Operating License No. NPF-21 in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 54, "Requirements for Renewal of Operating Licenses for Nuclear Power Plants," for Columbia Generating Station (Columbia) for a period of 20 years beyond the December 20, 2023, expiration date. The U.S. Nuclear Regulatory Commission's (NRC's or the Commission's) review of the license renewal application (LRA) is documented in NUREG-2123, "Safety Evaluation Report Related to the License Renewal of Columbia Generating Station," dated May 2012 (ADAMS Accession No. ML12139A302).

Appendix A, "Columbia Generating Station License Renewal Commitments," of NUREG-2123 (the safety evaluation report (SER)) contains a list of 71 commitments made by the applicant in its license renewal application, as supplemented during the review. These commitments relate to completing license renewal-related activities and implementing, modifying, or enhancing aging management programs (AMPs) that manage the aging effects of structures, systems, and components prior to, and during the period of extended operation (PEO). Since these commitments form part of the basis for the NRC's decision to issue the renewed license, the commitments were included in the renewed facility operating license (RFOL) via license conditions (LCs) that ensure these commitments are managed within the regulatory framework. The NRC issued the RFOL for Columbia on May 22, 2012 (ADAMS Accession No. ML12089A090).

By letter dated April 28, 2021 (ADAMS Accession No. ML21118A812), as supplemented by letter dated August 24, 2021 (ADAMS Accession No. ML21236A233), Energy Northwest requested that the NRC amend Columbia's RFOL No. NPF-21. The proposed changes would 1) delete RFOL LC 2.C.(34), 2) revise LC 2.C.(35), 3) clarify that the commitments in Appendix A of NUREG-2123 are part of the Columbia final safety analysis report (FSAR), as

updated, and therefore controlled under 10 CFR 50.59, "Changes, tests and experiments," and 4) extend the reporting date for completion of certain activities by 1 month.

The licensee's supplemental letter dated August 24, 2021, provided additional information that clarified information in the application, did not expand the scope of the application as originally noticed, and did not change the NRC staff's original proposed no significant hazards consideration determination as published in the *Federal Register* on July 13, 2021 (86 FR 36779).

2.0 REGULATORY EVALUATION

The regulations at 10 CFR 54.29, "Standards for issuance of a renewed license," state, in part, that the Commission may issue a renewed license if it finds that:

- (a) Actions have been identified and have been or will be taken with respect to the matters identified in paragraphs (a)(1) and (a)(2) of this section¹ such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the CLB [current licensing basis], and that any changes made to the plant's CLB in order to comply with this paragraph are in accord with the Act and the Commission's regulations.

The NRC staff's determination of whether there is reasonable assurance required by the above regulation is made based on the review of information an applicant provides in the LRA, including docketed correspondence such as applicant responses to requests for additional information and application updates, as well as the CLB. The CLB is defined, in part, in 10 CFR 54.3, "Definitions," as "the set of NRC requirements applicable to a specific plant and a licensee's written commitments for ensuring compliance with and operation within applicable NRC requirements and the plant-specific design basis (including all modifications and additions to such commitments over the life of the license) that are docketed and in effect."

As part of its LRA, Energy Northwest provided written commitments to implement certain programs and take specific actions that the NRC staff relied on for its finding of reasonable assurance. While the definition of CLB above includes "licensee commitments," 10 CFR 54.33(d) makes it clear that this definition does not make licensee commitments legally binding. The regulation in 10 CFR 54.33(d) states:

The licensing basis for the renewed license includes the CLB, as defined in § 54.3(a); the inclusion in the licensing basis of matters such as licensee commitments does not change the legal status of those matters unless specifically so ordered pursuant to paragraphs (b) or (c) of this section.²

Licensee commitments related to the LRA review do support the basis for the NRC staff's finding of reasonable assurance required by 10 CFR 54.29, and therefore established as a

¹ Paragraphs (a)(1) and (a)(2) of 10 CFR 54.29 describe the "matters" as managing the effects of aging during the PEO on the functionality of identified structures and components, and time-limited aging analyses requiring review, respectively.

² Paragraphs (b) and (c) of 10 CFR 54.33, "Continuation of CLB and conditions of renewed license," state that a renewed license will include any license conditions necessary to ensure the requirements for license renewal are met.

licensing obligation or managed within a mandated licensing basis document.³ SECY-98-224, “Staff and Industry Activities Pertaining to the Management of Commitments Made by Power Reactor Licensees to the NRC” (ADAMS Accession No. ML992870043) defines obligations as “conditions or actions that are legally binding requirements imposed on licensees through applicable rules, regulations, orders, and licenses (including technical specification and license conditions).”⁴

Mandated licensing basis documents include the updated FSAR that has established requirements for content, change control, and reporting. The requirements for change control and reporting for the FSAR, as updated, are described in 10 CFR 50.59 and only require detailed NRC review and approval in certain situations. If the NRC staff finds that an activity described in the commitment may be revised by the applicant in accordance with NRC regulations, the activity is included in the licensee’s FSAR and managed under the 10 CFR 50.59 change process. Given that many licensee commitments involve programs and actions that should be updated due to new information gained between the date of issuance of the renewed license and the date entering the PEO, 10 CFR 50.59 provides a controlled framework for evaluating changes to the FSAR.

The regulation, 10 CFR 54.21(d), states that each application for renewal of an operating license must include an FSAR supplement that contains a “summary description of the programs and activities for managing the effects of aging and the evaluation of time-limited aging analyses for the period of extended operation determined by paragraphs (a) and (c) of this section,⁵ respectively.” Note that this section does not require the FSAR supplement to include licensee commitments made throughout the review; it only requires the summary description of license renewal programs and activities the applicant intends to implement.

During the LRA review, the applicant may submit revisions of the FSAR supplement and written commitments as needed to meet the requirements for license renewal. When the NRC issues an RFOL, it contains two generic license renewal LCs. The “first” generic LC is intended to incorporate the FSAR supplement, and the licensee’s written commitments provided during the review, into the facility’s FSAR as of the date of issuance of the RFOL.

The programs and activities related to managing the aging of structures, systems, and components as described in the LRA and FSAR supplement are required to be in effect before the facility enters the PEO. The NRC conducts a license renewal inspection in accordance with Inspection Procedure (IP) 71002 (ADAMS Accession No. ML11238A010) after the licensee has implemented the license renewal programs and activities, but before the facility enters the PEO to verify that the licensee has complied with the requirements of 10 CFR Part 54. Because the NRC staff needs to know when the programs and activities are in place with sufficient time to plan and conduct the IP 71002 inspection before the facility enters the PEO, renewed licenses

³ Office of Nuclear Reactor Regulation (NRR) Office Instruction LIC-105, “Managing Regulatory Commitments Made by Licensees to the NRC,” Revision 7 (ADAMS Accession No. ML16190A013).

⁴ See also Nuclear Energy Institute (NEI) 99-04, “Guidelines for Managing NRC Commitment Changes,” (ADAMS Accession No. ML003680088) endorsed by the NRC in Regulatory Issue Summary (RIS) 2000-17, “Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff,” dated September 21, 2000 (ADAMS Accession No. ML003741774); NRR Office Instruction LIC-100, Revision 1 “Control of Licensing Bases for Operating Reactors,” dated January 7, 2004 (ADAMS Accession No. ML033530249).

⁵ Paragraphs (a) and (c) of 10 CFR 54.21, “Contents of application – technical information,” describe which structures and components are subject to an aging management review and describe the evaluation of time-limited aging analyses, respectively

contain a “second” LC to ensure that the programs and activities are in place and completed, and the NRC staff is notified, at least 6 months before the facility enters the PEO. The NRC staff notes, however, that the licensee may implement some programs far in advance of the time period required by this LC.

In recent years, applicants for license renewal have typically included the list of commitments in the FSAR supplement, which is then incorporated into the FSAR. The generic license conditions then place the FSAR supplement into the FSAR and changes to the commitments are therefore managed under 10 CFR 50.59. However, some earlier renewed operating licenses included generic license renewal LCs that effectively elevated some or all of the licensee’s written commitments to the level of a LC, which requires a license amendment request (LAR) under 10 CFR 50.90, “Application for amendment of license, construction permit, or early site permit,” to modify.

Columbia’s LC 2.C.(34) specifies a subset of the full list of license renewal commitments, as documented in the SER, for inclusion in the FSAR. However, LC 2.C.(35) states that “Energy Northwest shall complete” the “certain future programs and activities” listed in the FSAR supplement and the subset of commitments, with no mention of the supplement and commitments being managed as part of the FSAR (and therefore subject to 10 CFR 50.59). While LC 2.C.(34) is clear that the FSAR supplement and subset of commitments are managed as part of the Columbia FSAR, the specific wording in LC 2.C.(35) is not as clear. Reading LC 2.C.(35) alone, it could be interpreted that the licensee must submit an LAR under 10 CFR 50.90 to revise the commitments as written in the SER.

3.0 TECHNICAL EVALUATION

3.1 Proposed Changes to the Columbia RFOL

In its LAR dated April 28, 2021, the licensee proposed to delete LC 2.C.(34), which states:

The information in the FSAR supplement, submitted pursuant to 10 CFR 54.21(d), as supplemented by Commitment Nos. 1, 5, 13, 14, 17, 18, 23, 24, 26, 27, 28, 32, 36, 38, 40, 41, 42, 43, 48, 49, 50, 53, 55, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, and 70 of Appendix A of NUREG-2123, “Safety Evaluation Report Related to the License Renewal of Columbia Generating Station,” dated May 2012, is henceforth part of the FSAR which will be updated in accordance with 10 CFR 50.71(e). As such, the licensee may make changes to the programs and activities described in the UFSAR [Updated FSAR] supplement and Commitment Nos. 1, 5, 13, 14, 17, 18, 23, 24, 26, 27, 28, 32, 36, 38, 40, 41, 42, 43, 48, 49, 50, 53, 55, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, and 70 of Appendix A of NUREG-2123 provided the licensee evaluates such changes pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.

Additionally, the licensee proposed to revise LC 2.C.(35) as follows, as modified in the supplement to the LAR dated August 24, 2021:

The licensee's FSAR, as updated with the license renewal FSAR supplement submitted pursuant to 10 CFR 54.21(d) and supplemented with Appendix A of NUREG-2123 with the exception of Commitments Nos. 55, 56, 57, and 71, and as revised pursuant to the criteria set forth in 10 CFR 50.59, during the license

~~renewal application review process, and as supplemented by Commitment Nos. 1, 5, 13, 14, 17, 18, 23, 24, 26, 27, 28, 32, 36, 38, 40, 41, 42, 43, 48, 49, 50, 53, 55, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, and 70 of Appendix A of NUREG-2123, describes certain future programs and activities to be completed before the period of extended operation. Energy Northwest shall complete these activities no later than June July 20, 2023 and shall notify the NRC in writing when implementation of these activities is complete.~~

The licensee proposes that LC 2.C.(34) is no longer needed because it is a one-time action that has been completed via the December 2013 FSAR update that incorporated the FSAR supplement and the March 4, 2020, addition of the entire SER Table A-1 containing the full list of license renewal commitments as of the date of the SER (except the four commitments discussed in Section 3.2.1 of this SE). The licensee proposes that the revision to LC 2.C.(35) will make it clear that the activities described in the commitments made during the license renewal and subsequently incorporated into the updated FSAR will be managed in accordance with 10 CFR 50.59.

3.2 NRC Staff Evaluation

As described in the NRC staff's safety evaluation related to the Vermont Yankee amendment dated April 17, 2013 (ADAMS Accession No. ML13042A272) and the safety evaluation related to the Cooper amendment dated September 12, 2013 (ADAMS Accession No. ML13191A105), the NRC staff's intended purpose of the two generic license renewal LCs is to enter commitments made by the licensee during the LRA review into the updated FSAR to be managed by the 10 CFR 50.59 regulations, and not to establish any of the commitments as LCs. If the NRC staff intends to establish an activity as a LC, a unique LC will be added to the RFOL. One example is Columbia's LC 2.C.(36), which was included as a condition related to license renewal but is separate from the two generic license renewal license conditions.

3.2.1 License Condition 2.C.(34)

In Appendix A of its LAR, the licensee provided a copy of the Columbia updated FSAR Table A-1 that lists all of the commitments made during the review of the LRA except Commitments 55, 56, 57, and 71. The NRC staff's analysis for not including these four commitments in the updated FSAR is documented below.

Commitment 55. This commitment states, "Energy Northwest will incorporate the FSAR Supplement into the Columbia FSAR as required by 10 CFR 54.21(d)." This commitment was included in the subset of commitments entered into the FSAR by the original license renewal LCs 2.C.(34) and 2.C.(35). However, this commitment was a one-time action that was completed by the December 2013 FSAR update, and is now obsolete. Because the commitment has been satisfied, the NRC staff finds it acceptable to not include this commitment in FSAR Table A-1.

Commitment 56. This commitment states, "The elements of corrective actions, confirmation process, and administrative controls in the OQAPD [operational quality assurance program document] will be applied to required aging management programs for both safety-related and non-safety related structures and components determined to require aging management during the period of extended operation." The three program elements listed are common to each AMP and were evaluated by the NRC staff during the LRA review. Because these program elements are common to all AMPs, which are described in the facility's FSAR, a commitment to

implement the entire AMP entails a commitment to implement these three program elements within each AMP. Thus, this separate commitment to implement these three program elements is redundant and could cause conflicts if programs are later amended. Therefore, the NRC staff finds it acceptable to not include this commitment in the FSAR Table A-1. The NRC staff also notes that this commitment was not included in the subset of commitments entered into the FSAR by the original license renewal LCs 2.C.(34) and 2.C.(35).

Commitment 57. This commitment states, "The commitments identified in association with Columbia license renewal will be tracked within the Columbia Regulatory Commitment Management Program." The December 2013 FSAR update, a mandated licensing basis document, established 10 CFR 50.59 as the managing framework for the full list of commitments. This satisfies the LIC-105 instruction to the NRC staff that "if the NRC staff needs to rely on a regulatory commitment in an SE, the staff must escalate the commitment to an obligation or incorporate it into a mandated licensing basis document." The NRC staff did not rely on the licensee tracking the commitments in its regulatory commitment management program for its findings in its license renewal SER, although the NRC staff is aware that the licensee utilizes NEI 99-04. Therefore, the NRC staff finds it acceptable to not include this commitment in the updated FSAR. The NRC staff also notes that this commitment was not included in the subset of commitments entered into the FSAR by the original license renewal LCs 2.C.(34) and 2.C.(35).

Commitment 71. This commitment states:

At least two years prior to the period of extended operation, Columbia will install core plate wedges unless:

- 1) A site-specific analysis is approved by the NRC that resolves core plate bolt loss of preload due to both stress relaxation and cracking, or
- 2) An NRC approved method is developed to inspect the core plate bolts for cracking and a site-specific analysis for loss of preload due to stress relaxation of the core plate bolts is approved by the NRC.

Columbia LC 2.C.(36) states,

To prevent lateral motion of the core plate, the licensee shall install core plate wedges around the periphery of the core plate within the shroud on or before December 20, 2021. Upon completion of the core plate wedge installation, the licensee shall submit a written report to the NRC staff summarizing the results of the installation. The licensee shall also submit a written report regarding any corrective action taken related to core plate rim hold-down bolts or core plate wedges and the results of extent of condition reviews on or before December 20, 2021.

License Condition 2.C.(36) and Commitment 71 both require the licensee to install core plate wedges at least 2 years prior to the PEO that begins December 21, 2023. However, Commitment 71 provides that the licensee may submit site-specific analyses or inspection methods to the NRC for review and approval in lieu of installing the core plate wedges. The NRC staff finds that the LC adequately controls the commitment to install the core wedge plates at least 2 years prior to the PEO, and any proposed changes to the LC must be submitted to the NRC for prior review and approval. The NRC staff also notes that this commitment was not

included in the subset of commitments entered into the FSAR by the original license renewal LC 2.C.(34) and LC 2.C.(35).

The inclusion of Table A-1 into the facility's updated FSAR excluding the above four commitments, and the December 2013 incorporation of the FSAR supplement into the Columbia FSAR, accomplishes the purpose of the first generic license renewal LC, rendering it obsolete. Therefore, the NRC staff finds that LC 2.C.(34) may be deleted.

3.2.2 License Condition 2.C.(35)

The purpose of LC 2.C.(35) is to ensure that the programs and activities described in the applicant's FSAR supplement and in additional commitments made throughout the license renewal review are completed in time to allow the NRC regional inspectors to complete the IP 71002 Phase II inspection before the facility enters the PEO. The LAR requests three changes to this license condition: (1) explicitly state that the FSAR supplement and license renewal commitments are incorporated into the FSAR, which is managed in accordance with 10 CFR 50.59; (2) incorporate all the commitments (except the four commitments discussed in Section 3.2.1 of this SE) into the FSAR rather than only the currently listed subset of commitments; and (3) revise the date by which the programs and activities must be completed.

The first requested change is in keeping with the NRC staff's intent, as explained in Sections 2.0 and 3.2 above, that the license renewal FSAR supplement and license renewal commitments be incorporated into the Columbia FSAR and managed under 10 CFR 50.59. As originally written, this LC established that the "FSAR supplement submitted pursuant to 10 CFR 54.21(d)," was to be supplemented by the listed subset of commitments from Appendix A of NUREG-2123. It is then this "supplemented" FSAR supplement that is the subject of the original LC 2.C.(35), and not Appendix A of NUREG-2123. The original LC 2.C.(34) established that the "supplemented" FSAR supplement is "henceforth part of the FSAR," which is managed under the process described in 10 CFR 50.59. Therefore, the versions of the commitments as listed in Appendix A of NUREG-2123 were not elevated to the status of LCs, and analysis of the individual commitments is not necessary for this SE and license amendment.

The second requested change is conservative in that it incorporates the entire list of commitments from Appendix A of NUREG-2123 (except for commitments 55, 56, 57, and 71, as discussed and evaluated in section 3.2.1 of this SE) into the updated FSAR rather than only the subset of the commitments as listed in the original LCs.

The third requested change will require the licensee to have the programs and activities listed in the FSAR completed by 5 months before entering the PEO. The standard length of time listed in the generic license renewal LCs, and the date currently listed in Columbia's LC 2.C.(35), is 6 months before entering the PEO. The NRC region inspector staff reviewed this requested change and has determined that the change in date by 1 month would allow the licensee to complete the programs and activities during Columbia refueling outage 26 and would still provide the NRC staff sufficient notice to plan and conduct the IP 71002 Phase II inspection before the facility enters the PEO.

For these reasons, the NRC staff finds that the changes requested in the LAR are acceptable.

The proposed wording in the original, April 28, 2021, LAR for LC 2.C.(35) indicated that the FSAR supplement itself (as a standalone document) and the table of commitments in NUREG-2123 may be revised pursuant to the criteria in 10 CFR 50.59. It stated:

The licensee's FSAR supplement submitted pursuant to 10 CFR 54.21(d) and Appendix A of NUREG-2123, as revised pursuant to the criteria set forth in 10 CFR 50.59, ~~during the license renewal application review process, and as supplemented by Commitment Nos. 1, 5, 13, 14, 17, 18, 23, 24, 26, 27, 28, 32, 36, 38, 40, 41, 42, 43, 48, 49, 50, 53, 55, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, and 70 of Appendix A of NUREG-2123,~~ describes certain future programs and activities to be completed before the period of extended operation. Energy Northwest shall complete these activities no later than ~~June~~July 20, 2023 and shall notify the NRC in writing when implementation of these activities is complete.

However, the regulations at 10 CFR 50.59 specifically govern changes to the facility's FSAR, not to an FSAR supplement (except as it is incorporated into the FSAR) and not to a table in an SER. Revising these documents pursuant to the criteria in 10 CFR 50.59 does not place these documents within the regulatory framework. The proposed commitment made no mention of the FSAR, which is the document to be managed by the 10 CFR 50.59 process. Additionally, the NRC staff had questions regarding the four commitments that were excluded from the March 4, 2020, update, and whether those should be explicitly excluded from the proposed LC 2.C.(35).

Therefore, on July 28, 2021 (ADAMS Accession No. ML21209A979), the NRC staff issued a request for additional information (RAI) (i.e., NLRP-RAI-1), to request that the licensee clarify the proposed LC and explain whether any 10 CFR 50.59 reviews were performed. Specifically, the RAI requested the following:

(1) Please clarify whether the intent was for license condition 2.C.(35) to convey that the FSAR supplement and Appendix A of NUREG-2123, as standalone documents, would be revised according to 10 CFR 50.59 or whether the revisions would be made to the FSAR, which has been updated with the FSAR supplement and table of commitments from NUREG-2123. Please revise the license condition accordingly if necessary.

(2) If the intent is to include all commitments from Appendix A of NUREG-2123 except for commitment numbers 55, 56, 57, and 71, please revise the wording of the proposed license condition to reflect this. Alternately, if these four commitments were originally included in the table and then removed after a 10 CFR 50.59 review (as allowed by the current wording of the license condition), confirm this was the case.

On August 24, 2021, the licensee responded to the RAI. The licensee stated that:

The intent of the change to license condition 2.C.(35) was to convey that the commitments identified in NUREG-2123 Appendix A Table A-1 have been incorporated into the Columbia Final Safety Analysis Report (FSAR). Energy Northwest was not clear in stating as part of the incorporation that the 50.59 change process was applied to certain commitments that were completed

“one-time” activities or required by a specific license condition. These commitments were removed from the incorporated FSAR Appendix A, Table A-1.

Energy Northwest’s intent was to include all commitments from Appendix A of NUREG-2123 *except* for commitment numbers 55, 56, 57, and 71. Therefore, Energy Northwest proposes the revised wording for license condition 2.C.(35) as follows:

The licensee's FSAR, as updated with the license renewal FSAR supplement submitted pursuant to 10 CFR 54.21(d) and supplemented with Appendix A of NUREG-2123 with the exception of Commitments Nos. 55, 56, 57, and 71, and as revised pursuant to the criteria set forth in 10 CFR 50.59, during the license renewal application review process, and as supplemented by Commitment Nos. 1, 5, 13, 14, 17, 18, 23, 24, 26, 27, 28, 32, 36, 38, 40, 41, 42, 43, 48, 49, 50, 53, 55, 58, 59, 60, 61, 63, 64, 65, 66, 67, 68, 69, and 70 of Appendix A of NUREG-2123, describes certain future programs and activities to be completed before the period of extended operation. Energy Northwest shall complete these activities no later than ~~June~~ July 20, 2023 and shall notify the NRC in writing when implementation of these activities is complete.

The revised proposed wording makes clear that the FSAR, as updated, is the document controlled under 10 CFR 50.59, and reflects that the four commitments excluded from the March 4, 2020, update are not included in the table of commitments from NUREG-2123 that the LC incorporates into the FSAR. The 10 CFR 50.59 process will ensure that any changes to the facility, procedures, testing methods, or analyses described in the FSAR, as updated, are evaluated via a structured and disciplined approach and records of the changes are maintained by the licensee and available for NRC inspection.

For the reasons described above, the NRC staff finds that the proposed changes are acceptable, and the wording of the proposed license condition accurately reflects these changes.

3.3 Summary

The NRC staff finds that the licensee’s proposed changes to Columbia’s RFOL No. NPF-21 to delete LC 2.C.(34), revise LC 2.C.(35) (as amended), clarify that the commitments are part of the FSAR (as updated) and therefore controlled under 10 CFR 50.59, and extend the reporting date for completion of certain activities by 1 month are acceptable for the reasons described in Section 3.2 of this safety evaluation.

4.0 STATE CONSULTATION

In accordance with the Commission’s regulations, the Washington State official was notified of the proposed issuance of the amendment on October 19, 2021. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to the installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration published in the *Federal Register* on July 13, 2021 (86 FR 36779), and there has been no public comment on such finding. The amendment also relates to changes in recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Angela Wu

Date: January 13, 2022

SUBJECT: COLUMBIA GENERATING STATION - ISSUANCE OF AMENDMENT NO. 266
 TO REMOVE LICENSE CONDITION 2.C.(34) AND REVISE LICENSE
 CONDITION 2.C.(35) (EPID L-2021-LLA-0074) DATED JANUARY 13, 2022

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