December 16, 2004

Mr. M. R. Blevins
Senior Vice President
& Principal Nuclear Officer
TXU Power
ATTN: Regulatory Affairs
P. O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2 - REGULATORY COMMITMENTS MANAGEMENT PROGRAM AUDIT REPORT (TAC NOS. MC4054 AND MC4055)

Dear Mr. Blevins:

The Nuclear Regulatory Commission (NRC) staff performed an audit of the TXU Generation Company LP (TXU Power) commitment management program. The audit was performed at the Comanche Peak Steam Electric Station, Units 1 and 2, site on September 14 through 16, 2004.

The purpose of the audit was to examine TXU Power's commitments management records and a sample of regulatory commitments that have not been previously inspected or otherwise audited by the NRC staff, that are risk significant and that are important to the NRC staff's decision-making process on the actions for which respective commitments were made by TXU Power.

Prior to the site visit, the NRC staff reviewed the available records of TXU Power's commitments management program procedures and reports. The NRC staff identified a list of regulatory commitments that met the audit objectives. The identified list of commitments was forwarded to TXU Power with a request to provide at the site TXU Power's records of the listed regulatory commitments to facilitate the NRC staff's on-site audit.

Based on the results of the on-site audit of TXU Power's procedures and processes for managing regulatory commitments, and review of the identified list of regulatory commitments, the NRC staff concludes that TXU Power has implemented the regulatory commitments management program effectively, and implemented regulatory commitment changes appropriately and in accordance with LIC-105, consistent with Nuclear Energey Institute's (NEI's) guidance NEI 99-04. Details of the audit and the NRC staff's conclusions are set forth in the enclosed audit report.

The NRC staff appreciates the resources that were made available by your staff, both before and during the audit. If there are any questions, I can be contacted at (301) 415-1476.

Sincerely,

/RA/

Mohan C. Thadani, Senior Project Manager, Section 1
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-445 and 50-446

Enclosure: Audit Report

cc w/encl: See next page

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AUDIT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO THE REGULATORY COMMITMENTS MANAGEMENT PROGRAM

RE: TXU GENERATION COMPANY LP

COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2

DOCKET NOS. 50-445 AND 50-446

1.0 INTRODUCTION AND BACKGROUND

On May 27, 2003, the Office of Nuclear Reactor Regulation (NRR) issued Office Instruction LIC-105, "Managing Regulatory Commitments Made by Licensees to the NRC." LIC-105 is publicly available electronically from the Internet at the NRC web site, from the Agency-wide Documents Access and Management Systems (ADAMS), Public Electronic Reading Room, Accession Number ML022750041. LIC-105 provides the NRC staff and its stakeholders a reference for handling regulatory commitments made by the licensees for commercial nuclear power reactors. The guidance provided in LIC-105 is consistent with industry guidance prepared by the Nuclear Energy Institute (NEI), NEI 99-04, "Guidance for Managing NRC Commitment Changes."

As defined in NEI 99-04 and according to LIC-105, a "regulatory commitment" is an explicit statement to take a specific action agreed to, or volunteered by, a licensee and submitted in writing on the docket to NRC. LIC-105 directs the NRR staff to "audit the licensee's commitment management program by assessing the adequacy of the licensee's implementation of a sample of commitments made to the NRC in past licensing actions (amendments, relief requests, exemptions, etc.) and activities (bulletins, generic letters, etc.)." The audit is to be performed every 3 years.

TXU Generation Company LP (TXU) has implemented Procedure STA-509,"Commitments Management Program," which identifies the methods and site organization tools for managing development, review, and implementation of station commitments. Procedure REG-509, "Regulatory Affairs Commitment Administration," establishes the processes, guidelines, and activities TXU will use to manage the development, review, and implementation of commitments generated from regulatory obligations and self-imposed requirements. A commitment tracking system (CTS) database is used in conjunction with other information sources to address and track regulatory commitments.

The procedure defines a regulatory commitment as an explicit statement to take specific action agreed to or volunteered by TXU and submitted to NRC in writing. Detailed processes are outlined by which TXU caries out its obligations under its regulatory commitments. Any changes to the commitments are processed through the commitments material change evaluation (CMCE) process. Changes to obligatory commitments are reported to the NRC in

accordance with the recommendations of SECY-95-300, "Guidelines for Managing NRC Commitments." CMCE identifies the affected commitments, their origin, original criteria, proposed changes, and justification for change.

The NRC staff has reviewed the TXU procedures STA-509 and REG-509, and performed an audit of TXU's commitments to NRC as recommended in the NRC's Office Instruction LIC-105.

A summary of the NRC staff's activities, reviews, and conclusions is outlined below.

2.0 AUDIT

On September 14 through 16, 2004, the NRC staff performed an audit at the TXU's Comanche Peak Steam Electric Station (CPSES), Units 1 and 2, site. Office Instruction LIC-105 limits the audit of commitments to those made by the licensees in writing to the NRC and as a result of licensing actions (e.g. amendments, exemptions, etc.) or licensing activities (e.g. bulletins, generic letters, etc.).

In preparation for the audit, the NRC staff searched ADAMS for the licensee's licensing actions, licensing activity submittals, and reports involving regulatory commitments and regulatory commitment changes during past five years or so. The staff also contacted TXU and obtained its list of regulatory commitments reported to the NRC staff during the past stated period. From the collected information, the NRC staff selected a representative sample of regulatory commitments that met the selection criteria identified in LIC-105 for the audit. The NRC staff asked TXU to provide the requisite documentation on site to support the audit. The staff also reviewed TXU's commitment change reports and culled supplemental information for inclusion in the selected sample.

The documents furnished by TXU at the CPSES site included summary sheets providing the status of the commitments and appropriate backup documentation, as needed (i.e., plant procedures, examination records, and/or other plant documentation). NRC staff reviewed the documents and summarized the selected commitments information in the attached table.

2.1 Verification of Licensee's Programs for Implementation of NRC Commitments

The staff's audit was intended to confirm that the licensee has documented its implementation of its regulatory commitments made to the NRC staff as part of past licensing communications, and the commitments that had not yet been implemented or incorporated in design bases documents are captured in an effective manner for future implementation.

As discussed above, the licensee's procedures STA-509 and REG-509, CTS, and CMCE provide acceptable tools to capture the NRC guidance on commitment management programs.

The licensee enters the regulatory commitments made to the NRC into a commitment database. Regulatory commitments are labeled as NRC commitments. Each commitment is numbered and described by a commitment title and brief description. Comments and implementation dates are captured. The licensee's staff is regularly trained in updating the commitments management program.

The source of the commitments is documented in a source document. Incorporating documents provide the procedures or processes for maintaining and implementing the commitments. Closing documents provide the procedure or process for assuring that the commitment was completed and appropriately closed. All regulatory commitments are captured and updated on commitments data forms. The forms are used for updating the information into the CTS. Commitments' material changes are documented in CMCE forms for submittal to the NRC staff.

3.0 CONCLUSION

Based on the results of the on-site audit of TXU procedures and processes for managing regulatory commitments and review of a selected list of regulatory commitments, the NRC staff concludes that TXU has implemented the regulatory commitments management program effectively, and implemented regulatory commitment changes appropriately, in accordance with LIC-105 and consistent with NEI 99-04.

4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

Messrs. Fred Madden, Tim Hope, Niel S. Harrris, and Denny Buschbaum.

Attachment: As stated

Principal Contributor: Mohan Thadani

Date: December 16, 2004

TABLE
REGULATORY COMMITMENTS AUDIT PERFORMED SEPTEMBER 14 THROUGH 16, 2004
AT COMANCHE PEAK STEAM ELECTRIC STATION (COMANCHE PEAK), UNITS 1 AND 2

Category	Commitment Number	Description of Commitment
INCORPORATED AND CLOSED	27172	Security Training and Qualification Plan Update: (Update-02/25/1999) Plan revision date is modified by adding a statement to Section 1.3 of the Training & Qualification Plan to clarify the use of "alternate methods of compliance." This should be a statement reflecting the fact that if an equivalent method of compliance is identified, the alternate method stating such equivalency should be equal to the standard. Equivalent method of compliance shall be approved by the Security Manager.
CLOSED	27184	Include use of Caldon leading edge flow meter (LEFM) in 50.46 report: Modification to loss of coolant accident analysis methods incorporating the power measurement uncertainty based on the use of Caldon LEFM was included in the Emergency Core Cooling System (ECCS) report by 01/06/2003.
INCORPORATED-ONGOING	27185	Restriction not to operate above 3411 MWTH without Caldon LEFM: Operation of Caldon LEFM and its associated power uncertainty measurement will be required while operating at the uprated power. This follows the contingency requirement of the NRC approval of exemption to Appendix K issued on May 6, 1999. That exemption allowed a reduction in the assumed power for loss of coolant accident analysis "when the quantification of power measurement uncertainty can be justified by the use of the Caldon LEFM system instrumentation." This commitment will remain valid for operation at the new uprated power.
INCORPORATED IN THE DESIGN BASIS	27210	Comanche Peak corrective actions program: Commitment to Update component cooling water (CCW) Thermal Loads Analysis. The Program identified that the impact of the spent fuel pool heat loads and heat loads of previous modifications was not properly maintained in CCW thermal loads analysis. The licensee committed to update the analysis prior to implementing a license amendment request. The amendment request will be supplemented if the conclusions change as a result of the revised analysis.

Category	Commitment Number	Description of Commitment
INCORPORATED IN THE DESIGN BASIS	27211	Comanche Peak Corrective Actions Program: Commitment to update ultimate heat sink analysis. The ultimate heat sink analysis will be updated prior to implementation of license amendment regarding Amendment 74 credit for boron.
	27212	Comanche Peak corrective actions program: Commitment to update seismic analysis. The program identified that the effect of revised seismic responses on balance of fuel building structures, systems and components (SSCs) was not considered. This finding is not expected to invalidate the adequacy of the fuel building SSCs. If modifications to SSCs are required, they will be completed prior to the reracking approved by the proposed license amendment.
ONE TIME CHANGE STATUS: CLOSED	27235	Comanche Peak Corrective Actions Program: Commitment to perform risk assessment prior to making heavy load lift for spent fuel pool (SFP) rerack. Comanche Peak's corrective action program has identified a discrepancy in documentation for the designated safe load area for the fuel building overhead crane. Prior to implementing the rerack plan, a risk assessment was performed in accordance with maintenance rule.
ONE TIME ACTION STATUS: OPEN	27238	Risk-Informed Inservice Inspection (ISI) review per Electric Power Research Institute (EPRI) guidance. Comanche Peak will update the Risk-Informed ISI Program based on the final EPRI Materials Reliability Program guidance, if that is found as warranted.
INCORPORATED ONGOING ACTION	27239	Risk Informed ISI Examinations: The remaining 47 percent examinations for Comanche Peak, Unit 2, first interval will be scheduled and inspected based on risk categorization.
PENDING	27246	Startup Transformer Outage Conditions (Fall 2002): Startup Transformer outage time will be minimized by pre-staging equipment, replacement parts will be pre-staged, experienced personnel will be used, and detailed pre-job briefings will be conducted.

Category	Commitment Number	Description of Commitment
ACTIONS COMPLETED BY MILESTONES	27257	Conditions for Spent Fuel Pool Capacity Increase: TXU committed to assure that all implementation activities for License Amendment 87, "Revision to Technical Specifications for spent fuel assembly storage racks and fuel storage capacity," are completed by the associated milestones.
INCORPORATED IN QA/QC. PROGRAM	27267	Steam Generator Tube Inspection: TXU committed to visually examine 100 percent of the inside surface of the tube that will be sleeved, until such time as the process control is demonstrated to assure cleaning efficiency. Subsequently a sampling program may be used.
INCORPORATED ONGOING	27271	Steam Generator Tube Repairs with leak-tight Sleeves: TXU committed to use hydraulic equivalency for the leak-tight sleeves, as approved in WCAP-15090 Rev. 1, Table 3-8 for 36-inch hot leg, 30-inch hot leg, and 30-inch hot leg and cold leg combined. These values will be used for sleeves shorter than 30 inches.
INCORPORATED NEW PROCEDURE STA-630.	27277	Battery Monitoring and Maintenance Program: A "Battery Monitoring and Maintenance Program" will be implemented to control the items relocated from current TS Table 3.8.6-1, "Battery Cell Parameters Requirements," and the relocated surveillance Requirement (SR) activities from TS 3.8.4 that perform preventive maintenance on safety-related batteries. The Battery Monitoring and Maintenance Program will be based on recommendations of IEEE Standard 450-1995, "IEEE Recommended Practice for Maintenance, Testing and Replacement of Vented Lead-Acid Batteries for Stationary Applications," and will implement the requirements of new TS Administrative Controls Program 5.5.19.

Category	Commitment Number	Description of Commitment
INCORPORATED ONGOING	27279	Contingency Accident Sampling Plan: TXU will develop contingency plans for obtaining and analyzing highly radioactive samples of reactor coolant, containment sump fluid, and containment atmosphere. The contingency plans will be described and maintained in the radiological emergency response plan or chemistry procedures. This commitment was required for elimination of Post Accident Sampling System (PASS) and implementing amendment 91.
ONETIME ACTION STATUS: CLOSED	27281	Decommissioning Trust Fund: Decommissioning trust fund for Unit 1 is not met. TXU will reassess all the assumptions, including the site specific decommissioning cost estimate, which could result in a request for modification of the current tariff. This would adjust the contribution rate to the decommissioning trust funds sufficient to meet the revised cost estimates and confirm compliance with financial assurance of 10 CFR 50.75.
PENDING-ONGOING COMMITMENT	27282	Contingency requirements for PASS equipment removal: The capability for classifying fuel damage events at the Alert level threshold will be established at 2-5% fuel clad damage. This level of core damage is associated with radioactivity level of 300 FCi dose equivalent iodine. This capability will be described and maintained in the radiological emergency plan implementing procedures. TXU will adopt the NRC's consolidated line item improvement process (CLIIP) for TSTF-366.
PENDING-INCORPORATED IN EMERGENCY PREPAREDNESS	27283	Contingency requirements for PASS equipment removal: TXU established the capability to monitor radioactive iodines released to the environment. This capability is described and maintained in the emergency implementing procedures as an incorporated commitment.

Category	Commitment Number	Description of Commitment
INCORPORATED	27300	Bottom-mounted instrumentations inspections for outages will be incorporated in the inspections program: The inspections during the refueling outages will include all 58 bottom-mounted instrumentations (BMI) penetrations including 100% of the circumference of the penetrations, where it enters the reactor vessel bottom head. This inspection regime will be completed at least every third refueling outage or every five years, whichever occurs first, until Comanche Peak and industry experience provides a sound basis for a change in the inspection frequency or method and identifies a change in the inspection frequency or method.
PENDING	27306	Specified activities will be prohibited when logic cabinet or reactor trip breaker is inoperable as follows: (1) activities that degrade the availability of auxiliary feed water system, reactor coolant system pressure relief system (power-operated relief valves and Safeties), anticipated transient without scram mitigating system actuation circuitry, or turbine trip; (2) activities that cause master or slave relays in the available train to be unavailable; or (3) activities that cause analog channels in the available train to be unavailable (e.g. ac and dc power), or cooling systems (e.g. essential service water and component cooling water) that support systems or functions listed above. In addition, one complete ECCS train that can be actuated automatically must be maintained available.
PENDING	27307	Setpoint drift will be trended. TXU will trend as-found and as-left data for three representative trip functions analyzed in WCAP-15376 (i.e., OTN-16, steam generator level, and pressurizer pressure) for two years (four data points) after TXU implements the amendment granting the 185-day commercial off-the-shelf equipment.

Category	Commitment Number	Description of Commitment
INCORPORATED-IN TS BASES	27310	Institute of Electrical and Electronics Engineers (IEEE) Standard 450-1995 was incorporated in Technical Specification Bases: Comanche Peak is committed to IEEE Standard 450-1995. As such, revised Bases for SR 3.8.6.6 will be revised to read, “Degradation is indicated, according to IEEE-450, when battery capacity drops more than 10% from its capacity of previous performance test, or is below 90% of the manufacturer’s rating."

Category	Commitment Number	Description of Commitment
PENDING	27318	Alloy PZR 82/182 weld material will be bare metal visual inspected: Each identified location in the Comanche Peak, Unit 1 and 2, pressurizers with alloy 82/182 weld materials will be bare metal visual inspected each refueling outage, including 100% of the circumference over the axial length of the welds, until effective primary water stress corrosion cracking mitigative actions are taken or a technically robust, industry-recommended inspection regime is defined. It is anticipated that direct visual examination will be performed. In areas where direct visual examination is not feasible or where remote techniques will result in equivalent examinations with reduced dose received, remote visual examination equipment may be used to perform the examination. Personnel performing the examinations will be qualified to the requirements for personnel implementing the Comanche Peak Boric Acid Corrosion Detection and Evaluation Program, in accordance with station procedure STA-737. Any accumulation of boric acid residue on or around weld areas will be investigated to determine the origin of the deposit. If through-wall leakage is suspected or if through-wall leakage will be masked by leakage from other components, additional non-destructive-examination (NDE) techniques such as ultrasonic, eddy current, or radiographic techniques will be used to characterize any indications. Should additonal NDE techniques be utilized for follow up examinations, personnel involved will be qualified in accordance with American Society of Mechanical Engineers (ASME) Section XI, 1989 Edition or later-approved ASME Boiler & Pressure Vessel Code (Code) editions, if there are qualification requirements applicable to the examination technique(s) employed. ASME Code requirements for evaluation and repair of any flaws detected will be followed. These additional follow-up inspections will be documented on examination data sheets.

Category	Commitment Number	Description of Commitment
OPEN	27319	TXU will provide NRC alloy 82/182 pressurizer penetration information: TXU will provide the NRC-requested information within 60 days after plant restart, following the next inspection of the alloy 82/182 pressurizer penetrations and steam space piping connections for Comanche Peak, Units 1 and 2.
CHANGED	23486	TXU will shift log information: TXU will take actions to improve the documentation of equipment problems in the shift log. TXU will track Technical Specification LCOs in the Unit log and will discuss them during shift turnover. The change removed the original action associated with the plant incident report (PIR), because the process in the original commitment was cumbersome. In most cases, the determination whether an event meets PIR criteria is made in the corrective action documentation meetings (quorum), which may occur days after the initial event is recorded in the station log. Therefore, in most cases, the Control Room will have to be notified after PIR determination was made.
CHANGED	24792	TXU will perform maintenance activities for the inspection of the service water intake structure using a diver (instead of SCUBA [self-contained underwater breathing apparatus] diver) at least once every five years (instead of once every fuel cycle). Supporting documentation of this commitment shall be available in the file for NRC review. This change was necessary because (1) identification of SCUBA diver precluded other types of more easily available equipment, and (2) change to the inspection frequency of once every five years better represented the licensee's experience of past inspections.

Comanche Peak Steam Electric Station

cc:

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