

October 25, 2005

Mr. Jeffery B. Archie
Vice President, Nuclear Operations
South Carolina Electric & Gas Company
Virgil C. Summer Nuclear Station
Post Office Box 88
Jenkinsville, South Carolina 29065

SUBJECT: VIRGIL C. SUMMER NUCLEAR STATION - AUDIT OF THE LICENSEE'S
MANAGEMENT OF REGULATORY COMMITMENTS (TAC NO. MC4249)

Dear Mr. Archie:

On May 27, 2003, the Nuclear Regulatory Commission (NRC) staff issued Office Instruction LIC-105, "Managing Regulatory Commitments Made by Licensees to the NRC." LIC-105, provides the NRC staff and its stakeholders with a common reference for handling regulatory commitments for commercial nuclear reactors made by licensees to the NRC staff. LIC-105 provides that the NRC staff will periodically audit the licensee's commitment management program.

An audit of the Virgil C. Summer Nuclear Station commitment management program was performed on site, on September 27 and 28, 2004, by Ms. Karen Cotton. The NRC staff conclusions are provided in the enclosed audit report.

Sincerely,

/RA/

Robert E. Martin, Senior Project Manager, Section 1
Project Directorate II-1
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-395

Enclosure: As stated

cc w/encl: See next page

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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION (NRR)

REGULATORY COMMITMENTS MADE BY THE LICENSEE TO

THE NUCLEAR REGULATORY COMMISSION (NRC)

VIRGIL C. SUMMER NUCLEAR STATION (VCSNS)

DOCKET NO. 50-395

1.0 INTRODUCTION AND BACKGROUND

On May 27, 2003, the Office of Nuclear Reactor Regulation (NRR) Office Instruction LIC-105, "Managing Regulatory Commitments Made by Licensees to the NRC," (Reference 1) was published. LIC-105 provides the Nuclear Regulatory Commission (NRC) staff and its stakeholders with a common reference for handling regulatory commitments made by licensees for commercial nuclear reactors to the NRC staff. The guidance is consistent with the industry guidance prepared by the Nuclear Energy Institute (NEI), NEI 99-04, "Guidance for Managing NRC Commitment Changes," (Reference 2).

LIC-105 defines a "regulatory commitment" as an explicit statement to take a specific action agreed to, or volunteered by, a licensee and submitted in writing on the docket to the NRC. LIC-105 also provides for an audit of the licensee's commitment management program by the NRC staff.

2.0 AUDIT PROCEDURE AND RESULTS

The NRC staff defined the period covered by this audit to be the 3 years prior to the date of the audit. The audit was performed at the Virgil C. Summer Nuclear Station (VCSNS) on September 27 through 28, 2004, by Ms. Karen Cotton. Licensee personnel contacted included R. Clary, R. Sweet and D. Railey.

2.1 Verification of Licensee's Implementation of NRC Commitments

The primary focus of this part of the audit is to confirm that the licensee has implemented those commitments made to the NRC as part of past licensing actions or activities. For commitments that had not yet been implemented, the NRC staff attempted to determine that they have been captured in an effective program for future implementation.

Enclosure

2.1.1 Audit Scope

Before the audit, the NRC staff searched ADAMS for the licensee's licensing action and licensing activity submittals that were dated within the 3 years prior to the audit. Some of these submittals contain regulatory commitments, but the NRC staff found that there were a small number of commitments meeting the definition in LIC-105. Table 1 lists some of the licensee's commitments.

VCSNS commitments are tracked by its Procedure/Commitment Accountability, Corrective Action, and Regulatory Commitment Reduction Programs. The NRC staff attempted to determine, notwithstanding multiple programs, that commitments are continuing to be monitored and the appropriate action taken. During the audit, the NRC staff reviewed reports generated by all three tracking programs, and did not identify concerns related to this issue.

LIC-105 defines the scope of the audit of commitments to those made in writing to the NRC as a result of past licensing actions (amendments, reliefs, exemptions) or generic letter responses, bulletin responses or other docketed correspondence. The audit excluded changes to the Updated Final Safety Analysis Report, Quality Assurance Program, Site Security Plan, Emergency Plan, or other documents governed by a change control mechanism that is embodied in the NRC's regulations.

2.1.2 Audit Results

The NRC staff reviewed reports generated by one or more of the three tracking programs for the commitments listed in Table 1 to evaluate the status of completion. The NRC staff found that the licensee's commitment tracking programs had appropriately captured these commitments. Table 1 summarizes what the NRC staff observed as the current status of licensee commitments.

2.2 Verification of the Licensee's Program for Managing NRC Commitment Changes

The NRC staff reviewed the licensee's procedure entitled "Regulatory Commitment Reduction," NL-121, Revision 3, against NEI 99-04. In particular, in regards to managing a change or deviation from a previously completed commitment, Section 6 specifically uses NEI-99-04 as guidance. Enclosure 8.1 of the licensee's procedure provides guidance for safety significance assessments and Enclosure 8.2 provides guidance for NRC Notification requirements. These procedures are part of VCSNS's mechanism for managing commitments in accordance with NEI-99-04.

3.0 CONCLUSION

The NRC staff concludes that, based on the above audit, (1) that the commitments listed in Table 1 had been appropriately implemented, and, therefore, the licensee's implementation of its commitment management procedures had been effective for these commitments, and (2) the licensee's program to manage regulatory commitment changes reflected the use of the NEI guidance.

4.0 REFERENCES

1. NRR Office Instruction LIC-105, "Managing Regulatory Commitments Made by Licensees to the NRC." Agencywide Documents Access and Management Systems (ADAMS) Public Electronic Reading Accession Number ML022750041, dated May 27, 2003.
2. NEI 99-04, "Guidance for Managing NRC Commitment Changes." (Accession Number ML003680088)

Attachment: Commitment Status Table

Principal Contributor: K. R. Cotton

Date: October 25, 2005

TABLE

AUDITED: WRITTEN COMMITMENTS AND RELATED INFORMATION

VCSNS's Submittals/ NRC TAC No.	NRC Issuance	Summary of Commitment, and Licensee's Tracking Number	Licensee Implementation Status
12/29/00 MB0251	12/29/2000	SCE&G will perform noble gas sampling & analysis to provide additional verification of RCS Integrity testing with Argon-41, Xenon-133 & Xenon-135. C-00-1392	Complete
02/02/2001 MB0251	12/29/2000	SCE&G revised noble gas sampling & analysis to provide verification of RCS Integrity testing with only Xenon-133 & Xenon-135. C-00-1392	Complete
07/23/2003 MC0239	7/21/2004 Amendment No. 169	1.a Only PHOENIX/ANC calculation methods are used for the individual plant analyses relevant to determinations for the EOL MTC plant methodology, and 1.b The predictive correction is reexamined if changes in core fuel design or continued MTC calculation/measurement data show significant effect on the predictive correction. 2. All of the core performance benchmark criteria, from routine HFP boron concentration measurements, and from flux map surveillances performed during the cycle, must be met before the revised Predicted MTC can be calculated per the prescribed algorithm. C-02-3626	Complete
09/14/2000 MB0066	7/30/2001 Amendment No. 151	1) The corrective action program is used by all groups as a process for identifying, classifying, trending, reporting, and correcting situations requiring further review, evaluation and/or action for resolution. 2) Quality systems organization performs independent oversight activities during refueling outages, startup activities, and normal and off-normal operational activities. 3) Quality Systems performs surveillance activities to verify conformance with specified requirements and industry good practices, and to evaluate their adequacy and effectiveness. 4) Plant Support Engineering has primary responsibility for implementing the Maintenance Rule Program. 5) Probabilistic Safety Assessment Group monitors plant performance and operating characteristics in the VCSNS.	Complete

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