



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

January 30, 2012

Mr. Michael J. Pacilio  
President and Chief Nuclear Officer  
Exelon Nuclear  
4300 Winfield Road  
Warrenville, IL 60555

**SUBJECT: DRESDEN NUCLEAR POWER STATION, UNITS 2 AND 3 - AUDIT OF THE  
LICENSEE'S MANAGEMENT OF REGULATORY COMMITMENTS (TAC NOS.  
ME7234 and ME7235)**

Dear Mr. Pacilio:

In Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000, the U.S. Nuclear Regulatory Commission (NRC) informed licensees that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes," contains acceptable guidance for controlling regulatory commitments and encouraged licensees to use the NEI guidance or similar administrative controls to ensure that regulatory commitments are implemented and that changes to the regulatory commitments are evaluated and, when appropriate, reported to the NRC.

The NRC Office of Nuclear Reactor Regulation has instructed its staff to perform an audit of licensees' commitment management programs once every three years to determine whether the licensees' programs are consistent with the industry guidance in NEI 99-04, and regulatory commitments are being effectively implemented.

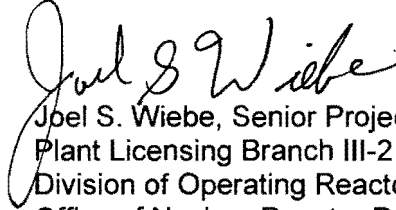
An audit of Dresden Nuclear Power Station's (DNPS's), Units 2 and 3, commitment management program was performed at DNPS during the period December 5 - 7, 2011. The NRC staff concludes, based on the audit, that (1) DNPS has generally implemented NRC commitments on a timely basis, and (2) has implemented an effective program for managing NRC commitment changes.

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The details of the audit are set forth in the enclosed audit report.

Sincerely,

A handwritten signature in black ink, reading "Joel S. Wiebe". The signature is fluid and cursive, with the first name "Joel" and last name "Wiebe" clearly legible. The middle initial "S." is smaller and less distinct.

Joel S. Wiebe, Senior Project Manager  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-237 and 50-249

Enclosure:  
Commitment Management Audit Report

cc w/encl: Distribution via Listserv

# AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

## LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

### DRESDEN NUCLEAR POWER STATION, UNIT NOS. 2 AND 3

#### DOCKET NOS. 50-237 AND 50-249

#### 1.0 INTRODUCTION AND BACKGROUND

In Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000, the U.S. Nuclear Regulatory Commission (NRC) informed licensees that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes," contains acceptable guidance for controlling regulatory commitments and encouraged licensees to use the NEI guidance or similar administrative controls to ensure that regulatory commitments are implemented and that changes to the regulatory commitments are evaluated and, when appropriate, reported to the NRC.

NEI-99-04 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. NRR guidelines direct the NRR Project Manager 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, reliefs, exemptions, etc.) and activities (bulletins, generic letters, etc.). The audit is to be performed every three years.

#### 2.0 AUDIT PROCEDURE AND RESULTS

An audit of the Dresden Nuclear Power Station (DNPS) commitment management program was performed at DNPS during the period December 5 – 7, 2011. The audit reviewed commitments made since the previous audit in July 2008. The audit consisted of two major parts:

(1) verification of the licensee's implementation of NRC commitments that have been completed, and (2) verification of the licensee's program for managing changes to NRC commitments.

##### 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 commitments made to the NRC as part of past licensing actions/activities. For commitments not yet implemented, the NRC staff determines whether they have been captured in an effective program for future implementation.

### 2.1.1 Audit Scope

The audit addressed a sample of commitments made during the review period. The audit focused on regulatory commitments (as defined above) made in writing to the NRC as a result of past licensing actions (amendments, exemptions, etc.) or licensing activities (bulletins, generic letters, etc.). Commitments made in Licensee Event Reports or in response to Notices of Violation may be included in the sample, but the review will be limited to verification of restoration of compliance, not the specific methods used. The NRC staff searched Agencywide Documents Access and Management System (ADAMS) for the licensee's submittals since the last audit and selected a representative sample for verification.

The audit excluded the following types of commitments that are internal to licensee processes:

- (1) Commitments made on the licensee's own initiative among internal organizational components.
- (2) Commitments that pertain to milestones of licensing actions/activities (e.g., respond to an NRC request for additional information by a certain date). Fulfillment of these commitments was indicated by the fact that the subject licensing action/activity was completed.
- (3) Commitments made as an internal reminder to take actions to comply with existing regulatory requirements such as regulations, technical specifications (TSs), and updated final safety analysis reports. Fulfillment of these commitments was indicated by the licensee having taken timely action in accordance with the subject requirements.

### 2.1.2 Audit Results

The attached Audit Summary provides details of the audit and its results.

Based on the sample of commitments reviewed, the NRC staff found that commitments tracked in accordance with Procedure LS-AA-110, Revision 6, "Commitment Management," were generally implemented appropriately. In one instance, the auditor questioned how the licensee verified the ability to align a spare loop of shutdown cooling within eight hours as required by the procedure that implemented the equipment. The licensee could not provide a time study or other method that provides the basis for determining the ability to perform the action within eight hours. Based on the auditor's question, the licensee documented the issue in Issue Report 01303907. The next audit may follow up on the actions taken. Based on the sample of licensee submittals and NRC safety evaluations reviewed, the NRC staff found that commitments were tracked as specified by Procedure LS-AA-110, Revision 6. In one instance the auditor noted that a not yet implemented commitment was scheduled for 2029. When questioned, the licensee could not provide an explanation for the extended date. The licensee agreed to reevaluate the scheduled date.

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

The primary focus of this part of the audit is to verify that the licensee has established administrative controls for modifying or deleting commitments made to the NRC. The NRC staff compared the licensee's process for controlling regulatory commitments to the guidelines in NEI-99-04, which the NRC has found to be an acceptable guide for licensees to follow for managing and changing commitments. The process used at DNPS is contained in Procedure LS-AA-110, Revision 8. The audit also verifies that the licensee's commitment management system includes a mechanism to ensure traceability of commitments following initial implementation. This ensures that licensee personnel are able to recognize that future proposed changes to the affected design features or operating practices require evaluation in accordance with the commitment change control process.

### 2.2.1 Audit Results

The attached Audit Summary also provides details of the audit results of the licensee's program for managing NRC commitment changes. The NRC staff found that Procedure LS-AA-110, Revision 8, was consistent with the guidance found acceptable in NEI 99-04. The NRC staff found that the licensee followed the process in their procedure.

## 3.0 CONCLUSION

The NRC staff concludes, based on the above audit, that, in general, DNPS has implemented NRC commitments on a timely basis. The audit identified one instance where a commitment was scheduled to be implemented in 2029.

The audit did not identify any instances in which the commitments were not implemented. One instance was identified where the licensee could not provide a basis for determining that certain actions could be accomplished in eight hours, as required by the commitment.

## 4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

Riley Ruffin  
Paula O'Brien

Principal Contributor: Joel Wiebe

Attachment: Summary of Audit Results

## AUDIT SUMMARY

### IMPLEMENTATION OF COMMITMENTS:

The following commitments were chosen for audit and determined to be appropriately implemented or scheduled to be implemented (exceptions are noted):

- Licensee Renewal items 23, 30, and 40 from Appendix A to the NRC's July 23, 2004, letter to John L. Skolds. Note: The review of this item was prompted by the discovery that the text of these license renewal items were truncated when NUREG 1796, "Safety Evaluation Report Related to the License Renewal of the Dresden Nuclear Power Station, Units 2 and 3 and Quad Cities Nuclear Power Station, Units 1 and 2" was issued. The review was limited to verifying that the licensee was tracking the truncated sub-items.
  - Documents reviewed:
    - Dresden Updated Final Safety Analysis Report, Revision 9
    - License Renewal Program books A, B, I, J, and K.
- 01005304-01-00 Dresden commitment to follow NUMARC 93-01, "Industry Guideline for Monitoring the Effectiveness of Maintenance at Nuclear Power Plants," Section 11, "Evaluation of Systems to be Removed from Service"
  - Verified the item was being tracked with a due date in 2029. The licensee did not have an explanation for the extended date and agreed to reassess the due date. The auditor notes that Exelon Nuclear's letter to the NRC dated January 30, 2009, does not provide a due date, but lists the commitment as "ongoing."
- 01005304-02-00 Dresden commitment to TSTF-423 implementing guidance (NEDC-32988A, "Technical Justification to Support Risk-Informed Modification to Selected Required Action End States for BWR Plants")
  - Documents Reviewed:
    - NEDC-32988A, "Technical Justification to Support Risk-Informed Modification to Selected Required Action End States for BWR Plants"
    - Clinton Technical Specifications Bases
- 00949863-04-00 Verify Shutdown Cooling loops
  - Documents Reviewed:
    - OU-DR-104, "Shutdown Safety Management Program," Revision 13
    - ComEd [Exelon Nuclear] letter to NRC dated November 18, 1996

- 00045889-79-10 Confirmatory Letter for piping modifications
  - Documents Reviewed:
    - Dresden Unit 2 letter to NRC, dated March 15, 2002
    - Dresden Unit 3 letter to NRC, dated December 13, 2002
    - Design Change Package 9900425
- 00305547-08-00 Bulletin 2005-01 – Review/reconcile Special Nuclear Material inventory
  - Document Reviewed – The Passport tracking system, item 00305547-08-00 documents retrieving records and comparing them to the existing physical inventory. Discrepancies were documented as resolved.
- 00531549-23-00 Alternate Source Term Implementation
  - Documents Reviewed:
    - OU-DR-104, “Shutdown Safety Management Program,” Revision 13
    - DOA 1600-10, “Secondary Containment Verification/Restoration”
- 00101522-49-19 (B.1.25) Buried Ductile Iron Fire Protection Piping Inspection
  - Document Reviewed:
    - Work Order 01093807-01, completed 09/29/2008
- 00766295-04-00 Regulatory Commitment – GL 82-12, “Nuclear Power Plant Staff Working Hours,” License Amendment Implementation
  - Documents Reviewed:
    - Passport tracking system item 00766295-04-00 documented the tracking of the implementation of 10 CFR Part 26, “Fitness for Duty Programs” and the implementation of the licensing amendment.
- 00794832-02-00 Control Rod Notch Technical Specification Change Request
  - Document Reviewed
    - Dresden Technical Specification Bases
- 00950488-26-00 Implement leakage monitoring per Technical Specification 5.5.2
  - Document Reviewed:

- DTP-09, "Leak Detection and Reduction Programs"
- 00704623-21-00 Verify Unit 2 Dry Well Floor Drain Sump overflow to Dry Well Equipment Drain Sump
  - Document Reviewed:
    - Passport tracking system item 00704623-21-00 provides documentation that the commitment was implemented.
- 00101522-40-09 ER-MW-450: Structures Monitoring
  - Documents Reviewed:
    - ER-DR-450-1001, "Dresden Structures Monitoring Instructions," Revision 0
    - ER-AA-450, Structures Monitoring," Revision 0

#### MANAGEMENT OF CHANGES TO REGULATORY COMMITMENTS:

Procedure LS-AA-110, "Commitment Management" Revision 8, was reviewed and found to be consistent with the guidance found acceptable in NEI 99-04.



M. Pacilio

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The details of the audit are set forth in the enclosed audit report.

Sincerely,

**/RA/**

Joel S. Wiebe, Senior Project Manager  
Plant Licensing Branch III-2  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

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NAME	JWiebe	SRohrer	JZimmerman	JWiebe
DATE	1/26/12	1/26/12	1/27/12	1/ 30/12

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