



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

January 10, 2014

Mr. George H. Gellrich, Vice President  
Calvert Cliffs Nuclear Power Plant, LLC  
Calvert Cliffs Nuclear Power Plant  
1650 Calvert Cliffs Parkway  
Lusby, MD 20657-4702

SUBJECT CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2 - AUDIT  
OF THE LICENSEE'S MANAGEMENT OF REGULATORY COMMITMENTS  
(TAC NOS. MF3115 AND MF3116)

Dear Mr. Gellrich:

The U.S. Nuclear Regulatory Commission (NRC) informed licensees in Regulatory Issue Summary (RIS) 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000, that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes," Revision 0 contains acceptable guidance for controlling regulatory commitments. The RIS 2000-17 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 3 years to determine whether the licensees' programs are consistent with the industry guidance in NEI 99-04, and that regulatory commitments are being effectively implemented.

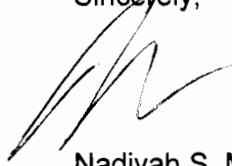
An audit of the Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 (Calvert Cliffs) commitment management program was performed at Calvert Cliffs during the period of December 3 – 4, 2013. Details of the audit are set forth in the enclosed audit report. Based on the results of the audit, the NRC staff has concluded that the Calvert Cliffs Nuclear Power Plant, LLC staff has implemented NRC commitments on a timely basis and has implemented an effective program for managing NRC commitment changes.

G. Gellrich

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If you have any questions regarding this issue, please contact me at (301) 415-1016.

Sincerely,

A handwritten signature in black ink, appearing to be 'Nadiyah S. Morgan', written over the word 'Sincerely,'.

Nadiyah S. Morgan, Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-317 and 50-318

Enclosure:  
As stated

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2

DOCKET NOS. 50-317 AND 50-318

1.0 INTRODUCTION AND BACKGROUND

The U.S. Nuclear Regulatory Commission (NRC) informed licensees in Regulatory Issue Summary (RIS) 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000, that the Nuclear Energy Institute (NEI) document NEI 99-04, "Guidelines for Managing NRC Commitment Changes," Revision 0 contains acceptable guidance for controlling regulatory commitments. The RIS 2000-17 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 NEI 99-04 describes a "regulatory commitment" as an explicit statement to take a specific action agreed to, or volunteered by, a licensee by a certain date and submitted in writing on the docket to the NRC.

The NRC Office of Nuclear Reactor Regulation (NRR) has instructed its staff to perform an audit of licensees' commitment management programs once every 3 years to determine whether the licensees' programs are consistent with the industry guidance in NEI 99-04, and that regulatory commitments are being effectively implemented. An audit of the Calvert Cliffs Nuclear Power Plant, Unit Nos. 1 and 2 (Calvert Cliffs) commitment management program was performed at Calvert Cliffs during the period December 3 – 4, 2013. The audit reviewed commitments made since the previous audit on November 30 and December 1, 2010.

The 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.).

2.0 AUDIT PROCEDURE AND RESULTS

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. Before the audit, the NRC staff searched the Agencywide Document Access and Management System for the licensee's submittals since the last audit and selected a representative sample for verification.

Enclosure

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 and Technical Specifications. Fulfillment of these commitments was indicated by the licensee having taken timely action in accordance with the subject requirements.

The audit consisted of three major parts: (1) verification of the licensee's implementation of NRC commitments that have been completed, (2) verification of the licensee's program for managing changes to NRC commitments, and (3) verification that all regulatory commitments reviewed were correctly applied in NRC staff licensing action reviews.

## 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. 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.

### 2.1.2 Audit Results

The attached Audit Summary provides details of the audit. The NRC staff found that Calvert Cliffs Nuclear Power Plant, LLC, the licensee, has implemented the sample of commitments made to the NRC, as part of past licensing actions and activities. The commitments were implemented in a manner that satisfied both the action committed to and the overall intent of the commitment.

## 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. This portion of the audit also compares the licensee's administrative controls to the guidance in NEI 99-04 and assesses the licensee's implementation of its administrative controls.

### 2.2.1 Audit Results

The administrative controls used at Calvert Cliffs are contained in Constellation Fleet Administrative Procedure, CNG-NL-1.01-1006, Revision 00300. The NRC staff found that the licensee's procedure fully implements the guidance in NEI 99-04.

The NRC staff reviewed a sample of commitment changes that included changes that were reported to the NRC and changes that were not reported to the NRC.

The NRC staff found that (1) changes made to commitments (modifications and/or deletions) were evaluated in accordance with the licensee's procedure, (2) the licensee's periodic report accurately described those changes, and (3) the commitment changes were adequately documented in the licensee's commitment management tracking system, "Electronic Performance Improvement Center." The NRC staff also found that the licensee's technical evaluations adequately justify the change and that the NRC was informed of commitment changes that have safety and/or regulatory significance.

The NRC staff verified that revised commitments have not had an adverse effect on safety or security, or led to noncompliance with applicable regulations. The NRC staff found that commitment changes were safe and believes that the changes would not introduce issues of compliance with any regulations, questions, or concerns regarding the change process.

### 2.3 Verification to Identify Misapplied Commitments

The commitments reviewed for this audit were also evaluated to determine if they had been misapplied. A commitment is considered to be misapplied if the action comprising the commitment was relied on by the NRC staff in making a regulatory decision such as a finding of public health and safety in an NRC safety evaluation associated with a licensing action. Reliance on an action to support a regulatory decision must be elevated from a regulatory commitment to a legal obligation (e.g., license condition, condition of a relief request, regulatory exemption limitation or condition). A commitment is also considered to have been misapplied if the commitment involves actions that were safety significant (i.e., commitments used to ensure safety).

Each of the commitments selected for the audit sample were reviewed to determine if any had been misapplied. The NRC staff did not find any misapplied commitments.

#### 2.3.1 Review of Safety Evaluation Reports for Licensing Actions since the Last Audit to Determine if They Are Properly Captured as Commitments or Obligations

In addition to the commitments selected for the audit sample, all license amendment safety evaluations, exemptions and relief request safety evaluations that have been issued for the facility since the last audit were identified. These documents were evaluated to determine if they contained any misapplied commitments as described above.

The NRC staff did not find any misapplied commitments in the license amendment, exemptions, or relief request safety evaluations that have been issued for Calvert Cliffs since the last audit.

### 3.0 CONCLUSION

Based on the results of the audit, the NRC staff has concluded that the licensee's staff has implemented NRC commitments on a timely basis and has implemented an effective program for managing NRC commitment changes.

### 4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

Pat Furio

Principal Contributor: Nadiyah Morgan

Date: January 10, 2014

Attachment: Summary of Audit Results

## AUDIT SUMMARY

### IMPLEMENTATION OF COMMITMENTS:

ePIC = Electronic Performance Improvement Center (Commitment Management Tracking System)

Commitment	Documents Reviewed
By letter dated August 6, 2013, the licensee committed to notify the NRC when the license transfer transaction has been consummated.	<ul style="list-style-type: none"> <li>• ePIC printout</li> </ul>
By letter dated June 14, 2013, the licensee committed to create an Aging Management Program for the independent spent fuel storage installation dry storage canisters that encompasses certain inspections by October 30, 2014.	<ul style="list-style-type: none"> <li>• ePIC printout</li> </ul>
By letter dated May 16, 2013, the licensee committed to establish plant-specific in-vessel debris limits by February 15, 2016.	<ul style="list-style-type: none"> <li>• ePIC printout</li> </ul>
By letter dated June 8, 2012, the licensee committed to perform a flood hazard reevaluation by March 12, 2013.	<ul style="list-style-type: none"> <li>• March 12, 2013, letter with the flood hazard reevaluation report</li> <li>• ePIC printout</li> </ul>
By letter dated June 8, 2012, the licensee committed to submitting a report documenting the results of its flooding design basis walkdowns by November 27, 2012.	<ul style="list-style-type: none"> <li>• November 27, 2012, letter with the flood hazard reevaluation report</li> <li>• ePIC printout</li> </ul>
By letter dated June 20, 2011, the licensee committed to submitting a license amendment request to implement the National Fire Protection Association Standard 805 by September 30, 2013.	<ul style="list-style-type: none"> <li>• September 24, 2013, letter with the license amendment request</li> <li>• ePIC printout</li> </ul>
By letter dated April 4, 2011, the licensee committed to complete several tasks such as establishing Cyber Security assessment training, identifying critical systems and digital assets, implementing Cyber Security defense-in-depth architecture, establish security control for portable and mobile devices, identifying cyber related tampering to existing insider mitigation rounds, and establishing ongoing monitoring for target set critical digital assets as part of the implementation plan of its Cyber Security Plan by December 31, 2012.	<ul style="list-style-type: none"> <li>• Constellation Energy Nuclear Group (CENG) Fleet Administrative Procedure, CNG-IT-2.01-1001, Cyber Security Digital Assessment Process, Revision 00400</li> <li>• CENG Fleet Administrative Procedure, CNG-IT-2.01-1003, Removable Digital Device Controls, Revision 00100</li> <li>• CENG Fleet Administrative Procedure CNG-IT-2.01-2000, Cyber Security Incident Handling and Response, Revision 00100</li> <li>• CENG Fleet Administrative Procedure CNG-IT-2.01-1000, Cyber Security Process, Revision 00300</li> <li>• CENG Fleet Guideline, CNG-IT-2.01-</li> </ul>

	<p>GL001, Removable Digital Device Control Guidance, Revision 00100</p> <ul style="list-style-type: none"> <li>• Lists of critical systems and digital assets</li> <li>• Design Engineering and Configuration Management Forms, CNG-FES-015, Revision 00005</li> <li>• CYBD0126, Milestone 5 Tampering Whitepaper</li> <li>• CYBD0122, Target Set White Paper Combined</li> <li>• ePIC printouts</li> </ul>
By letter dated April 4, 2011, the licensee committed to revise Section 2.1 of its Cyber Security Plan by July 1, 2011.	<ul style="list-style-type: none"> <li>• Section 2.1 of the Cyber Security Plan</li> <li>• ePIC printout</li> </ul>

#### **MANAGEMENT OF CHANGES TO REGULATORY COMMITMENTS:**

As an attachment to its revised Updated Final Safety Analysis Report (UFSAR), the licensee submits a list and description of changes to commitments made to the NRC. During this audit period, the licensee submitted the following letters to the NRC:

- UFSAR, Revision 43, dated October 4, 2011
- UFSAR, Revisions 44 and 45, dated October 2, 2012
- UFSAR, Revision 46, dated September 24, 2013

Commitment Changes Reported to the NRC	Documents Reviewed
Deletion of a visual inspection of Grayloc clamps on reactor vessel flanges.	<ul style="list-style-type: none"> <li>• CNG-NL-1.01-1006, Revision 00200 Commitment Change Evaluation From</li> <li>• UFSAR</li> </ul>
Revised Item No. 56 in Table 16.2 of the UFSAR.	<ul style="list-style-type: none"> <li>• CNG-NL-1.01-1006, Revision 00200 Commitment Change Evaluation From</li> <li>• UFSAR</li> </ul>
Removal of references to pressurized ionization chambers in the radiological monitoring program.	<ul style="list-style-type: none"> <li>• CNG-NL-1.01-1006, Revision 00100 Commitment Change Evaluation From</li> <li>• Annual Radiological Environmental Monitoring Report</li> </ul>



Commitment Changes Not Reported to the NRC	Documents Reviewed
The following statement was deleted due to operational procedure changes: "All of the water added to the safety injection tanks is sampled and maintained by administrative procedures, which minimizes the possibility of accidental dilution."	<ul style="list-style-type: none"><li>• CNG-NL-1.01-1006, Revision 00200 Commitment Change Evaluation From</li><li>• Safety Injection Tank Surveillance Frequency Amendment</li></ul>
Revision of the submission date of the pre-irradiation characterization report and the proprietary post-irradiation examination report from July 2011 to March 2012.	<ul style="list-style-type: none"><li>• CNG-NL-1.01-1006, Revision 00200 Commitment Change Evaluation From</li></ul>
Changed the Temporary Change process review cycle from 30 to 90 days.	<ul style="list-style-type: none"><li>• CNG-NL-1.01-1006, Revision 00200 Commitment Change Evaluation From</li></ul>

G. Gellrich

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If you have any questions regarding this issue, please contact me at (301) 415-1016.

Sincerely,

*/ra/*

Nadiyah S. Morgan, Project Manager  
Plant Licensing Branch I-1  
Division of Operating Reactor Licensing  
Office of Nuclear Reactor Regulation

Docket Nos. 50-317 and 50-318

Enclosure:  
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