



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

July 10, 2015

Mr. C. R. Pierce
Regulatory Affairs Director
Southern Nuclear Operating Company, Inc.
Post Office Box 1295, Bin - 038
Birmingham, AL 35201-1295

**SUBJECT: VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2 - AUDIT OF
SOUTHERN NUCLEAR OPERATING COMPANY, INC. MANAGEMENT OF
REGULATORY COMMITMENTS (TAC NOS. MF4723 AND MF4724)**

Dear Mr. Pierce:

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," contains acceptable guidance for controlling regulatory commitments. 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 three 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 Vogtle Electric Generating Plant (VEGP), Units 1 and 2, commitment management program was performed on December 27-30, 2014, for the period of February 25, 2011, to December 30, 2014. The NRC staff concludes, based on the audit, that (1) Southern Nuclear Operating Company, Inc. has implemented NRC commitments on a timely basis, and (2) VEGP has implemented an effective program for managing NRC commitment changes. Details of the audit are set forth in the enclosed audit report.

C. R. Pierce

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If you have any questions regarding this matter, I may be reached at (301) 415-1438 or via e-mail at karen.cotton@nrc.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Cotton".

Karen Cotton, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-424 and 50-425

Enclosures:

1. Audit Report
2. Commitment Summary

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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

VOGTLE ELECTRIC GENERATING PLANT, UNITS 1 AND 2

DOCKET NOS. 50-424 AND 50-425

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.

The NRC Office of Nuclear Reactor Regulation (NRR) 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 that the regulatory commitments are being effectively implemented.

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 Vogtle Electric Generating Plant (VEGP), Units 1 and 2, commitment management program was performed on December 27 through December 30, 2014. The audit reviewed commitments made since the previous audit on February 23 and 24, 2011. This audit focuses on how the regulatory commitments have been managed during the past 3 years.

The audit consisted of two major parts: (1) verification of the licensee's implementation of NRC commitments that have been implemented 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. 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.

2.1.1 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. Before the audit, the NRC staff searched Agencywide Documents Access and Management System (ADAMS) for the licensee's submittals from the last three years 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 NRC staff reviewed documents generated by the licensee for the commitments listed in the Audit Summary. As a result of reviewing the licensee's information, as well as information from other sources, the NRC staff found no major reasons to differ from the licensee's reported status of the audited commitments. The attached Commitment Summary provides details of the commitments reviewed and their descriptions.

Based on the results of the audit, the NRC staff believes the licensee has implemented regulatory commitment changes appropriately, in accordance with LIC-105 and consistent with NEI 99-04.

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 Commitment Tracking System (Maximo) is part of the Southern Nuclear Power Company fleet procedures and is used at VEGP. The audit reviewed a sample of commitment changes that included changes that were or will be reported to the NRC, and changes that were not or will not be reported to the NRC.

2.2.1 Audit Results

The attached Audit Summary also provides details of this portion of the audit and its results. The NRC staff found that the licensee uses its Maximo system to conform to NEI 99-04 guidelines for commitment tracking, commitment change process, traceability of commitments, and reporting requirements. It was observed during the audit that some of the closed items listed in the Commitment Report were not shown as closed in the Maximo system. The NRC staff recommends that a Condition Report be generated to document process gaps discovered in the commitment management program during this NRC audit. No commitments have been missed. Some process issues exist that need corrective action to ensure proper commitment tracking.

2.3 Review 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. No misapplied commitments were identified.

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 have been issued for a facility

since the last audit were identified. These documents were evaluated to determine if they contained any misapplied commitments as described above.

3.0 CONCLUSION

Based on the results of the audit, the NRC staff concludes that the licensee 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

Arturo Barrera
Performance Improvement
Vogtle, Units 1 and 2

Commitments Made since 2011

Commitment Number	Description	Status
SNC448808	The Plant Emergency Preparedness communication ability will be enhanced by the following actions:	<p>Provisions will be made for battery backup for the plant public address (PA) system to allow for extended operation following a loss of power, as necessary, to support plant operations until AC power is restored or alternative communications are available. (TE 555696)</p> <ul style="list-style-type: none"> • Provisions will be made to enable operation of the satellite telephones within the Technical Support Center (TSC) and Main Control Room (MCR). (TE555709) • Sufficient backup/spare equipment for satellite phone operation will be provided to address the possibility of equipment failure.(TE 555712) • Procure and deploy a rapidly deployable communications kit, plus the additional spare, capable of providing shared cellular and satellite voice and data communications capabilities as well as supporting the required functions at all units on site. (TE 555715) • Procure and deploy a mobile communications system, plus the one additional spare to be procured, capable of supporting the required functions at all units on site. (TE 555717) • Maintain the battery operated satellite phones and the rapidly deployable communications kit in a charged condition that will not be dependent on the availability of power, or on-site or off-site infrastructure.(TE 555719)
Note: The other Commitments made were JLD related		

Commitments Closed since 2011

Commitment Number	Description	Status
SNC12175	<p>Its NRC Commitment: GPC will control future changes to this information via 10 CFR 50.59 – Original TS 4.8.1.1.2.F – Each diesel generator shall be demonstrated operable: At least once per 92 days and from new fuel oil prior to addition to the storage tank obtain a sample and verify that the neutralization number is less than 0.2 and the mercaptan is less than 0.01%. Mercaptan content shall not be required to be verified within specification for new fuel prior to its addition, for up to 15,000 gallons of fuel added to the tank, if the last tank sample had a mercaptan content of less than 0.007%. All subsequent new fuel addition will require mercaptan content verification prior to its addition until the tank contents are verified to be less than .007%.</p>	Closed-6/03/2014
SNC16648	<p>Item 1.) Vogtle 1, Outage 1R14 (Spring 2008), prior to entering Mode 4. SNC will report to the NRC, prior to entering Mode 4, the stress analysis report which will include results showing that the requirements of Subarticles NB-3200 and NB-3600 of the ASME Code, Section III are satisfied. The stress analysis will also include results showing that the requirements of IWB-3000 of the ASME Code, Section XI, are satisfied. The results will show that the postulated crack including its growth in the nozzles would not adversely affect the integrity of the overlaid welds.</p> <p>Item 2.)Vogtle 1, Outage 1R14 (spring 2008), within 14 days after ultrasonic examination of weld overlay installations. SNC will report to the NRC, within 14 days after the completion of the ultrasonic examination of the weld overlay installations, (1) the examination results of the weld overlays and (2) a discussion of any repairs to the overlay material and/or base metal and the reason for repair</p> <p>Item 3.) Vogtle 1, Outage 1R14 (spring 2008), within 90 calendar days of the completion of the refueling outage.</p>	Closed – 3/17/2013

	SNC will report to the NRC, within 90 calendar days of the completion of the refueling outage, the IWB-3640 evaluation performed for any assumed flaw in any uninspectable volume in the weld overlay beneath a laminar flaw, if that assumed flaw failed to meet the preservice acceptance criteria of Table IWB-3514-2.	
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Commitments revised since 2011

Commitment Number	Description
SNC16556	For both units 1 and 2 SR 3.8.4.1 Verify battery terminal voltage is greater than or equal to the minimum established float voltage on a schedule determined by the Surveillance Frequency Control Program. NL-05-0491 revised TS via amendments 133/112, approved on March 2, 2005 for a 90 day implementation date of May 31, 2005.
SNC16560	Both units SR 3.8.6.1 Battery Parameters - At a frequency dictated by the Surveillance Frequency Control Program, and when associated DC electrical power sources are required to be OPERABLE, verify each system A and B battery float current is less than or equal to 2 amps. Verify each system C and D battery float current is less than or equal to 1 amp. Note: Not required to be met when battery terminal voltage is less than the minimum established float voltage of SR 3.8.4.1. NL-05-0491 revised TS via amendments 133/112, approved on March 2, 2005 for a 90 day implementation date of May 31, 2005.

C. R. Pierce

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If you have any questions regarding this matter, I may be reached at (301) 415-1438 or via e-mail at karen.cotton@nrc.gov.

Sincerely,

/RA/ Jeffrey A. Whited for

Karen Cotton, Project Manager
Plant Licensing Branch II-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-424 and 50-425

Enclosures:

3. Audit Report
4. Commitment Summary

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