



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

July 29, 2015

Mr. Lawrence J. Weber
Senior Vice President and
Chief Nuclear Officer
Indiana Michigan Power Company
Nuclear Generation Group
One Cook Place
Bridgman, MI 49106

**SUBJECT: DONALD C. COOK NUCLEAR POWER PLANT, UNIT NOS. 1 AND 2 - AUDIT
OF THE LICENSEE'S MANAGEMENT OF REGULATORY COMMITMENTS
(TAC NOS. MF6129 AND MF6130)**

Dear Mr. Weber:

In U.S. Nuclear Regulatory Commission (NRC) Regulatory Issue Summary 2000-17, "Managing Regulatory Commitments Made by Power Reactor Licensees to the NRC Staff," dated September 21, 2000 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML003741774), the 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, that changes to the regulatory commitments are evaluated, and when appropriate, reported to the NRC.

The NRC's Office of Nuclear Reactor Regulation has instructed its staff to perform an audit of the 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 whether regulatory commitments are being effectively implemented.

An audit of the Donald C. Cook Nuclear Plant, Units 1 and 2 (CNP) commitment management program was performed at the plant site on July 15, 16, and 17, 2015. The NRC staff concludes, based on the audit, that Indiana Michigan Power Company (I&M, the licensee) has implemented NRC commitments on a timely basis, and that the licensee has implemented an effective program for managing NRC commitment changes at CNP. The details of the results of the audit are set forth in the enclosed audit report.

L. Weber

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There is no need for the licensee to respond to this letter. The NRC staff appreciates the resources that were made available by your staff during the audit. If you have any questions, please contact me at (301) 415-2846.

Sincerely,

A handwritten signature in black ink, appearing to read "A W Dietrich". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Allison W. Dietrich, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

Enclosure:
Audit Report

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UNITED STATES
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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

INDIANA MICHIGAN POWER COMPANY

DONALD C. COOK NUCLEAR PLANT, UNITS 1 AND 2

DOCKET NOS. 50-315 AND 50-316

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 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML003741774), 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. 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 whether regulatory commitments are being effectively implemented. An audit of the Donald C. Cook Nuclear Plant, Units 1 and 2 (CNP) commitment management program was performed at the plant site on July 15, 16, and 17, 2015. The audit reviewed commitments made, changed, or closed since the previous audit in June 2012 (see audit report dated June 29, 2012; ADAMS Accession No. ML12178A028).

NRR guidelines direct the 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 (i.e., amendments, reliefs, exemptions, etc.) and activities (i.e., bulletins, generic letters, etc.).

2.0 AUDIT PROCEDURE AND RESULTS

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

Enclosure

changes to NRC commitments, and (3) verification that all regulatory commitments reviewed were correctly applied in NRC staff licensing action reviews.

2.1 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 (i.e., amendments, exemptions, etc.), or licensing activities (i.e., bulletins, generic letters, etc.). Before the audit, the NRC staff searched 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 and technical specifications. Fulfillment of these commitments was indicated by the licensee having taken timely action in accordance with the subject requirements.

Procedure PMP-2350-CMS-001, "Commitment Management," Revision 8, is the primary procedure for the handling of regulatory commitments. This procedure contains guidance for the identification, tracking, extension, change, and closure of commitment tasks. In addition, it provides a list of the people who are authorized to make regulatory commitments for CNP, as well as guidance for the retention and periodic review of commitments.

The licensee's commitments are tracked in a computer database called the Commitment Management System (CMS). The NRC staff reviewed commitment tracking entries and observed the use of CMS to search for commitments. The CMS system is unique to CNP.

The NRC staff also reviewed the following Data Sheets included in PMP-2350-CMS-001:

- Data Sheet 1, "Commitment Evaluation/Change"
- Data Sheet 2, "Commitment Implementation/Closure Form"
- Data Sheet 3, "Commitment Management Data Input Form"

2.2 Verification of Licensee's Implementation of 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 and 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 CMS 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 – Implementation of Commitments

The attached Audit Summary, Table 1, provides details of this portion of the audit and its results.

The NRC staff reviewed the closure documentation for nine closed commitments. All closed commitments were properly documented using Data Sheet 2, "Commitment Implementation/Closure Form." The NRC staff also reviewed two commitments, numbered 8610 and 8611, that were placed in an "ongoing" status following implementation. According to PMP-2350-CMS-001, the definition of an ongoing commitment is as follows:

Actions implemented by CNP procedures, instruction, policies, or other documents that require continued tracking to maintain compliance. A commitment that does not have an applicable conclusion and/or closure date; i.e., one requiring a given action on a repetitive basis.

Ongoing commitments are reviewed every 3 to 5 years to determine if they should be retained as ongoing or be retired. The periodic review also ensures that commitments are referenced correctly in implementing documents. Commitments 8610 and 8611 were placed in an ongoing status using Data Sheet 2, with a note at the bottom specifying that the commitments were not being closed.

Overall, the NRC staff concludes that PMP-2350-CMS-001 and the associated commitment management forms used in conjunction with the CMS database constitute an effective program to identify, manage, review, and close commitments made to the NRC as part of licensing actions and activities.

2.3 Verification of Licensee's Program for Managing 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. Accordingly, the NRC staff compared PMP-2350-CMS-001 and Data Sheet 1, "Commitment Evaluation/Change," 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 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.

2.3.1 Audit Results – Managing Commitment Changes

The attached Audit Summary, Table 1, provides details of this portion of the audit and its results.

The NRC staff reviewed the revision documents for four changed commitments. Each change was evaluated using Data Sheet 1, "Commitment Evaluation/Change," to determine whether or not the change could be made through the commitment change process, and whether or not

NRC notification was required. Three of the revised commitments required NRC notification, while one did not.

The NRC staff found that PMP-2350-CMS-001 and Data Sheet 1, "Commitment Evaluation/Change," follows the guidance of NEI 99-04 closely in regard to managing commitment changes. The NRC staff observed that the licensee had complete and accurate records, and had documented the sampled commitment changes appropriately using Data Sheet 1, "Commitment Evaluation/Change." The NRC staff observed that overall, the licensee tracking system was effective in documenting the commitment change process, ensuring traceability of commitments, and considering reporting requirements.

2.4 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 found.

2.4.1 Review of Safety Evaluations for Licensing Actions since the Last Audit

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 a facility since the last audit were identified. These documents were evaluated to determine if they contained any misapplied commitments as described above. No misapplied commitments were found.

3.0 CONCLUSION

The NRC staff concludes, based on this audit, that the licensee has (1) an effective program for managing and implementing regulatory commitments, and (2) an effective program for managing changes to regulatory commitments.

4.0 LICENSEE PERSONNEL CONTACTED FOR THIS AUDIT

K. Henderson

Principal Contributors: A. Dietrich

Date: July 29, 2015

Attachment:
Table 1, Audit Summary

TABLE 1
Audit Summary
Indiana Michigan Power Company
Donald C. Cook Nuclear Plant, Units 1 and 2
Docket Nos. 50-315 and 50-316

Commitment No(s). and Descriptions	Review	Auditor's Assessment
8246 8252 Related to License Renewal	<p>I&M letter dated October 31, 2003 (ADAMS Accession No. ML033070177), contained 29 regulatory commitments in an attachment to the Application for Renewed Operating Licenses. Two commitments were reviewed.</p> <p><u>Commitment 8246:</u> The Buried Piping Inspection Program will be implemented prior to the period of extended operation for each unit: October 25, 2014, for Unit 1, December 23, 2017, for Unit 2.</p> <p><u>Commitment 8252:</u> Enhance the Instrument Air Quality Program procedure to clearly specify frequencies for the dewpoint and dryer tours prior to the period of extended operation for each unit: October 25, 2014, for Unit 1, December 23, 2017, for Unit 2.</p>	<p>Commitment 8246 was revised to add reference to iron and copper piping, and the NRC was notified by letter dated October 17, 2013 (ADAMS Accession No. ML13295A422).</p> <p>Commitment 8246 was closed on March 26, 2014, upon implementation into procedures PMP-5020-001-001, Maintenance Permits, and EHI-5070-UPTI.</p> <p>Commitment 8252 was closed on April 9, 2014, upon implementation into procedures 12-THP-6040-PER-005, "Control Air Performance Monitoring," and Preventative Maintenance Task (PMID 00104035).</p> <p>Commitments 8246 and 8252 were revised and closed appropriately.</p>
8541 Related to Temperature Coefficient Limit Report	<p>I&M letter dated September 14, 2011 (ADAMS Accession No. ML11270A095), contained a regulatory commitment as an enclosure to the Unit 1 Cycle 23 End of Life Moderator Temperature Coefficient Limit Report.</p> <p><u>Commitment 8541:</u> Following receipt of the formal notification of the effect of the modeling error on physics testing results from the fuel vendor, update the NRC with the results of those analyses, by September 30, 2012.</p>	<p>Westinghouse completed the analysis of the modeling error, and documented it under vendor report LTR-NO-12-37, Revision 1.</p> <p>A letter notifying the NRC of the conclusion of the analysis was submitted on August 23, 2012 (ADAMS Accession No. ML12250A660).</p> <p>Commitment 8541 was closed appropriately.</p>

TABLE 1
Audit Summary (Continued)
- 2 -

Commitment No(s). and Descriptions	Review	Auditor's Assessment
<p>8549</p> <p>Response to Title 10 of the <i>Code of Federal Regulations</i> (10 CFR) 50.54(f) information request related to thermal conductivity degradation (TCD)</p>	<p>I&M letter dated March 19, 2012 (ADAMS Accession No. ML12088A104), contained a regulatory commitment in response to information request under 10 CFR 50.54(f) related to TCD.</p> <p>Commitment 8549: Submit to the NRC for review unit-specific large break loss of coolant accident (LBLOCA) analyses that apply NRC approved methods that include the effects of fuel TCD, by December 15, 2016. The date for the analysis submittal is projected on the following milestones needed to perform a revised licensing basis LBLOCA analysis with an NRC approved ECCS Evaluation Model that explicitly accounts for TCD:</p> <ol style="list-style-type: none"> 1) Submittal by Westinghouse, to the NRC for review and approval, of a revised fuel performance and LBLOCA Evaluation model methodologies that include the effects of TCD. 2) NRC approval of WCAP-17642-P, a fuel performance analysis methodology that includes the effects of TCD. 3) NRC approval of WCAP-176996-P, and any required Supplements thereto, a LBLOCA Evaluation Model that includes the effects of TCD and accommodates the ongoing 10 CFR 50.46(c) rulemaking process. 	<p>The completion date was revised to state the following:</p> <p>The Unit 2 LBLOCA analysis will be submitted 28 months from the approval of the last topical report (WCAP-17642-P or WCAP-16996-P), and any required supplements, that support the new 10 CFR 50.46 rule and would be needed for the analysis. The Unit 1 LBLOCA analysis will be submitted 34 months from the approval of the last topical report (WCAP-17642-P or WCAP-16996-P), and any required supplements, that support the new 10 CFR 50.46 rule and would be needed for the analysis.</p> <p>The NRC was informed of the change in completion date, and minor changes to the commitment wording, by letter dated June 9, 2015 (ADAMS Accession No. ML15162A095).</p> <p>Commitment 8549 was revised appropriately.</p>

TABLE 1
Audit Summary (Continued)

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Commitment No(s). and Descriptions	Review	Auditor's Assessment
<p>8570/8571 8572/8573</p> <p>Related to Reactor Vessel Internals (RVI) Aging Management Program (AMP) split pins and components</p>	<p>I&M letter dated October 1, 2012 (ADAMS Accession No. ML12284A320), contained 10 regulatory commitments (five per unit) regarding the RVI AMP. Four of these commitments were reviewed.</p> <p>Commitments 8570 and 8571 for Units 1 and 2: Investigate split pin replacement for each unit. Provide the NRC with the strategy for managing split pins prior to the end of extended operation for each unit: October 25, 2014, for Unit 1, December 23, 2017, for Unit 2.</p> <p>Commitments 8572 and 8573 for Units 1 and 2: Verify that all the RVI components within the scope for license renewal have been considered in applicable documents in development of MRP-227-A. I&M is participating in Pressurized-Water Reactor Owners Group (PWROG) project PA-MSC-0938 to address this item. The results will be provided to the NRC prior to the period of extended operation for each unit: October 25, 2014, for Unit 1, December 23, 2017, for Unit 2.</p>	<p>The strategy for managing split pins was submitted to the NRC by letter dated June 30, 2014 (ADAMS Accession No. ML14216A497). In the letter, I&M committed to replace CNP Unit 1 split pins during the fall 2017 refueling outage, and Unit 2 split pins during the fall 2016 refueling outage. I&M also committed to provide to the NRC the type of replacement split pin material prior to split pin replacement in each unit.</p> <p>Commitments 8570 and 8571 were closed appropriately.</p> <p>The results of the PWROG evaluation were submitted to the NRC by letter dated October 22, 2014 (ADAMS Accession No. ML14316A449).</p> <p>Commitments 8572 and 8573 were closed appropriately.</p>
<p>8600</p> <p>Response to Generic Letter (GL) 2004-02</p>	<p>I&M letter dated May 15, 2013 (ADAMS Accession No. ML13137A046), contained a regulatory commitment in response to GL 2004-02, "Potential Impact of Debris Blockage on Emergency Recirculation During Design Basis Accidents at Pressurized-Water Reactors" (ADAMS Accession No. ML042360586).</p> <p>Commitment 8600: I&M will perform the necessary analysis to adopt a higher in-vessel debris limit by the completion of the third Unit 2 refueling outage following January 1, 2013 (fall 2016).</p>	<p>Commitment 8600 is open and is being tracked appropriately.</p>

TABLE 1
Audit Summary (Continued)
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Commitment No(s). and Descriptions	Review	Auditor's Assessment
8602 Response to GL 2008-01	<p>I&M letter dated March 7, 2014 (ADAMS Accession No. ML14070A344), contained a regulatory commitment in response to GL 2008-01, "Managing Gas Accumulation in Emergency Core Cooling, Decay Heat Removal, and Containment Spray Systems" (ADAMS Accession No. ML072910759).</p> <p>Commitment 8602: Conduct additional technical evaluation of emergency core cooling systems, residual heat removal system, and containment spray system for gas accumulation. Upon completion of the evaluation, submit a license amendment request (LAR) to adopt the appropriate portions of Technical Specifications Task Force (TSTF)-523, by June 30, 2015.</p>	<p>The completion date was revised to January 29, 2016, and the NRC was informed via letter dated June 24, 2015 (ADAMS Accession No. ML15181A256).</p> <p>Commitment 8602 was revised appropriately.</p>
8606 Related to Containment Leakage Rate Testing program	<p>I&M letter dated September 30, 2014 (ADAMS Accession No. ML14275A454), contained a regulatory commitment in response to an NRC request for additional information (RAI) regarding an LAR to revise the Containment Leakage Rate Testing Program.</p> <p>Commitment 8606: Provide the NRC with the results of examinations related to the condition described in RAI-EMCB-1, which will be performed during Unit 1 cycle 26 refueling outage, by December 19, 2014.</p>	<p>Examination results were submitted to the NRC by letter dated December 16, 2014 (ADAMS Accession No. ML14352A232).</p> <p>Commitment 8606 was closed appropriately.</p>

TABLE 1
Audit Summary (Continued)

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Commitment No(s). and Descriptions	Review	Auditor's Assessment
<p>8607</p> <p>Related to RVI AMP lower support columns</p>	<p>I&M letter dated October 22, 2014 (ADAMS Accession No. ML14316A449), contained a regulatory commitment in response to NRC RAI dated June 6, 2014 (ADAMS Accession No. ML14135A320), regarding the RVI AMP submittal.</p> <p>Commitment 8607: I&M will continue to participate in the PWROG project for lower support columns. I&M will provide a response to the NRC RAI when a methodology is developed by the PWROG project, by March 31, 2015.</p>	<p>The completion date was changed to September 30, 2015, due to the PWROG project being extended until June 2015. The reason for the extension is to provide the lower support column report to the NRC, allow time for review, and develop a path for utilities to apply the methodology.</p> <p>No NRC notification of the revision was necessary, in accordance with PMP-2350-CMS-001.</p> <p>Commitment 8607 was revised appropriately.</p>

L. Weber

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There is no need for the licensee to respond to this letter. The NRC staff appreciates the resources that were made available by your staff during the audit. If you have any questions, please contact me at (301) 415-2846.

Sincerely,

/RA/

Allison W. Dietrich, Project Manager
Plant Licensing Branch III-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket Nos. 50-315 and 50-316

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