



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

July 31, 2015

Vice President, Operations
Entergy Operations, Inc.
River Bend Station
5485 US Highway 61N
St. Francisville, LA 70775

**SUBJECT RIVER BEND STATION, UNIT 1 - AUDIT OF THE LICENSEE'S MANAGEMENT
OF REGULATORY COMMITMENTS (TAC NO. MF4451)**

Dear Sir or Madam:

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.

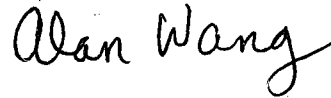
The NRC Office of Nuclear Reactor Regulation has instructed its staff to perform an audit of licensees' commitment management programs once every 3 years to determine whether the licensees' programs are consistent with the industry guidance in NEI 99-04, and that regulatory commitments are being effectively implemented.

An audit of the River Bend Station, Unit 1 (RBS) commitment management program was performed at the plant site in St. Francisville, Louisiana during the period August 8 and 9, 2014. The NRC staff concludes, based on the audit, that Entergy Operations, Inc. (the licensee), has implemented NRC commitments made to the NRC on a timely basis, and has implemented an effective program for managing NRC commitment changes at RBS. The details of the audit are set forth in the enclosed audit report.

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If you have any questions, please contact me at (301) 415-1445 or by e-mail at Alan.Wang@nrc.gov.

Sincerely,

A handwritten signature in black ink that reads "Alan Wang". The signature is written in a cursive, flowing style.

Alan B. Wang, Project Manager
Plant Licensing Branch IV-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-458

Enclosure:
Audit Report

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AUDIT REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

LICENSEE MANAGEMENT OF REGULATORY COMMITMENTS

RIVER BEND STATION, UNIT NO. 1

DOCKET NO. 50-458

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 that regulatory commitments are being effectively implemented. An audit of the River Bend Station, Unit 1, (RBS) commitment management program was performed at the plant site in St. Francisville, Louisiana, during August 8-9, 2014. The audit reviewed commitments made since the previous audit on August 8-9, 2011 (ADAMS Accession No. ML120250210).

NRR guidelines direct the NRR Project Manager (PM) 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 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.

Enclosure

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 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 (TSs). Fulfillment of these commitments was indicated by the licensee having taken timely action in accordance with the subject requirements.

2.1.2 Audit Results

RBS commitments are tracked in accordance with Entergy Operations, Inc. (Entergy, the licensee), Corporate Nuclear Management Manual Procedure EN-LI-110, Revision 4, and "Commitment Management Program." The licensee enters commitments made to the NRC using a commitment tracking database called the Licensing Research System (LRS). According to the licensee, the majority of these commitments fall into the category of "One-Time Actions." One-time action commitments are loaded into the database, tracked to implementation, and remain in the database for historical reference. Since the system was created, the licensee has entered more than 17,000 licensee-defined commitments of which at the time of the audit, the licensee was tracking approximately 6,000 items in the LRS as regulatory commitments of

which 28 were designated as "OPEN" actions items. There also approximately 418 items that are being tracked as "continuing compliance."

The licensee provided the documentation necessary to support the NRC staff's audit in each of the samples selected. The documents included summary sheets providing the status of the commitment and the appropriate backup documentation, as needed (i.e., plant procedures, incoming/outgoing records, and/or other plant documentation). In addition, the staff reviewed two self-assessments.

The NRC staff reviewed documentation generated by the licensee categorized as commitment changes, generic letter responses, relief requests, and amendments, to assess the implementation of the licensee's Procedure EN-LI-110, including the status of their completion. After review of the commitments selected for the audit, the NRC staff found that the licensee's commitment tracking program had captured all of the regulatory commitments and that all of the commitments were met or were on schedule.

To help ensure regulatory commitments dates are met, the licensee stated that it generates a Licensing Status Report (LSR) at the beginning of each week for assigned licensing personnel and the personnel responsible for completing the actions identified. The weekly LSR provides a 2-week look ahead of upcoming actions in the LRS. In addition, occasionally longer term look ahead are generated to help ensure that regulatory commitments are not missed. Periodic assessments, approximately once per year, are performed to evaluate for the compliance with the requirements of Procedure EN-LI-110. The licensee stated that while they change the focus of the assessment each year, they check for the consistency of the LRS data entry every assessment. This assures that the process for and entry of regulatory commitments is maintained and accurate. The NRC staff believes that the above processes are important for maintenance of the regulatory commitment tracking process.

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

The NRC staff concluded the licensee's Procedure EN-LI-110 conforms to the NEI 99-04 guidelines for commitment tracking, commitment change process, traceability of commitments, and reporting requirements. In general, the licensee followed the process and regulatory commitments were captured, tracked and implemented in a timely manner.

While the NRC staff has concluded the regulatory commitments are being accurately tracked, it notes that the LRS does not meet one of its primary purposes and, as such, is "unfriendly" for performing audits of regulatory commitments. In the licensee's Procedure EN-LI-110, Item 4 of Section 1.0, "Purpose," states:

The process outlined in this procedure focuses on commitments and is not intended to track obligations or action items. While some CMSs [Commitment Management Systems] have historically been used to manage information other than Regulatory Commitments, the preferred approach is to segregate Regulatory Commitments in a CMS. These "combined use" CMSs can be used to satisfy the requirements of this procedure provided Regulatory Commitments are clearly distinguished from other information.

The LRS is not dedicated to Regulatory Commitments. As such, during the audit, the licensee was not able to "clearly distinguish" Regulatory Commitments from all other commitments (obligations, and other action items) in the LRS as required by the procedure. As requested in Section 2.3.1 of this audit report, the licensee was able identify all commitments made in license amendment safety evaluations, exemptions and relief request safety evaluations that have been issued for a facility since the last audit. However, for the licensee to accomplish this, each item in the LRS for that time period had to be individually reviewed to determine if it was a Regulatory Commitment. The NRC staff believes this is a fleetwide issue, but has only confirmed this for Grand Gulf Nuclear Station, Unit 1; RBS; and Waterford Steam Electric Station, Unit 3. Since the LRS tracks several action items and the licensee does not need to distinguish between action items, using the LRS for this procedure to capture, track, and implement all regulatory commitments is acceptable. The licensee informed the staff that it is working on revising the LRS to be dedicated to regulatory commitments or adding some sort of designation/flag to allow the LRS to recognize regulatory commitments.

Entergy's Procedure EN-LI-110 has added Section 5.12, "NRC Commitment Audit Preparation." Section 5.12 requires that a self-assessment be performed prior to the audit. It notes that the licensee could coordinate with the NRR PM before the audit on the sample of commitments for the self-assessment or select a sample from commitments made since the last audit. This additional section to the licensee's procedure should significantly improve the audit process.

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 RBS is contained in Entergy's Procedure EN-LI-110. The audit review did not identify any regulatory commitment changes that include 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 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. The NRC staff found no examples where a regulatory commitment was misapplied.

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 a 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 confirmed that all commitments made during this period in license amendment safety evaluations, exemptions and relief request safety evaluations were properly captured and tracked and contained no misapplied commitments.

3.0 CONCLUSION

The NRC staff concludes, based on the above audit, that the RBS 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

Barry Burmeister
Thomas Bolke
Joseph Clark

Principal Contributors: Alan Wang
Michael Orenak

Date: July 31, 2015

Attachment:
Summary of Audit Results

AUDIT SUMMARY

MANAGEMENT OF CHANGES TO REGULATORY COMMITMENTS

During the audit the U.S. Nuclear Regulatory Commission (NRC) staff identified one change where the Commitment Change Evaluation Form was used, however, it was not for regulatory commitments:

- 1) Licensing Research System (LRS)/Commitment Management System (CMS) I.D. 11525 – This change is related to a commitment made in Licensee Event Report 94-028 regarding the main steam relief valves. The Commitment Change Evaluation Form was completed with the required information describing the commitment and the basis for changing the commitment. While this is not a change to a Regulatory Commitment the process is similar as it uses the same procedure.

Additionally, the staff's audit consisted of a review of the following commitments.

Item No.	River Bend Station (RBS) Submittal	NRC TAC No.	RBS Source Document	NRC Issuance	Summary of Commitment and Licensee's Tracking Number	Licensee Implementation Status (Documents listed are in RBS Database)
1	April 29, 2013		RBF1-13-0054	50.54(f) letter regarding seismic aspects of Recommendation 2.1	For Items 3.A and 3.B of the 50.54(f) letter requested the base velocity profile and description of the subsurface materials and properties – A-17212.	Completed via responses to the NRC dated September 12, 2013, RBG-47390.
2	March 31, 2014	MD7870	RBF1-14-0043	Generic Letter 2008-01	Entergy made a commitment to adopt Technical Specification Task Force (TSTF)-523 – A-17261.	Closed via letter dated July 14, 2014, RBG-47482.
3	December 3, 2013	MF0658	RBF1-13-0153	Request for Additional Information (RAI) dated December 3, 2014	RAI regarding proposed changes to Technical Specification 3.8.4, "DC [Direct Current] Sources- Operating-A-17242	Closed by via responses to NRC dated January 16, 2014, RBG-47423.

Attachment

Item No.	River Bend Station (RBS) Submittal	NRC TAC No.	RBS Source Document	NRC Issuance	Summary of Commitment and Licensee's Tracking Number	Licensee Implementation Status (Documents listed are in RBS Database)
4	July 10, 2012		RBF1-12-0085	50.54(f) letter regarding seismic aspects of Recommendation 2.3	Seismic walkdown consistent with Electric Power Research Institute (EPRI) Report 1025286 – A-17150.	Closed via letter dated November 27, 2012, RBG-47307.
5	September 20, 2011	ME0844 ME0845	RBF1-12-0136	RAI dated July 12, 2012 regarding Relief Request (RR) Inservice Inspection (ISI)-016 and ISI-017	Entergy made the following regulatory commitments that Division 1 valves identified in the relief request will be replaced during Refueling (RF)-19 and Division 2 valves during RF-18 – A-17157 and A-17158.	Items are not complete but in the LRS system
6	August 2, 2012	ME0844 ME0845	RBF1-12-0110	RAI dated July 12, 2012 regarding RR ISI-016 and ISI-017	Entergy made a commitment to continue to investigate and evaluate for alternative inspection methods such as remote cameras A-17156.	This is an continuing compliance commitment and is in the LRS
7	May 28, 2013	MF1948	RBF1-13-0042	NRC approved this amendment on December 11, 2014.	This is a commitment to update the bases when the amendment is approved – A-17220.	This was completed in the LRS
8	June 13, 2013	MF2299	RBF1-13-0064	NRC approved this amendment on February 27, 2015.	Entergy committed to follow the guidance in TSTF-IG-05-02 for implementation of TSTF-423 – A-17232.	This was completed in the LRS
9	December 8, 2011	ME7695	RBF1-14-0055	NRC approved this amendment on December 5, 2012.	This is a commitment to update the bases when the amendment is approved – A17263.	This was completed in the LRS
10	July 27, 2011	ME6843	RBG-47157	NRC approved this amendment on May 30, 2012.	The licensee committed to update the bases to include language consistent with TSTF-493 for updating as-left and as-found settings.	This was completed in the LRS

- 2 -

If you have any questions, please contact me at (301) 415-1445 or by e-mail at Alan.Wang@nrc.gov.

Sincerely,

/RA/

Alan B. Wang, Project Manager
Plant Licensing Branch IV-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-458

Enclosure:
Audit Report

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NAME	AWang	PBlechman	MKhanna	AWang
DATE	7/30/15	7/30/15	7/31/15	7/31/15

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