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March 24, 2016
GO2-16-052

U.S. NRC Region IV
ATTN: Director, Division of Reactor Safety
1600 East Lamar Blvd.
Arlington, Texas 76011-4511

Subject: **COLUMBIA GENERATING STATION, DOCKET NO. 50-397
CONFIRMATORY ORDER EA-14-240, ELEMENT V.J.1 – SECOND
STATUS UPDATE**

Reference: Letter EA-14-240 from M. L. Dapas (NRC) to M. E. Reddemann (Energy Northwest), "Confirmatory Order – NRC Security Inspection Report 05000397/2015407 and NRC Investigation Report 4-2014-009 Columbia Generating Station," dated September 28, 2015

Dear Sir or Madam:

The purpose of this letter is to provide an update of the actions required by the above referenced confirmatory order. These actions were a result of an Alternative Dispute Resolution mediation session that was held on August 6, 2015, and a signed "Consent and Hearing Waiver Form," dated September 21, 2015 agreed to the issuance of the confirmatory order. The enclosure to this letter provides the status of each confirmatory order action taken to date by Energy Northwest.

There are no new commitments being made to the Nuclear Regulatory Commission (NRC) by this letter. Should you have any questions, please contact D. M. Wolfgramm, Regulatory Compliance Supervisor, at (509) 377-4792.

Executed this 24TH day of MARCH, 2016

W. G. Hettel
Vice President, Operations

Enclosure: Columbia Generating Station Confirmatory Order EA-14-240 Element V.J.1
– Action Status Update March 28, 2016

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UPDATE**

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cc:

NRC Director-Division of Reactor Safety, Region IV

NRC Region IV Administrator

NRC NRR Project Manager

NRC Sr. Resident Inspector/988C

CD Sonoda – BPA/1399 w/o enclosure

WA Horin - Winston & Strawn w/o enclosure

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Confirmatory Order Commitment V.A: Common Cause Evaluation

Requirements

Within 3 months of the date of this Confirmatory Order, Energy Northwest will conduct a common cause evaluation related to the events that formed the basis of this matter.

V.A.1: The common cause evaluation will be conducted by a trained individual outside of the Emergency Services organization at CGS.

V.A.2: The results will be incorporated into Energy Northwest's corrective action program at CGS, as appropriate.

V.A.3: A copy of the completed evaluation will be made available for NRC review.

Actions Taken

The common cause evaluation was completed on November 19, 2015 in accordance with the confirmatory order. Evaluation passed both Department Corrective Action Review Board review on December 8, 2015 and its final review with the Corrective Action Review Board on December 15, 2015.

V.A.1: This section has been completed by a trained individual outside of the Emergency Services Department that was identified by the Performance Improvement Program to conduct the common cause evaluation.

V.A.2: All corrective actions and condition reports resulting from the common cause evaluation have been initiated and corrective actions have been entered into the corrective action program.

V.A.3: The Common Cause Evaluation was submitted through correspondence letter GO2-15-182 on December 28, 2015.

Confirmatory Order Commitment V.B: Install Wide-Angle Cameras

Requirements

Within 18 months of the date of this Confirmatory Order, Energy Northwest will install wide-angle cameras in Bullet Resistant Enclosures (BREs) to monitor the availability of nuclear security officers.

V.B.1: The cameras will be monitored by security supervisors (i.e., Sergeant or Lieutenant) at a frequency of not less than twice per shift per BRE when cameras are functional.

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V.B.2: When the cameras are not functional, security supervisors (i.e., Sergeant or Lieutenant) will conduct security post checks at a frequency of not less than twice per shift, provided there is adequate staffing (i.e., one Lieutenant and two Sergeants) to ensure other commitments can be met.

V.B.3: Until cameras are installed in the BREs, Energy Northwest security management will continue to perform a minimum of two post checks per shift, provided there is adequate staffing (i.e., one Lieutenant and two Sergeants) to ensure other commitments can be met.

V.B.4: Use of cameras to monitor the availability of Nuclear Security Officers (NSOs) inside BREs will be documented.

Actions Taken

A project owner has been identified and all of the cameras and software have been procured. Equipment testing is currently being conducted.

V.B.1: Energy Northwest has come to an agreement with the collective bargaining unit for monitoring requirements on the BRE cameras. The BRE cameras have not been installed.

V.B.2: The cameras are not currently installed and thus not functional; therefore, Security supervision continues to conduct security post checks at a frequency of not less than twice per shift, provided there is adequate staffing. These checks are currently being tracked through a spreadsheet located with Security supervision.

V.B.3: Security supervision continues to conduct security post checks at a frequency of not less than twice per shift, provided there is adequate staffing. These checks are currently being tracked through a spreadsheet located with Security supervision until controlled form is provided in procedure revision.

V.B.4: The procedures have been evaluated and actions have been created to revise applicable procedures for camera operation.

Confirmatory Order Commitment V.C: Compliance and Ethics Training

Requirements

Within 6 months of the date of this Confirmatory Order, Energy Northwest will revise its annual compliance and ethics computer-based training to address deliberate

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misconduct (10 CFR 50.5), compliance therewith, and consequences for non-compliance.

V.C.1: Prior to conducting the training, Energy Northwest will provide its proposed training plan to the NRC for its review. The NRC will communicate to the licensee any concerns regarding the plan within 30 days of submittal for resolution in a manner acceptable to both parties.

V.C.2: Energy Northwest will complete administration of this training within 6 months of the date of this Confirmatory Order.

Actions Taken

Revision of computer-based-training (CBT) is being tracked through the corrective action program.

V.C.1: A copy of the CBT was sent to NRC for review through correspondence GO2-16-007. NRC comments were communicated to Energy Northwest via telephone conference on February 17, 2016.

V.C.2: NRC comments have been accepted and incorporated into the CBT. The CBT was made available to all employees on February 25, 2016. All green badged workers with unescorted access were required to take the training by March 23, 2016. If a green badged employee did not complete the training by the due date their badge was placed on administrative hold until they completed the CBT. Blue badged employees do not have unescorted access and will be required to complete the compliance and ethics training at their next annual site access training tracked through the internal personnel qualification database (PQD).

Confirmatory Order Commitment V.D: Regulatory Compliance Affirmation

Requirements

Energy Northwest will ensure its NSOs understand the need to comply with regulations and the consequences for non-compliance by having NSOs sign a statement affirming the same. This statement will be signed by current NSOs within 6 months of the date of this Confirmatory Order and within 30 days of hire for new NSOs, subject to collective bargaining.

Actions Taken

The collective bargaining unit has agreed to the non-compliance language and the statement has been read and signed by all current NSOs. Internal PQD process is being utilized to address NSOs on short or long term leave, disability, assignment or

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military duty to read and sign statement once they return to Energy Northwest as current NSOs.

Confirmatory Order Commitment V.E: Lessons Learned Presentation

Requirements

Energy Northwest will prepare a "lessons learned" presentation, derived from the common cause evaluation, to be delivered to Energy Northwest's Nuclear Security Department at CGS concerning the incidents that formed the basis for this violation and the consequences.

V.E.1: Prior to offering this presentation, Energy Northwest will provide its proposed presentation to the NRC for its review. The NRC will communicate to the licensee any concerns regarding the presentation within 30 days of submittal for resolution in a manner acceptable to both parties.

V.E.2: Energy Northwest will deliver the presentation to the Nuclear Security Department at CGS within 6 months of the date of this Confirmatory Order.

Actions Taken

Lessons learned presentation assignment is being tracked through the corrective action program.

V.E.1: The lessons learned presentation was sent to NRC for review through correspondence GO2-16-006. NRC comments were communicated to Energy Northwest via telephone conference on February 17, 2016.

V.E.2: NRC comments have been accepted and incorporated into the lessons learned presentation and the presentation was administered to the Security Department at CGS in several sessions between February 17, 2016 and March 21, 2016. The internal PQD process is being utilized to address Security Department staff on short or long term leave, disability, assignment or military duty to administer lessons learned presentation once they return to Energy Northwest.

Confirmatory Order Commitment V.F: Lessons Learned Incorporation

Requirements

Energy Northwest will incorporate the lessons learned, derived from the common cause evaluation referenced in Commitment V.A, and revise procedures at CGS as appropriate. A copy of the revised procedures will be made available for NRC review.

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Actions Taken

As identified through the common cause evaluation two corrective actions to revise security program implementing procedures SPIP-SEC-01 and SPIP-SEC-14 have been completed and are available for NRC review. The revised procedures are being provided to the NRC under separate cover.

Confirmatory Order Commitment V.G: Incidents Presentation

Requirements

Within 12 months of the date of this Confirmatory Order, Energy Northwest will prepare a presentation communicating the incidents that formed the basis for this violation to be delivered to an appropriate industry forum (e.g., the NEI Nuclear Security Working Group) subject to acceptance of the conference organizing committees.

- V.G.1: This presentation will include, among other things, the significance of the incidents that formed the basis for this violation; the consequences of the actions; and the significant responsibilities of NSOs.
- V.G.2: Prior to making the presentation, Energy Northwest will provide its proposed presentation to the NRC for its review. The NRC will communicate to the licensee any concerns regarding the presentation within 30 days of submittal for resolution in a manner acceptable to both parties.
- V.G.3: Energy Northwest will deliver the presentation within 12 months of the date of this Confirmatory Order.

Actions Taken

Action is in progress to communicate to the appropriate industry forum in accordance with the confirmatory order.

- V.G.1: Presentation has been developed in accordance with the confirmatory order requirements.
- V.G.2: The presentation to be provided to the industry forum was sent to NRC for review through correspondence GO2-16-026. NRC comments were communicated to Energy Northwest via telephone conference on March 11, 2016.
- V.G.3: NRC comments have been accepted and are incorporated into the industry forum presentation that will be delivered to the NEI Nuclear Security Working Group scheduled for May 11, 2016.

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Confirmatory Order Commitment V.H: Safety Culture Assessment

Requirements

Within 6 months of the date of this Confirmatory Order, Energy Northwest will ensure that an independent third party will conduct a targeted nuclear safety culture assessment of the security organization at CGS.

V.H.1: Based on the results of the assessment, Energy Northwest will incorporate recommended actions from the assessment into its corrective action program, as appropriate.

V.H.2: A copy of the completed assessment will be made available for NRC review within 30 days of the completion of the assessment.

Actions Taken

A targeted Nuclear Safety Culture assessment of the Security organization was completed by an independent legal firm, The Zafftus Group, on November 25, 2015, and an assessment report was completed on December 21, 2015.

V.H.1: The assessment has been received and corrective actions have been incorporated as appropriate.

V.H.2: A copy of the targeted nuclear safety culture assessment of the Security organization was sent to the NRC through correspondence GO2-16-019.

Confirmatory Order Commitment V.I: Revise Investigatory Procedures

Requirements

Within 4 months of the date of this Confirmatory Order, Energy Northwest will revise its investigatory procedures to incorporate lessons learned from this matter (e.g., to engage the NRC Regional Office on Energy Northwest's plans to conduct regulatory violation investigations in parallel with the NRC's Office of Investigations).

Actions Taken

Investigatory procedures were revised in accordance with Confirmatory Order requirements on January 14, 2016.

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Confirmatory Order Commitment V.J: Provide Action Status Reports

Requirements

Notification to NRC When Actions Are Completed

V.J.1: Unless otherwise specified, Energy Northwest will submit written notification to the Director, Division of Reactor Safety, U. S. NRC Region IV, 1600 East Lamar Blvd., Arlington, Texas 76011-4511, at intervals not to exceed 3 months until the terms of this Confirmatory Order are completed, providing a status of each item in the Confirmatory Order.

V.J.2: Energy Northwest will provide its basis for concluding that the terms of this Confirmatory Order have been satisfied, to the NRC, in writing.

Actions Taken

Aforementioned items that have been completed will be provided to the NRC as indicated in the action status and associated enclosures attached or delivered under separate cover.

V.J.1: Action Status Updates will be provided to the NRC on the following dates in accordance with Confirmatory Order commitments:

| | | |
|----------------------|--------------------|-----------------------------|
| First Action Status | December 28, 2015 | GO2-15-183 |
| Second Action Status | March 28, 2016 | GO2-16-052 (this submittal) |
| Third Action Status | June 28, 2016 | |
| Fourth Action Status | September 28, 2016 | |
| Fifth Action Status | December 28, 2016 | |
| Sixth Action Status | March 28, 2017 | |

V.J.2: Several action items are in progress, the written conclusion will be submitted upon completion of all confirmatory action items and are captured in the corrective action program.

Confirmatory Order Commitment V.K: Civil Penalty

Requirements

Within 30 days of the date of this Confirmatory Order, Energy Northwest shall pay a civil penalty of \$35,000.

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Actions Taken

Action is complete; transmitted on October 19, 2015 by letter GO2-15-140.