



# U.S. Nuclear Regulatory Commission Office of Nuclear Reactor Regulation

## ***NRR OFFICE INSTRUCTION***

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### **Change Notice**

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Office Instruction No.: **COM-106, Revision 5**

Office Instruction Title: **Control of Task Interface Agreements**

Effective Date: **November 30, 2015**

Approved By: **Michele Evans**

Date Approved: **November 20, 2015**

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Responsible Organization: **NRR/DPR/PLPB**

**Summary of Changes:** This is Revision 5 of Office Instruction COM-106, "Control of Task Interface Agreements." Revisions reflect the OIG recommendation to revise the TIA timeliness goals as well as process modifications based upon headquarters and regional feedback and lessons learned from continued experience.

Training: **None**

ADAMS Accession No.: **ML15219A174**



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NRR OFFICE INSTRUCTION  
COM-106, Revision 5  
Control of Task Interface Agreements

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**1. POLICY**

It is the policy of the Office of Nuclear Reactor Regulation (NRR) to ensure that questions raised by other Nuclear Regulatory Commission (NRC) organizations are resolved in a timely manner and are appropriately communicated to that organization. As such, the task interface agreement (TIA) process is used to address questions or concerns raised within the NRC regarding nuclear reactor safety and the related regulatory and oversight programs. The process ensures that each concern is addressed in a timely manner with a level of effort commensurate with the safety significance, and that NRR responses are promptly and appropriately communicated to both internal and external stakeholders.

**2. OBJECTIVES**

- To establish what constitutes a TIA.
- To promote consistency in the TIA process.
- To provide guidance regarding maintaining the scope of the TIA.
- To provide guidance when issues should be directed to alternate processes (“hand-off” paths).
- To ensure that TIAs are appropriately managed within NRR.
- To ensure that the NRR staff provides appropriate regulatory and technical information in response to TIAs.
- To ensure that the NRR staff provides timely responses to TIAs.
- To provide guidance on how the TIA process works.
- To provide for review and approval of responses to TIAs.
- To ensure effective communication on TIAs, among agency stakeholders.
- To provide timely, effective, and consistent communications with the affected licensee. Where appropriate, information will be provided to the industry via the alternate processes.
- To ensure the TIA process is applied to only one plant.

### 3. **BACKGROUND**

A TIA is a request for technical assistance, most often from a regional office, but it may also come from another NRC headquarters office. A TIA contains questions on subjects involving regulatory or policy interpretations, specific plant events, or inspection findings. A TIA could also be used to obtain technical assistance on an allegation-related issue. A TIA contain questions on subjects within the scope of NRR's mission and responsibilities. The requesting organization may use a TIA to obtain information on specific plant licensing bases, applicable staff positions, regulatory requirements, NRR technical positions, or the safety or risk significance of particular plant configurations or operating practices.

The procedures in this document present the means to ensure the following:

- The resolution of questions or issues related to potential safety and compliance concerns are appropriately discussed with the requesting organization.
- The resolution of the questions or issues are appropriately planned and responses are provided in a timely manner.
- The issues are adequately evaluated.
- The conclusions are communicated and documented.

These measures will help document NRR staff decisions, ensure compliance with NRC rules and regulations, help ensure that plant facility operations comply with license requirements, and ensure that plants operate safely.

The goal of the TIA process is to support other NRC organizations efficiently and effectively. As such, TIAs are not intended to replace the routine discussions that take place among NRR staff and other NRC offices. In these routine discussions, NRC staff exchanges opinions and evaluates plant configurations and operating practices in light of regulatory requirements, staff technical positions, and good engineering practices. Occasionally, however, a more formal communication mechanism is desirable to ensure that a position is documented and that the response from NRR has been reviewed by appropriate technical staff and management.

### 4. **BASIC REQUIREMENTS**

TIAs are one of NRR's primary means of supporting other NRC organizations. Accordingly, NRR staff should consider the requesting personnel from regional offices or other NRC organizations to be vital customers. These requests should be treated in the same manner as other primary NRR responsibilities, such as resolving licensing matters and responding to public inquiries. The TIA process is to be used to address plant specific issues. Issues identified as having generic implications should be addressed in the appropriate process (see Section 5.3).

#### **4.1 Consolidation of TIA Methods**

The previous Concurrence Method for TIAs has been subsumed into the “traditional” Letter Method. All future reference to TIAs in this office instruction will reflect this method, which is a means for a requesting organization to receive NRR assistance to resolve technical and regulatory issues. In short, this process consists of a formal memorandum being sent to NRR with specific questions that the requesting office wishes to have answered. NRR staff then evaluates the issue(s) and responds to the request in a separate memorandum containing the answers to the questions. This memorandum from NRR back to the requesting office becomes the final TIA and is typically made publicly available.

In instances where the requesting office has the basis for the technical position established, the requesting office is tasked with providing the input to the TIA response, as opposed to the NRR technical staff. Section 6 of this instruction describes the specific process and considerations for TIAs.

#### **4.2 Communication**

The following communication mechanisms are strongly encouraged to be implemented to help ensure clear and effective communication among all involved parties on the status of TIAs.

##### **4.2.1 Biweekly TIA Status Report**

Every 2 weeks the TIA project manager (PM) should prepare a TIA status report detailing the status of all active and pending TIAs. This report should be e-mailed to the Division of Policy and Rulemaking (DPR) management and the Licensing Processes Branch (PLPB) branch chief, with copy to RidsNrrTIA\_Distribution@nrc.gov, which should be distributed to all directors and deputies of the Division of Reactor Projects and Division of Reactor Safety from all four regions. Furthermore, the distribution should include regional contacts for the TIAs that are active at that time, as well as any other individuals who wish to be on distribution for the report.

The report should be sent in advance of the Reactor Oversight Process (ROP) headquarters & regional directors’ biweekly counterpart conference call, led by the director of the Division of Inspection and Regional Support (DIRS). This provides an opportunity to review the report and prepare any TIA status questions for the counterpart call. Other details will be provided for TIAs nearing completion and recently issued, noting any potential areas of concern (major developments, generic implications, significant delays in schedule, etc.).

#### 4.2.2 TIA Library on SharePoint

The TIA PM shall maintain a log of completed and active TIAs on the PLPB SharePoint site. This site serves as a historical reference library of completed TIAs. The site can be accessed at:

<http://portal.nrc.gov/edo/nrr/dpr/plpb/Lists/TIA%20Log/AllItems.aspx>

#### 4.2.3 Operating Experience Branch Communications

The TIA PM shall include the DIRS OpE Functional Area Contact on Regional TIA communications.

#### 4.2.4 Quarterly Briefing of NRR Executive Team

The TIA PM will provide a TIA status update for the NRR Executive Team (ET). This will allow the ET to engage and inform regional management, ensuring agency alignment on the issues addressed in the TIA process. As needed, urgent TIA issues can be relayed through monthly ET regional counterpart calls.

### 5. ACTIVITIES PRIOR TO FORMAL TIA PROCESS

#### 5.1 Initial Discussions on Potential TIAs

The requesting organization shall engage the TIA PM in discussion on any potential TIA before sending a formal TIA request. The purpose of these discussions is to gain a mutual understanding of the issue(s), to explore whether a TIA is appropriate or the most efficient and effective means of addressing the questions or concerns (specific TIA acceptance criteria are listed in Appendix A), and to discuss the general TIA process.

When it becomes apparent that a technical issue might warrant a TIA, the requesting organization should contact the TIA PM, who will then contact the appropriate NRR technical branch chiefs, as well as the Division of Operating Reactor Licensing (DORL) PM for any issues that are plant-specific. In many cases, NRR technical staff, the DORL PM or the OpE Functional Area contact may have already been involved in discussions with the requesting office before it became apparent that a TIA might be necessary. In such cases, the TIA PM should be informed and should be included in the next discussion to address TIA process issues. The requesting office and the NRR staff, using the TIA acceptance criteria, should weigh the complexity, significance, and necessity of a formal TIA to direct the technical issue into the most efficient process for resolution (e.g., phone call, e-mail, or official TIA). During these discussions, the TIA PM and the applicable NRR technical staff will also help the requesting organization develop the TIA questions.

In this initial discussion, the TIA PM, NRR staff, and the requesting office should establish a schedule with target dates. If the request is related to certain inspection issues that need to be resolved expeditiously, the office requesting NRR assistance will need the response as quickly as possible.

## **5.2 Search for Precedent TIAs and Previous Staff Positions**

When contacted about a proposed TIA, the associated NRR technical staff should conduct a search to ensure that the particular issue has not already been addressed. Searching for and identifying precedent staff positions may prevent the need for a TIA or other staff action. This would therefore help save resources and ensure consistency of agency positions.

Per LIC-202, "Procedures for Managing Plant-Specific Backfits and 50.54(f) Information Requests," previous staff positions may be located in standard review plans, branch technical positions, regulatory guides, generic letters, and bulletins, etc. Other useful precedent searches may include using the Agencywide Documents Access and Management System (ADAMS), the OpE Information Gateway on the Internal NRC home page, Inspection Manual guidance, or other NRC documents. Licensee documents such as Final Safety Analysis Reports and responses to violations may provide additional insights on how a licensee addressed an applicable NRC staff position.

Even if a staff position already exists, the fact that a question was raised could indicate that a position or policy is not well understood. Accordingly, NRC staff should consider the following options for restating a previously documented position:

- Issue a Regulatory Issue Summary.
- Redistribute the documentation of the position or policy.
- Send a reminder via e-mail to regional counterparts.
- Incorporate the existing position or policy into higher level documents that normally contain applicable NRC staff positions.

## **5.3 Generic Issue Screening**

The initiator of the TIA and associated NRR technical staff should review the proposed TIA against the screening criteria listed in Management Directive (MD) 6.4, "Generic Issues Program." If the issue is identified as a potential generic issue, it should be submitted into that process rather than the TIA process. There may also be cases where the TIA may not meet the criteria in MD 6.4 but still has generic implication, e.g., when a generic communication is warranted. In these cases, staff should follow the exit path delineated in Section 6.3.2.

## 6. TIA PROCESS

### 6.1 TIA Submittal Process

#### 6.1.1 Draft TIA Request

The requesting organization should provide its draft TIA request to the TIA PM prior to formal submission, regardless of the extent and nature of initial discussions on potential TIAs. The requesting organization's deputy division director or designee should approve the draft submittal. Although no specific format requirements exist, the draft should include sections describing the background, licensee position, regulatory and technical issues, the questions or actions being asked of NRR, and references. When adding a TIA request to ADAMS, a title following this format should be used: Draft TIA: (Plant or Subject under Review) Issue. This title makes it easier to find the document in ADAMS.

#### 6.1.2 Establishing Alignment

After receiving the draft TIA from the requesting office, the TIA PM may set up a conference call at a mutually agreed upon time, or use other collaborative tools, to ensure alignment between the requesting organization and the appropriate NRR staff before formal submission. Details that require alignment prior to formally submitting the TIA include: technical issues to be reviewed; the specific questions to be resolved; whether the issue under discussion can be appropriately handled within the TIA process; the scope and depth of the response required by NRR; the resources NRR expects will be required to answer the questions; the priority the issue should take relative to ongoing NRR reviews; and the target dates for NRR's responses. These discussions may eliminate the need for a TIA or identify areas of the draft that need clarification. If the NRR staff identifies that additional information would be needed from the requesting office or a licensee to support the decision making, then the proposed TIA should not be accepted until this information is available, unless it is otherwise mutually agreed that the information can be obtained during the NRR review.

The TIA acceptance criteria and alternatives to the TIA process described in Appendix A should be discussed to ensure that the TIA process is appropriate for the issue(s) at hand. If an issue is resolved without formal documentation, the involved staff should consider whether a memorandum to file should be prepared to document the internal discussions and resolution.

The NRR participants in the discussion should include the TIA PM (DPR/PLPB), the PLPB branch chief, and appropriate technical staff (reviewer(s) or their branch chief(s)). If the TIA is generated by a region for a plant-specific issue, the DORL plant PM should be included on e-mail traffic and invited to any meetings. The requesting organization participants should include the applicable technical or inspection staff and their branch chief(s). Cognizant deputy division directors should be briefed on the draft TIA request and their comments incorporated into the draft submittal but they do not need to be included in the discussions. The



DIRS OpE Functional Area contact and branch chief, the NRR Enforcement Coordinator, the Generic Communications branch chief, and the Office of Nuclear Regulatory Research (RES) operating experience branch chief should be copied for awareness.

NRR staff must control and prioritize activities and will include those considerations when negotiating target response dates. NRR staff will give special attention to the following when considering priority:

- questions involving significant safety issues (e.g., potential greater than green findings)
- issues that could involve the loss of power production (i.e., a plant shutdown, derating, or delay in startup)
- issues related to an allegation, regardless of the risk or safety significance (see Section 7 of this document for more specific guidance on allegation-related TIAs)
- TIAs involving contested violations, inspection findings, or unresolved items (URIs)
- issues where uncertainties or conflicting views are impairing the public's confidence in the regulatory process

The participants should also discuss whether there are any restraints on discussing the issues with licensees or other external stakeholders, particular issues involving allegations or other pre-decisional concerns. If there is a possibility that the final TIA response should not be made publicly available, this should also be discussed as early in the process as possible. It is NRR's policy to make all final TIA responses publicly available within 1 week of signature unless there is a specific reason for withholding (e.g., proprietary information

The participants on the conference call should also address any potential circumstances that would warrant legal counsel from Office of the General Counsel (OGC).

Once participants achieve mutual agreement on the draft TIA request, the requesting organization should make any agreed on changes to the TIA request and have its deputy division director sign it before officially submitting it to NRR for review. If significant changes are needed based on interactions with NRR staff, the NRR staff may request to see the revised draft before it is officially submitted.

If the NRR staff concludes that a TIA is not necessary or appropriate, the requesting organization may appeal the NRR staff's decision by directly contacting the deputy division director of DPR by telephone or e-mail.

### 6.1.3 Formal Submittal of TIA Request

The formal TIA request should be addressed to the deputy division director of DPR with a copy to the PLPB branch chief, the TIA PM, and the DORL plant PM (if applicable).

Since the TIA request is pre-decisional, it should be profiled in ADAMS as non-public. The TIA process engages the affected licensee(s) before the TIA response is made public. If issues need to be addressed generically then the TIA process provides an exit path. The TIA process is not appropriate for anything that includes generic issues. However, non-public TIA requests may still be subject to public disclosure under the Freedom of Information Act (FOIA) (see MD 3.1).

### 6.1.4 Informing the Licensee

The TIA process should be viewed as an extension of the inspection process. Once the TIA has been accepted into the process, the requesting organization will schedule a call with the licensee to inform it of the initiation of the TIA process. The call should include a brief description of the issue if the TIA is associated with an URI stemming from an inspection and provide preliminary target dates for completion. The requesting organization will inform the TIA PM when the call has taken place by providing an email record containing the licensee contact name, title, and phone number. NRR and regional staff should remain in close contact throughout the TIA process to enable the regional staff to have substantive, timely communications with the affected licensee. The requesting organization should make every effort to make the process as transparent as possible, providing periodic status updates and engaging the affected licensees throughout the process. Regional staff should balance transparency with the potential consequences of sharing incomplete, preliminary information.

By informing the licensee that the TIA process has been entered, the licensee is afforded the opportunity to provide any voluntary information it feels would assist in the TIA review. Guidance on accepting and documenting additional information can be found in Section 6.3.1, Stakeholder Interactions.

## 6.2 Work Planning

This section describes the TIA PM's responsibilities for scheduling and coordinating the TIA review within NRR. If, during the review, the schedule for responding to a TIA needs to be revised, the change must be communicated to the requesting organization. The TIA PM should:

- (1) Ensure that the written TIA request (including the technical issue, target response dates, and questions) is consistent with previous discussions. If the TIA is not consistent, then the TIA PM and PLPB branch chief will consult the deputy division director of DPR to determine the next action(s).

- (2) Assign TIA number.
- (3) Obtain a Technical Assignment Control (TAC) number through the Time, Resource, and Inventory Management (TRIM) program. The TAC number should be profiled as follows:  
  
“Docket Related,” Activity Type “RA,” then select “Rx Lic – other licensing tasks – TIAs for power reactors – not fee billable.”
- (4) Prepare a work request form in accordance with the Center for Planning and Analysis (CPA) process to achieve and document mutually agreed upon milestone deadlines consistent with the target dates discussed during the TIA conference call (see Section 6.1.2). These target dates should have already accounted for the complexity, safety significance, and other priority considerations of the issue(s) as described in Section 6.1.2. They are noted, along with the responsible staff for the action, on the Biweekly Status Report. The TIA PM should update the associated CPA milestones in conjunction with issuing the Biweekly Status Reports.
- (5) Coordinate the TIA review with other organizations besides the NRR technical branches that may need to be involved. In instances where the requesting organization has the basis for the technical position established, the requesting organization is tasked with providing the input to the TIA response, rather than the NRR technical staff. The Office of Enforcement (OE) or NRR’s Enforcement Coordinator should be engaged if the TIA response is likely to conclude that a licensee practice was not appropriate and may result in an enforcement action. Furthermore, on issues that involve interpretations of policy or regulatory requirements, OGC should be consulted and a “No Legal Objection” may be required.

### **6.3 Conducting the Technical Review**

When evaluating the TIA questions, NRR staff should consider, as applicable:

- the plant’s licensing basis
- licensing history
- related existing NRC staff positions (if any exist)
- the likely risk significance of the issue(s) if not previously well understood

The staff should focus the scope of the TIA response on the questions provided in the TIA request, providing clear answers and where applicable, providing direct responses to any associated URIs. The TIA response should not address areas of staff concern beyond the initial TIA scope. Other issues identified during the TIA process should be directed to the appropriate process for resolution.

During the NRR technical review, the TIA PM is responsible for communication and project support for both the requesting office and the NRR technical staff. As

such, the TIA PM should either coordinate or be kept apprised of any communication or project developments.

Additionally, the TIA PM will support requests for additional information, if necessary. The need for RAIs should be minimized by ensuring appropriate background and reference information is identified during pre-submittal discussions.

The TIA PM will arrange for conference calls as needed throughout the technical review to keep the requesting organization informed of developments in the review and to facilitate any necessary exchange of information.

### 6.3.1 Stakeholder Interactions

The requesting organization and NRR staff should determine the need for any interaction with the affected licensee during NRR's development of a response (including the role of the requesting organization during such interactions). Unless there is a clear reason to keep the issues internal, interactions with the licensee are allowed in order to ensure the availability of clear, accurate, and complete information.

#### Verbal Interaction

If a licensee or other external stakeholder is to be contacted to obtain other information relevant to the review, the issue shall be discussed with the requesting organization to ensure that the NRR staff and requesting organization are aligned before initiating discussions. Regional staff will coordinate these discussions, which are most easily accomplished with a conference call. They do not need to be public meetings because TIAs are not licensing or enforcement processes and could result in the inappropriate disclosure and dissemination of preliminary, predecisional, or unverified information. The nature of the discussions should focus purely on information exchange or clarification rather than regulatory or enforcement debate, and no decisions or agreements should be made. The TIA PM shall document the discussion in a note to file. If information obtained during one of these discussions is used to support NRR's TIA response, then either the information shall be cited in the TIA response or the TIA PM's note to file that contains the information shall be placed in ADAMS and made publicly available.

#### Written Interaction

On occasion, the NRR staff or requesting organization may need additional information beyond that which could be obtained by the inspectors in the URI process. In this case, the staff requesting the additional information shall provide its requests for additional information to the TIA PM. The TIA PM shall then work with the requesting organization to issue the request. There may be cases where the TIA is not related to an URI. The TIA PM will then work with the requesting organization and the DORL PM to issue the request.

Requests for additional information for TIAs related to licensees are unique compared to RAIs for license amendment requests because the information requested will be used to answer a TIA, not to provide a “product” to a licensee. Answers to TIA requests for additional information are needed as they are often used as a basis to close an URI from a regional inspection. To facilitate obtaining the response, TIA requests for additional information should be provided to the licensee with a requested due date.

#### Voluntary Supplemental Information

Once a licensee has been informed that the TIA process has been entered, it may express interest in formally documenting its position or submitting supplemental information to assist in the review. Any information provided for staff review should be formally submitted to the region through the NRC Document Control Desk and docketed accordingly. The additional information should then be considered through the requesting organization to verify it does not obviate the need or change the questions for the TIA. Furthermore, the requesting organization should advise the NRR staff as to whether the information should be included as a part of the TIA review. If the information has been considered a part of the TIA review, the response schedule should be reviewed and adjusted, as necessary. The staff should assess the information and provide the NRR response and disposition in the TIA response.

#### 6.3.2 Exit Path for Issues Impossible or Impractical to Resolve through the TIA Process

In rare circumstances, it may become apparent during the TIA review that the issues raised in a TIA have become or are impossible or impractical to address through the TIA process. These situations should be largely prevented by proper screening of the issues against the TIA Acceptance Criteria in Appendix A. However if, for example, the NRR review reveals a deeper issue that may need to be addressed via rulemaking or the generic issues process before an adequate answer can be determined or a voluntary licensee submittal resolves the issue(s) through the licensing process, the TIA process may be impractical for resolving the issue(s).

The exit path described below should be employed whenever a TIA under review becomes dependent on a new process for closure. NRR and the requesting organization should discuss the case-specific circumstances to discontinue the TIA review and have a mutual understanding of the basis for using the exit path strategy. It is possible that only portions of the TIA may need to be resolved through an alternate process and that the other portions could still be answered through the TIA process. Such considerations should be discussed and agreed upon before taking action. Other considerations may include the immediate safety significance of the issue(s) or the regulatory functions (e.g., enforcement) expected to result from the TIA review that may be impacted by using this exit path process. As warranted, alternate actions should be agreed upon to address such considerations.

The exit path strategy should not be used as a routine process or as a means to circumvent the normal TIA process. It is only intended to be used when a TIA review cannot move forward on its own until another process is completed.

#### Exit Path Process

Once it has been determined that the issue involves generic implications, the issue will no longer be evaluated as a TIA. This will ensure duplicate work is not performed on the same issue. The TIA response itself should answer only the specific questions asked in the TIA request.

The TIA PM shall coordinate a meeting between the requesting organization (inspector, branch chief and division director or delegate), PLPB branch chief, NRR technical branches, generic communications branch (PGCB), DORL PM, and DPR deputy director. The purpose of this meeting is to discuss the closure of the TIA and the initiation of the review as generic communication. The staff will begin discussions on the type of product that will be issued (Rulemaking, Regulatory Issue Summary, Regulatory Guide, etc.).

Next, the TIA PM shall relocate the TIA from the “open” to “pending” list on the biweekly TIA status report. The TIA PM shall then close the TAC number(s) associated with the TIA. Both of these actions ensure that the TIA issues will continue to be tracked but will no longer tracked for timeliness.

Once the issues raised in the TIA are resolved by the alternate process (See Appendix A for various alternate process), the TIA PM shall prepare another memorandum to the requesting organization referencing the appropriate documents that provide final resolution to the issue, stating that the issue was resolved by another means, that the TIA is now considered closed. The memorandum shall have the same concurrence chain as a normal TIA response and it should be made publicly available. The TIA PM will then move the TIA from the “pending” list to the “closed” list on the Biweekly Status Report and update the TIA SharePoint site accordingly.

The TIA PM shall prepare a memorandum to the requesting organization describing the circumstances and follow-on actions. This memorandum should follow the same concurrence chain as a normal TIA response would, however, it should be profiled as non-public since it is pre-decisional. Any exit from a TIA for which resources have been expended, should be documented in a memorandum explicitly documenting the reason for closing the TIA process and any follow-on process that will be used to address the issues raised by the TIA.

If it is discovered that the alternate process is unable to resolve the issue(s) effectively, then the TIA may need to be reopened. If this is necessary, the TIA PM should hold a meeting to re-launch the TIA review and gain alignment among all appropriate staff from NRR and the requesting office on a new timeline and expected product. A new TAC number should then be taken out to support the work. This potential circumstance is why TIAs that follow the exit path strategy

are kept on the “pending” list; a TIA shall never be considered closed until its issues are resolved regardless of the process used to bring final resolution.

#### **6.4 TIA Response**

Responding to a TIA is a two phase process. The first phase is for NRR to issue a draft TIA response to the requesting organization for review and concurrence. Once the comments, if any, are resolved, the second phase is for NRR to issue the final TIA response, which then concludes the TIA process. The draft TIA response should therefore address all of the questions raised in the TIA and be complete in all material respects. It is during the draft response stage that the requesting organization and NRR collectively engage the affected licensee(s) about the pending result of the TIA before issuing it as final. This is discussed in more detail in the following sections.

##### **6.4.1 Draft TIA Response**

Once the appropriate technical branch or branches have completed their review of a TIA, their input(s) to the TIA response shall be provided to the PLPB branch chief with a copy to the TIA PM. The TIA PM will then disposition the input(s) into a draft TIA response memorandum. The memorandum should be from the DPR deputy director to the signatory from the original TIA request (or successor, as appropriate).

The draft TIA response memorandum has no strict formatting requirements, but should generally contain sections such as background, licensee position, regulatory or technical evaluation, conclusion, potential outcome paths, and references. The section describing potential outcome paths will outline a measured NRC response commensurate with the safety significance of the issue, address “old design issues” (as they relate to TIAs), and include discussion on enforcement discretion. When added to ADAMS, the title should have the following format: Draft TIA Response (Plant or Subject under Review), Issue. The answers to the TIA questions are best included within a regulatory or technical evaluation section. The OpE Clearinghouse will review the issue, considering factors that contribute to the significance of the issue and the potential for generic applicability that may have become more evident during the resolution of the technical issues.

##### **6.4.2 Concurrence Chain**

The draft TIA response memorandum shall then be circulated by the TIA PM to obtain NRR concurrences at the division level. This ensures that the NRR staff has reached internal agreement on the resolution of the TIA questions before providing it to the requesting organization. At minimum, the required concurrences shall include the branch chiefs from all technical branches involved with the review, the TIA PM, the PLPB branch chief, respective Division Directors, and the DPR deputy director. The draft response should also be concurred on by NRR’s enforcement specialist or OGC (“No Legal Objection,” rather than concurrence), as necessary, before providing to the requesting

organization. For plant-specific TIAs, concurrence by the DORL PM or DORL branch chief is not required, however, the TIA PM should place the DORL PM and OpE Functional Area Contact on distribution for the draft response to allow for comment. Distribution should also include all four regional offices, Deputy and Regional Administrators, RES, the Office of New Reactors (NRO), as well as other NRC organizations, and record management systems in accordance with standard document control policies.

When NRR concurrence is complete, management briefings will be held to discuss the proposed response (NRR and regional, as appropriate).

#### 6.4.3 Requesting Office Concurrence on Draft TIA Response

Once NRR concurrence is complete, the TIA PM should route the draft response memorandum to the requesting organization for concurrence. The request should ask that comments be received within 10 working days (two calendar weeks). The requesting organization should work with the TIA PM if more time is needed. At the midpoint of the comment period, the TIA PM should coordinate a call with the requesting organization and the technical staff to discuss possible comments. The requesting organization's comments, if any, can be informally emailed to the TIA PM rather than responding through a formal memorandum.

After the TIA PM receives the requesting organization's comments, he or she will forward them to the technical staff for review, as well as the enforcement specialist or OGC, as appropriate. Collectively, the NRR staff and TIA PM will disposition the comments. If some comments are not accepted for incorporation into the TIA response, the TIA PM will coordinate discussion of the disagreement with the requesting organization. Depending on the nature and substance of the comment(s) in question, this could be accomplished through e-mail but may require a conference call with the requesting organization. It should be noted that the regional deputy director signing the TIA request is now added to concurrence.

When an URI is involved, the TIA process is viewed as an extension of the inspection process. As such, the requesting organization should make every effort to make the process as transparent as possible, providing periodic status updates and engaging the affected licensees throughout the process. However, to prevent the inadvertent release of predecisional information, the requesting organization should inform the licensee of the preliminary conclusions, ONLY after the draft TIA response has been fully concurred on. This exchange can be conducted informally via phone or email.

#### 6.4.4 NRR ET Review Period

After concurrence from the requesting organization is obtained, the TIA PM will schedule a briefing for NRR's ET. The NRR ET will evaluate the TIA response for notable safety, environmental, or security concerns, and determine the need for licensee fact check opportunity. If the NRR ET evaluation determines that there are:



- a. No notable safety, environmental, or security concerns then the TIA response is issued as final.
- b. Notable safety, environmental, or security concerns then the licensee is provided the opportunity to review the draft TIA response in the resident inspector's office for a fact check. The licensee has 10 working days to provide any clarifying information. Any additional information is dispositioned and the final TIA response issued.

#### 6.4.5 TIA Exit Call

Once all technical comments on the draft TIA are addressed and the requesting organization has concurred, the requesting organization will schedule a formal TIA Exit Call to inform the licensee of the potential response and outcome before the final response is signed out.

The purpose of the discussion with an affected licensee is not to have a technical debate, but rather to ensure that the NRR staff has considered all relevant information in arriving at its conclusion and that the licensee is aware of the situation. These discussions do not need to be public, and as such, they shall not confer on any regulatory or enforcement decisions. The discussion should result in mutual understanding of the issue(s) and the NRR staff's conclusions as they will be documented in the TIA response. In cases where the TIA response is particularly long or technically dense, detailed discussions should be provided to allow licensee personnel to fully understand the technical analysis and impact.

#### 6.4.6 Final TIA Response

After the NRR ET evaluates the TIA response and the TIA Exit Call held, the TIA PM will circulate the final TIA response for final concurrence and signature. The DPR deputy director will have signature authority for the final TIA response.

The final TIA response shall be profiled as publicly available in ADAMS, unless reasons exist to keep it non-public (e.g., because it contains proprietary or other sensitive information). If there is a reason to keep the final response non-public, the staff involved should discuss whether it is appropriate to create a redacted version for public release. When added to ADAMS, the title should have the following format: Final TIA Response, (Plant or Subject under Review), Issue.

The timing of public release of a final TIA should default to the "normal release" option; this means that the document is not released publically until six working days after it is signed. The TIA PM can work with the requesting organization to support either an earlier or later release date, if warranted.

## **6.5 Backfit Considerations**

If it is determined that a staff's response to a TIA can be viewed as a new or changed staff position, then the TIA process is not appropriate. The regulatory function of backfitting and its associated activities are outside the scope of the TIA process. Backfit guidance can be found in LIC-202, "Procedures for Managing Plant-Specific Backfits and 50.54(f) Information Requests," and LIC-400, "Procedures for Controlling the Development of New and Revised Generic Requirements for Power Reactor Licensees." (See Section 6.3.2 for the Exit Path Process)

## **6.6 Enforcement Discretion**

Enforcement related decisions are outside of the scope of the TIA process. The requesting organization is responsible for all enforcement related decisions.

## **7. ALLEGATION-RELATED TIA CONSIDERATIONS**

A requesting organization may ask for technical assistance through the TIA process to resolve an issue raised in an allegation. The Office Allegation Coordinator (OAC) with responsibility for the allegation should become an integral part of the communication and project support during the TIA process. The OAC should be involved in initial discussions, the draft TIA request discussions, any RAIs or stakeholder interactions, the draft response, comment periods, etc., and should also be placed on concurrence for the final TIA.

TIAs related to allegations should be distributed on a "need-to-know" basis and should *not* be placed in ADAMS or stored on network drives. When complete, the TIA response will be assessed as to whether it can be made publicly available or placed in ADAMS; however, protection of the concerned individual will be maintained as provided in MD 8.8.

Additional guidance on how to handle an allegation can be found in MD 8.8, "Management of Allegations."

## **8. RESPONSIBILITIES AND AUTHORITIES**

### **TIA Program Manager**

The TIA PM in DPR/PLPB is the point of contact for all TIA related activities and is responsible for the proper implementation of this office instruction and recommending process improvements to the DPR deputy director. The TIA PM coordinates the TIA activities with the regions, other NRC offices, and NRR staff. Additionally, the TIA PM assigns the TIA tracking number, assigns review schedules, and is responsible for the quality and timeliness of the TIA response. Furthermore, the TIA PM will track NRR's performance in planning for and responding to TIAs through the biweekly status reports. These reports provide current information on the overall TIA program.

### Branch Chief, Licensing Processes Branch

The PLPB branch chief shall ensure that staff and other resources are provided to manage and execute the TIA program, including assignment of a TIA PM. The PLPB branch chief shall assist in the management of the TIA program and shall work with the TIA PM to correct problems and make improvements.

### Deputy Director, Division of Policy and Rulemaking

The DPR deputy director is the responsible manager for the NRR office level guidance related to the management of TIAs. The DPR deputy director has signature authority on individual TIA responses and is responsible for working with the requesting organization to resolve disagreements. The DPR deputy director will periodically discuss the TIA program with regional managers and other NRC organizations to assess the effectiveness of the program and solicit suggestions for possible improvements.

### Other NRR Staff and Managers

All NRR staff members and managers will support the TIA program by coordinating activities and communications with the TIA PM, PLPB BC, and DPR deputy director to ensure work satisfies expectations on quality, schedule, and resources.

## **9. PERFORMANCE MEASURES**

A TIA is considered open upon receipt of the formal request memorandum from the requesting office. During the initial TIA discussions, NRR and the requesting organization negotiate the target date for NRR's TIA responses based on available resources and the issue priority relative to other ongoing actions. Section 6.1.2 describes which TIAs will receive special attention when considering priority.

NRR's performance measure is that eighty percent of the TIA inventory should be completed by the original target date. A TIA is considered closed when NRR issues the *final* response memorandum.

## **10. REFERRALS TO ALTERNATE PROCESSES ("HAND-OFF" PATHS)**

For issues outside of the scope of the TIA process (e.g., does not meet criteria), the TIA PM shall take action to ensure the issue is placed in the appropriate process to be tracked to completion (i.e., generic communications, backfit, license amendment request, relief request, exemption, etc.).

## **11. DEVIATIONS FROM THE PROCESS**

For various reasons, the staff may find it necessary to deviate from the process outlined above (e.g., staff resources, increased safety significance). As the office instruction is considered staff guidance, occasional variances in the process can be accommodated. Any substantial deviations from the process will be documented in ADAMS as a memorandum from the TIA PM to the PLPB branch chief.

**12. TIA WITHDRAWALS**

There are cases where the TIA process has been initiated but is no longer warranted. In these cases, the TIA should be withdrawn from the process. The TIA PM should document the justification for the withdrawal in ADAMS, as a memorandum from the TIA PM to the PLPB branch chief. This serves as a record for the resources expended on the TIA effort, prior to withdrawal.

There may be instances after a TIA has been issued where the staff re-evaluates the TIA and its conclusions. The staff may determine that the conclusions were incorrect or determine that other regulatory tools are more suitable to address the concerns. In this instance, the deputy director of the requesting organization may request to withdraw the issued TIA. This can be accomplished with an e-mail to the DPR deputy director. The TIA PM will then send an e-mail to ADAMS IM requesting that the issued TIA be removed from the public domain and create an ADAMS package containing the issued TIA and the withdrawal request. This also serves as a record for the resources expended on the TIA effort, prior to withdrawal.

**13. CONTINUOUS IMPROVEMENT**

To promote continuous improvement of the TIA process, NRR provides quality surveys to the requesting organization upon completion of a TIA request. In addition, staff can offer suggestions for process improvement through the TIA Process Feedback Form. Samples of the quality survey and feedback form can be found on the TIA SharePoint site noted below:

<http://fusion.nrc.gov/nrr/team/dpr/plpb/Lists/TIA%20Log/AllItems.aspx>

Recommended changes should be vetted through the TIA Working Group.

**14. PRIMARY CONTACT**

Holly D. Cruz, NRR/DPR/PLPB  
301-415-1053  
[Holly.Cruz@nrc.gov](mailto:Holly.Cruz@nrc.gov)

**15. RESPONSIBLE ORGANIZATION**

NRR/DPR/PLPB

**16. EFFECTIVE DATE**

November 30, 2015

**17. REFERENCES**

None

Enclosures:

1. Appendix A - TIA Acceptance Criteria
2. Appendix B - TIA Flowchart
3. Appendix C - TIA Process Checklists
4. Appendix D - Change Notice History

## **Appendix A: Task Interface Agreement Acceptance Criteria**

### Acceptable Questions/Issues

Task Interface Agreements (TIAs) are suitable for addressing the following types of questions/issues, which are typically associated with an issue identified at a specific plant:

- policy or regulatory requirement interpretations
- plant licensing basis
- URI or inspection finding resolution
- NRR technical positions
- safety/risk significance of plant configurations or plant operating practices
- plant specific questions

### Questions or Issues Outside of TIA Process

The following types of questions/issues are not suitable for the TIA process:

- generic safety issues (refer to Division of Policy and Rulemaking (DPR)/Generic Communications Branch (PGCB) for possible generic communication, DPR for possible issue for resolution, or RES for generic issue screening)
- specific enforcement actions (regional offices must issue enforcement through the reactor oversight process (ROP); a TIA can inform, but should not make, enforcement decisions)
- plant backfit analyses (refer to DPR/PGCB for backfit related questions)
- disagreement with a previously stated staff position (refer to the non-concurrence or differing professional opinions processes)

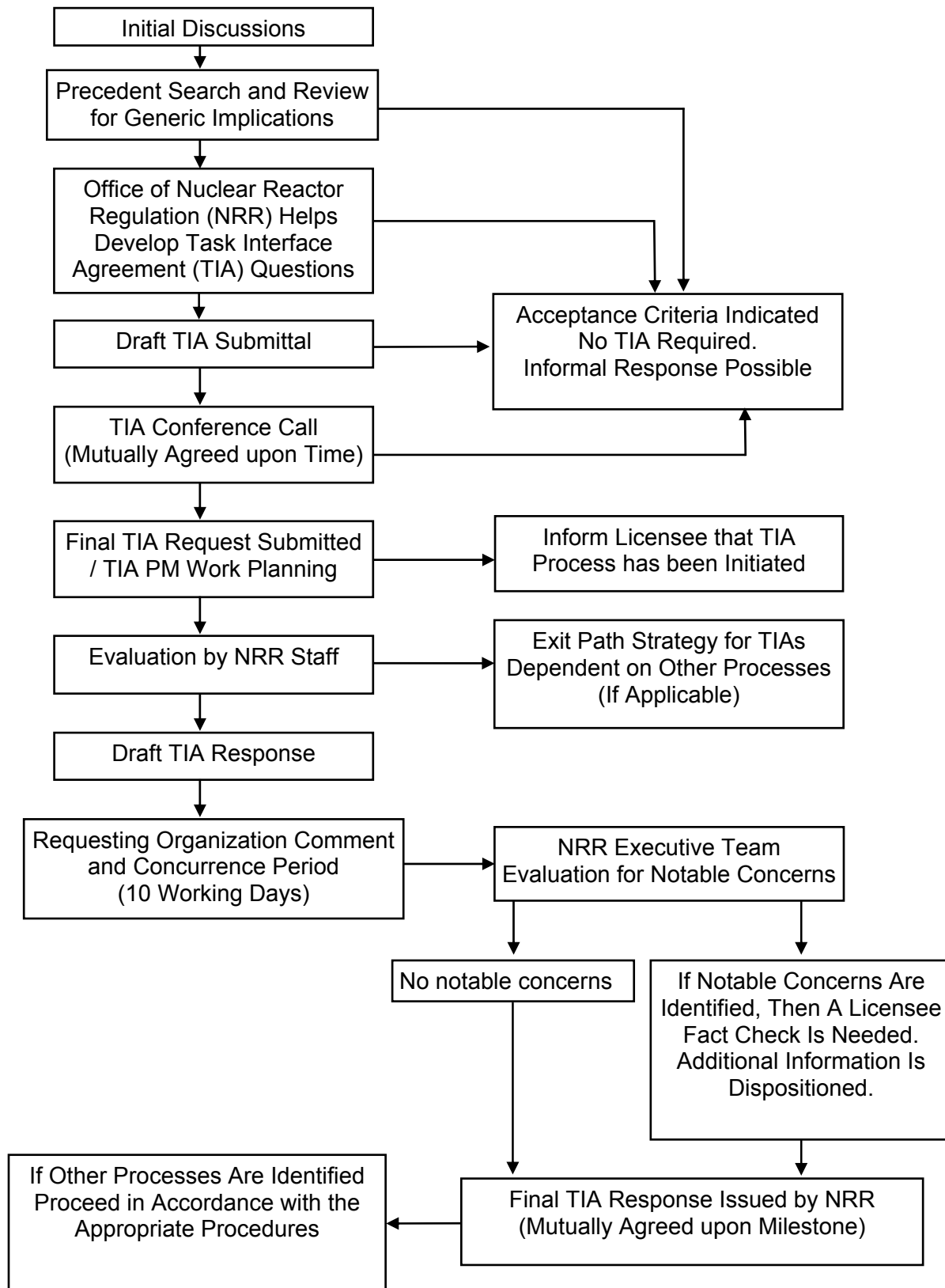
### When to use an Alternate Process (i.e., teleconference, email, etc.)

The most expedient method for resolving questions/issues should be used. Therefore, the formality of a TIA generally should not be used when:

- The response is straightforward and readily available.
- The issue is of very low safety significance and is not tied to an inspection report.
- The U.S. Nuclear Regulatory Commission (NRC) staff has previously expressed a position (regulatory guide, or other document).
- The question or concern relates to an issue that will be addressed as part of the significance determination process within the ROP.
- A more efficient means of answering a question would not compromise the NRC's regulatory function (e.g., would rely on a licensee's or vendor's evaluation).

- The inspection findings involve the performance of a risk significance evaluation that can be accomplished within NRR's current budgeted resources and does not require the added expenditure of responding to a TIA.

**Appendix B: Task Interface Agreement Flowchart**





## **Appendix C: Task Interface Agreement Process Checklists**

### Initial TIA Discussions

Task interface agreement (TIA) project manager (PM) coordinates discussion with requesting organization and Office of Nuclear Reactor Regulation (NRR) technical branches

TIA PM informs Division of Operating Reactor Licensing (DORL) PM of status for plant-specific TIAs

Determine if TIA is allegation related. If so, handle all incoming documents in accordance with Management Directive (MD) 8.8, "Management of Allegations."

TIA Preliminary Screening – Use Appendix A, "TIA Acceptance Criteria"

Perform precedent search. If precedent is found, consider restating previously documented position:

- Issue a regulatory issue summary.
- Redistribute the documentation of the position or policy.
- Send a reminder via email to respective counterparts.
- Incorporate the existing position or policy into higher level documents.
- Screen the TIA against generic issue criteria per MD 6.4.

#### If TIA is determined to be appropriate:

TIA PM and technical branches provide suggested content for draft TIA.

### Requesting Organization Submits Draft TIA

Hold TIA conference call/discussions with designated offices and divisions.

Discuss the technical issues.

Identify the specific questions to be addressed.

Determine the scope and depth of NRR's response and the resources needed.

Determine whether the proposed TIA should be submitted.

Does it meet acceptance criteria in Appendix A?

Negotiate target date for issuing the TIA response.

Determine whether the final TIA response can be released to the public and the timing for release.

Determine whether or not there are restraints on discussing the issues with licensees or other external stakeholders.

### Requesting Organization Submits TIA for NRR Evaluation

TIA PM ensures that the written TIA is consistent with previous discussions

TIA PM obtains Technical Assignment Number (TAC) number and completes Work Request

Requesting organization informs the licensee that the TIA process has been entered, noting the issue or associated unresolved issue

TIA PM coordinates with NRR's appropriate technical and licensing staff, Office of Enforcement (OE), Office of Nuclear Regulatory Research (RES), and Office of the General Counsel (OGC), as appropriate

TIA PM coordinates RAIs with the requesting organization

NRR technical staff and TIA PM identify and address any backfit issues

### Issuance of TIA Response

Management briefing held to discuss proposed response (NRR and regional, as appropriate).

TIA PM sends draft TIA response to requesting organization for review and concurrence within 10 working days

Hold TIA call to discuss possible comments at the mid-point of the comment period

Provide draft response to OpE Clearinghouse for review of safety significance/generic applicability

Requesting organization responds with any comments

Hold TIA call to discuss and resolve comments, if necessary

Schedule briefing with NRR's Executive Team (ET) to evaluate the TIA response for notable safety, environmental, or security concerns, and determine the need for licensee fact check opportunity.

If there are no notable safety, environmental, or security concerns then proceed to next step.

If there are notable safety, environmental, or security concerns then the licensee is provided the opportunity to review the draft TIA response in the resident inspector's office for a fact check. The licensee has 10 working days to provide any clarifying information. Any additional information is dispositioned by the staff.

TIA Exit Call held with the licensee to discuss the potential response and outcome

NRR/DPR issues final TIA response, typically publicly available

Screening for consideration in other processes (e.g. generic communications)

### Routine Staff to be included in TIA Correspondence

TIA PM, Licensing Processes Branch (PLPB) branch chief, DPR deputy director

DIRS OpE functional area contact and branch chief

NRR generic communications branch chief

NRR enforcement coordinator (as needed)

OGC (for "no legal objection, as needed)

RES operating experience branch chief (as needed)

RES, regional offices, and the Office of New Reactors should be included on electronic distribution of draft and final TIA responses (as needed)

Responsible NRR technical branch(es) branch chief(s) and reviewer(s)

Periodic Calls and Reports

Biweekly status reports and reactor oversight process directors calls  
TIA status provided in the quarterly Inspector Newsletter  
Quarterly ET status through OpE briefings  
Center for planning and analysis milestones

**Appendix D: Change History****Office Instruction COM-106**

<b>COM-106 – Change History, Page 1 of 1</b>			
<b>Date</b>	<b>Description of Changes</b>	<b>Method Used To Announce and Distribute</b>	<b>Training</b>
11/26/01	Initial Issuance	E-mail to NRR staff	DLPM PM Briefing
12/24/02	This Office Instruction COM-106, "Control of Task Interface Agreements," update provides; 1) a general revision to increase management oversight of the process, 2) requires a statement regarding plant applicability for the TIA response, 3) adds a 30 day response requirement for the requesting organization on the draft TIA, 4) changes the goal to 80% of the draft responses sent to the requesting organization by latest agreed upon schedule, and 5) several editorial changes.	E-mail to NRR staff	DLPM PM Briefing
11/30/05	The changes implement the guidance in MD 8.8 and NRR OI OVRST-200 for processing TIAs related to allegations; incorporate the guidance in NRR OI LIC-401 for interacting with NRR/DIRS/OE and DPR/GCPU on potential generic issues; changes the timeliness goal for draft TIA responses to 100%, and implements the NRR reorganization. Other changes include providing a step by step process.	E-mail to NRR staff	DORL PM Briefing
03/17/08	These revisions reflect the reorganization of NRR and the coordination of the TIA program by the Special Projects Branch in the Division of Policy and Rulemaking and process modifications based upon a best practice examination and Regional/NRR Division feedback. The changes include the incorporation of a Concurrence Method and a Letter Method for completing TIA responses, and revised performance metrics for completion.	E-mail to NRR staff	None
12/30/13	These revisions reflect regional suggestions for improvement and lessons learned from continued use of the process, including the Concurrence Method added in the last revision. The changes include increased communication mechanisms and a restructuring that aims to better detail the process steps and differences between the Letter Method and Concurrence Method. This revision also provides consistent methods for communicating with the licensee/industry, improving the public transparency of the process.	E-mail to NRR staff	None
11/20/15	This is Revision 5 of Office Instruction COM-106, "Control of Task Interface Agreements." Revisions reflect the OIG recommendation to revise the TIA timeliness goals as well as process modifications based upon headquarters and regional feedback and lessons learned from continued experience.	E-mail to NRR staff	None