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JAN 25 1993

MEMORANDUM FOR: Frederick C. Combs, Chief
Operations Branch
Division of Industrial and Medical
Nuclear Safety
Office of Nuclear Material Safety
and Safeguards

FROM: J. Philip Stohr, Director
Division of Radiation Safety
and Safeguards

SUBJECT: COMMENT ON DRAFT REVISION OF INSPECTION MANUAL CHAPTER (MC)
2601, TEAM ASSESSMENTS

This is in response to your memorandum dated December 17, 1992, requesting comment on the above draft MC. We agree that the MC needs substantial revision based on the results of the Westinghouse assessment and have enclosed several comments on your proposed revision. There are three issues I would like to highlight.

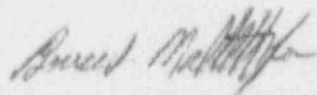
Given the recent reorganization in NMSS and the assignment of Operational Safety Assessment (OSA) lead to NMSS, we suggest that the MC be revised to accommodate this, particularly with regard to lead responsibility for the selection of the team leader, development of the plan, implementation of the assessment, evaluation of the findings, and issuance of the report.

With regard to the scope of the OSA, we suggest that, in general, the OSAs at fuel facilities concentrate on the areas of greatest safety benefit, criticality safety, operations, maintenance and surveillance, safety assessment and engineering, management controls, configuration control, and training related to these topics. Given that the teams are to be limited in size, we suggest that other areas, such as radiation protection, not be included in the OSAs.

With regard to the method of assessment, I suggest that the assessment criteria not be defined as "good practice," which could be viewed as what an individual inspector believes is acceptable. Since this is an agency assessment, the assessment should be based on well-defined and agency-adopted criteria. I suggest that these criteria be defined in the MC.

If you have any questions, please give me a call.

Sincerely,



J. Philip Stohr, Director
Division of Radiation Safety
and Safeguards

Enclosure: (See page 2)

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Frederick C. Combs

2

JAN 25 1993

Enclosure:
Specific Comments

cc w/encl:

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A. Callan, Region IV
R. Scarano, Region V

bcc w/encl:

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RII:DRSS
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RII:DRSS
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01/25/93

ENCLOSURE

SPECIFIC COMMENTS

1. 2601-02 - We do not believe that the primary objective of a team assessment should be to review existing operational conditions at a facility based primarily on "good practice". We suggest that the objectives should be to determine whether: 1) the licensee is operating the facility in a safe manner, 2) an adequate regulatory basis exists, and 3) the licensee is complying with regulatory requirements. In that regard, the licensee's performance should be compared to: 1) regulations, 2) license conditions, 3) the license application demonstration section, 4) licensee procedures, 5) Regulatory Guides, 6) Branch Technical Positions (BTP), and 7) applicable consensus standards (eg ANSI). If other "good practices" are to be applied to licensee performance, they should be first adopted by the NRC by Regulatory Guide or BTP.
2. 03.02 - We recommend that the term "Inspector Follow-up Item" be changed to "Open Item" to be consistent with Manual Chapter 0610.
3. 03.03 - We suggest that the term "Licensing Item" be clarified as to reflect whether it refers only to items which require an immediate license amendment submittal, or also includes those items which can be addressed in a subsequent license renewal application.
4. 03.07 - The definition of the term "Unresolved Item" should be modified slightly to be consistent with that used in Manual Chapter 0610.
5. 2601-04 - As a result of the recently announced reorganization within the Office of Nuclear Material Safety and Safeguards, we suggest that this section be revised since assessments will be the responsibility of NMSS. Those items listed as DRSS Division Director responsibility regarding planning and conduct of the OSAs should be now assigned to the appropriate NMSS Division Director. This would include assignment of the term under providing technical and administrative support, assessing the findings, issuance of the report and enforcement actions.
6. 04.02 - We suggest that responsibilities of regional DRSS Division Directors be as follows: 1) designate regional staff members for the roster of qualified team members and ensure they have the necessary training to perform their team assignments, 2) provide regional staff when requested by NMSS to participate in assessments, 3) and adjust the routine inspection program during years when assessments are performed. Development of the notebook of general procedures and background information should be the responsibility of the team leader. The assessment report should be issued by NMSS.
7. 04.07 - Given the recent reorganization, we suggest that the team leader be a member of NMSS staff. In addition, the term "host region" should be replaced with "NMSS". We suggest that the team leader should also

ensure that the final report is prepared and distributed in accordance with Manual Chapters 0610 and 0611.

8. 04.08.e - Team Members should assure that sufficient detail concerning their findings are included in the final report. This will facilitate ultimate followup and closure of findings.
9. 05.01.b - For 10-year licenses, we suggest that assessments be performed two years prior to renewal, three years following renewal, and at other times when licensee performance warrents.
10. 05.02 - We suggest that team members be qualified in accordance with MC 1245, if it is decided that team members need not be qualified inspectors, we suggest as a minimum that team members be qualified license reviewers in the technical specialty they are to inspect, and that they have taken the fundamental of Inspection course.
11. 05.02 - Given the recent reorganization, NMSS should be responsible for team composition and team member assignments, including invitations to other state or federal agencies. In addition, the term "host region" should be replaced by "NMSS".
12. 05.03 - The briefing book is highly desirable but drawings and flow diagrams may not be readily available, and for some facilities, are classified. The book should provide the general information about the facility, organization, activities and processes. Each team member may be looking at different processes and a book which satisfies everyone may be too bulky and unwieldy. General information is desired. The briefing book should also include the assessment plan information discussed in 05.03.e. In addition, we suggest that the method of handling violations be reassessed.

We suggest the information be provided to team members two weeks before the assessment. In addition, since the OSA will constitute a major portion of the inspection effort for the year at the facility and since the effort required to document findings in sufficient detail to allow subsequent followup is not substantially different than that necessary to document violations, we suggest that all violations be documented in and issued with the OSA report. If they are not to be issued with the report, we suggest that Severity Level 4 or 5 violations noted be documented in the assessment report to the extent necessary to substantiate a subsequent Notice of Violation (See MC610 and the Enforcement Manual).

13. 05.05.c - We believe that the team leader should be responsible for putting the report together and putting it into the appropriate concurrence chain. Again, given the reorganization, DRSS responsibilities should be assigned to NMSS.
14. 05.06.c - We suggest that the Radiation Safety procedure be deleted and the Maintenance and Surveillance and Training procedures be added.

ENCLOSURE

3

15. 05.08 - We suggest that this section suggest rather than require any subsequent enforcement conferences or management meetings. In addition, "NMSS" should be substituted for "host region".