



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

April 11, 2000

MEMORANDUM TO: Frank J. Congel, Director
Incident Response Operations

FROM: Ellis W. Merschoff, Regional Administrator */RA/*

SUBJECT: Revision of Management Directive 8.3, "NRC Incident Investigation Program"

Thank you for the opportunity to provide comments on the subject document that was forwarded by your memorandum dated March 17, 2000. Our answers to your three questions and specific comments on the revised Management Directive are enclosed. In general, we found that the revision of the management directive appears to provide improved guidance with respect to the use of risk insights in the decision making process associated with incident response for operating reactor programs. The use of overlapping ranges of conditional core damage probability provides for a flexible application of risk insights in the decision to charter special inspections, augmented inspections, or incident investigation teams. Additionally the specific values suggested for the thresholds appear to be reasonable.

Should you have any questions concerning these comments, please contact T. H. Andrews of my staff at (817) 860-8233.

Enclosure: Region IV Comments

cc:
F. Miraglia, DEDR
H. Miller, RI
L. Reyes, RII
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REGION IV COMMENTS

Answers to Questions:

Question: Should the revised MD 8.3 define in more detail NRC management's role regarding the activation of an SI and the purpose and objectives of the SI team?

Response: No, the guidance provided is sufficient.

Question: Should the revised MD 8.3 contain activation criteria regarding an SI response for reactor events?

No, the guidance provided is sufficient. The deterministic and probabilistic decision criteria should be co-located in the guidance to assure that both sets of criteria are consistently applied. As written, the guidance provides the deterministic criteria in the section entitled "Significant Operational Event," whereas the probabilistic criteria is located in the section related to risk insights which is found several pages later.

Question: Should the revised MD 8.3 contain additional risk-informed deterministic activation criteria regarding non-reactor events such as fuel cycle facilities or research reactors?

Response: At the present time, the criteria for activating an AIT or IIT are sufficient for defining the level of investigation response for fuel cycle facilities without being overly prescriptive. Given that the fuel cycle inspection program is currently being revised, to be more risk-informed, we recommend that MD 8.3 not be revised at this time to incorporate additional criteria for investigation of incidents at fuel cycle facilities in order to avoid any potential conflicts with the final inspection program/oversight guidance. This issue can be re-examined when the final inspection program guidance for fuel cycle facilities is available.

Specific Comments on Proposed Text of MD 8.3 are as follows:

- 1) The discussion regarding NRC's event investigation program on page 1 of MD 8.3 does not specify that SI teams may be formed in response to an event that occurs at a power reactor facility. This may lead the reader to conclude that the program applies to materials facilities as well as power reactors. We recommend that clarification on the SI team inspection program be provided in the first paragraph of the management directive.

- 2) On page 2 of MD 8.3, paragraph (034) should be modified to add the following statement: "Approves the AIT and IIT inspections of operational events and ensures that followup actions are taken."
- 3) On page 3 of the Handbook, under the AIT discussion, we recommend that additional detail be included for the first item identified as a criteria for implementing an AIT. Specifically, the criteria should specify that the event led to a radiological release, or loss of control of byproduct, source, or special nuclear material or a release of byproduct material to unrestricted areas that led to an occupational exposure or exposure to a member of the public *in excess of an applicable regulatory limit*.
- 4) On page 4 of the Handbook, the third item under AIT discussion should be either deleted or additional detail added. As currently stated, a significant number of medical events would qualify for consideration of an AIT since a misadministration involving a dose in excess of the prescribed dose requires review by a special contractor or medical consultant in accordance with MD 8.10. We recommend that this item be deleted and that the criteria for implementing an AIT be focused on safety consequences or generic issues associated with an event.
- 5) On page 5 of the handbook, responsibilities for the Director, Office of Nuclear Reactor Regulation and for the Director, Office of Nuclear Material Safety and Safeguards includes identification and providing staff to be members and leaders of IITs and AITs. How can this be accomplished for AITs since NRR no longer keeps qualified inspectors?
- 6) Pages 23 and 26 of the MD 8.3 handbook state that AIT reports should be completed within 30 days of activation of the AIT. This requirement should be changed to "within 30 days of completion of onsite inspection."
- 7) On page 24 of the handbook, the note contained in the second bullet for the duties of the Director of NRR should be made into an action statement.
- 8) On page 24 of the handbook, the note contained in the third bullet for the duties of the Director of NRR should be eliminated as this is internal task assignment of NRR personnel. A similar statement is not included for the Director, NMSS duties.
- 9) On page 25 of the handbook, the bullet (vii) should be revised to remove "transcription services" since the region does not provide this service.
- 10) On page 28 of the handbook, under "Conduct of Augmented Inspection," the fifth item on this page (which refers to an IIT) should be deleted.

bcc:
 K. Brockman
 A. Howell
 D. Chamberlain
 T. Andrews

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