NRC FORM 464 Part I
(6-1998)

U.S. NUCLEAR REGULATORY COMMISSION

RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

FOIA/PA	RESPONSE NUMBER
2000-0238	1

RESPONSE TYPE ☑ FINAL ☐ PARTIAL

REQUESTER	DATE
Jairo Pinzon	MAY 22 2000

PART I. -- INFORMATION RELEASED

- ☐ No additional agency records subject to the request have been located.
- ☐ Requested records are available through another public distribution program. See Comments section.
- ☐ APPENDICES _____ Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- ☑ APPENDICES A Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- ☐ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.
- ☑ APPENDICES A Agency records subject to the request are enclosed.
- ☐ Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- ☐ We are continuing to process your request.
- ☐ See Comments.

PART I.A -- FEES

AMOUNT * $

* See comments for details

- ☐ You will be billed by NRC for the amount listed.
- ☐ You will receive a refund for the amount listed.
- ☑ None. Minimum fee threshold not met.
- ☐ Fees waived.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- ☐ No agency records subject to the request have been located.
- ☐ Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- ☐ This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Natalie Brown

Carol Ann Reed

APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY

NO.	DATE	DESCRIPTION/(PAGE COUNT)
1.	7/24/78	Memorandum for R Keimig from P Nolan, Subject: Interpretation of Technical Specification Requirements for Off-Site Committee Audit Functions - Memorandum Dated June 29, 1978 - AITS F14707H2 (3 pages)

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

July 24, 1978

MEMORANDUM FOR: R. Keimig, Chief, NSS No. 2, RO&NS Branch, RI

THRU: J. H. Sniezek, AID for Field Coordination, DROI, IE

FROM: P. J. Nolan, Field Coordination, DROI, IE

SUBJECT: INTERPRETATION OF TECHNICAL SPECIFICATION REQUIREMENTS FOR OFF-SITE COMMITTEE AUDIT FUNCTIONS - MEMORANDUM DATED JUNE 29, 1978 - AITS F14707H2

Information contained in the subject memorandum was discussed with J. McGough, Chief, STS Group, NRR, and the following comments are provided for your use.

Item 1 - This item is concerned with differences in TS requirements for the Company Nuclear Review and Audit Group (CNRAG), as defined in STS and plant specific TS. Specifically, Section 6.5.2.8 of plant specific TS states that audits shall be performed under the cognizance of the CNRAG which encompass: "C. The results of all actions taken to correct deficiencies occurring in facility equipment, structures, systems or methods of operation that affect nuclear safety at least once per six months." The word "all" is deleted from this requirement in the STS and TS for some newly licensed facilities because of the confusion that has resulted in its use.

McGough stated that the NRR intent for this requirement has always been that the CNRAG audit of deficiencies need only include a sample of sufficient size to determine that deficiencies are being corrected on a systematic basis; i.e., does the correction system work. He also stated that the STS were revised to clarify this position when NRR learned that some licensees were inferring that a 100% sample was required. It was intended that the sample be drawn from a field that encompassed all actions.

Item A - Based on the above NRR position, it is acceptable for licensees to use sampling methods for the STS requirement which do not include the word "all" and those plant specific TS which contain the word "all".

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Item B - The threshold for determining that a deficiency "affects nuclear safety" includes all deficiencies that could adversely affect the required performances of safety related structures, systems and equipment. Although the threshold for each structure, system and component will vary and may in some instances transcend reportability, a good guide to use is, if the matter is reportable, it affects nuclear safety.

Item C - The extent to which licensees must document the bases for identifying deficiencies which are subject to the audit process. The NRC has never established a formal policy for this specific function. However, it should be recognized that the NRC has established specific requirements for reporting of deficiencies which occur on safety related structures, systems, components, and procedures. These requirements are addressed in Regulatory Guide 1.16 for operating facilities and 10 CFR 50.55e for facilities under construction. The bases used for reporting appear sufficient for application to this function.

Item 2 - This item is concerned with requirements for audit methodology and reports. The NRC has not established a policy regarding the type of information that should be included in CNRAG audit reports. This information would be described in the licensee's administrative control procedures for the CNRAG. While ANSI N45.2.12 as referenced by ANSI N18.7 does contain guidance on how audit activities should ideally be conducted, these standards do not specifically apply to the CNRAG.

Item 3 - This item is concerned with the delegation of audit functions/responsibilities to other organizations or groups. By memorandum (to Regional Directors from J. H. Sniezek dated April 28, 1978) the issue of how a committee is intended to act on responsibilities identified in the technical specifications was resolved. Aside from this guidance, detailed criteria have not been established. The basic NRC philosophy is that the licensee has the option of adopting any audit concept which will accomplish the intended purpose.

Addendum Item - This item is concerned with audits performed at the Peach Bottom facility. Based on information discussed in the addendum, it appears that the committee has adopted a technique which has the capability of identifying deficiencies that affect nuclear safety. Therefore, as discussed in the answer to item 3 above, it is an acceptable system from an NRC standpoint unless experience shows that it does not satisfy its intended function.

With regard to the second item, it is our position that the licensee should have been cited for failing to perform the required audit at six month intervals as specified in TS 6.5.2.8.c.

F. J. Nolan
Field Coordination
DROI, IE

cc: J. McGough, ORB/NRR