

April 26, 2001

Mr. Bruce Mabrito
Director of Quality Assurance
Center for Nuclear Waste Regulatory Analyses
6220 Culebra Road, Bldg. 189/A121
San Antonio, TX 78238-5166

SUBJECT: INPUT FOR OBSERVATION AUDIT REPORT OAR-01-04, ENGINEERED
BARRIER SYSTEM PROCESS MODEL REPORT (IM20.01402.331.113)

Dear Mr. Mabrito:

We have reviewed the Center for Nuclear Waste Regulatory Analyses' (CNWRA's) March 28, 2001, letter to the U.S. Nuclear Regulatory Commission (NRC) which transmitted pre-decisional input for NRC Observation Audit Report No. OAR-01-04 for the U.S. Department of Energy's (DOE's) audit of the Engineered Barrier System Process Model Report (PMR) at its Las Vegas, Nevada, facilities on February 20-23, 2001. Based on our review of this input, we consider that the CNWRA's March 28, 2001, submittal fulfills the Intermediate Milestone Number 20.01402.331.113 for support during the NRC's observation activities for the DOE Engineered Barrier System PMR audit.

Although the deliverable was considered acceptable, the timeliness of the deliverable was unacceptable. The observation was performed on February 20-23, 2001, and the date that the CNWRA input was received was on March 28, 2001. The CNWRA has been informed that NRC management wants the observation reports issued within 30 days after the completion of the audit. Because we received the input for this observation report 33 days after the completion of the observation, the report was not issued within the desired 30 days stipulated by NRC management. The previous CNWRA audit observation input for the Unsaturated Zone Flow and Transport was very timely with the formal transmittal of the CNWRA deliverable being received 7 days after the audit exit.

Please review the circumstances that caused the delay in delivery of the CNWRA input for the Engineered Barrier System PMR audit observation and the circumstances that resulted in the timely delivery of the input for Unsaturated Zone Flow and Transport PMR audit observation. Future inputs should be transmitted to the staff within 10 working days after the completion of the audit observation. However, for observations of non-performance-based audits such as compliance-based vendor and internal audits where the CNWRA only provides personnel to support observation of quality assurance activities, and there are no controversial observations, formal inputs should be transmitted sooner than 10 working days after the audit. Further, if conditions permit, we would like for the CNWRA observers to provide a "rough draft" of their input to the observation team leader on the day of the audit exit. This "rough draft" will permit the observation team leader to start preparing the report prior to receipt of the formal input from the CNWRA. The "rough draft" may be typed or legibly handwritten, and may be formal text or a detailed outline with bullets. Similar "rough drafts" were provided to the observation team leader

for both the Disruptive Events PMR and Unsaturated Zone Flow and Transport PMR audit observations and resulted in a very timely issuance of the observation reports.

If you have any questions regarding the above comments, please contact me at (301) 415-5000. I appreciate your cooperation in this matter.

Sincerely,

/RA/

Larry Campbell
Senior Quality Assurance Engineer
High-Level Waste and Performance
Assessment Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

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