



**Department of Energy**  
Office of Civilian Radioactive Waste Management  
Yucca Mountain Site Characterization Office  
P.O. Box 98608  
Las Vegas, NV 89193-8608

**JUN 03 1996**

Wesley E. Barnes, Project Manager, YMSCO, NV

ISSUANCE OF SURVEILLANCE RECORD YMP-SR-96-012 RESULTING FROM YUCCA MOUNTAIN QUALITY ASSURANCE DIVISION'S (YMQAD) SURVEILLANCE OF THE YUCCA MOUNTAIN SITE CHARACTERIZATION OFFICE (YMSCO)  
(SCPb: N/A)

Enclosed is the record of Surveillance YMP-SR-96-012 conducted by the YMQAD at the YMSCO facilities in Las Vegas, Nevada, May 6-10, 1996.

The purpose of the surveillance was to evaluate incorporation of 10 CFR Part 21 reporting requirements into Yucca Mountain Site Characterization Project procedures.

There were no deficiency documents generated as a result of this surveillance.

This surveillance is considered completed and closed as of the date of this letter. A response to this surveillance record and any documented recommendations is not required.

If you have any questions, please contact either Mario R. Diaz at 794-1489 or Kristi A. Hodges at 794-1464.

Richard E. Spence, Director  
Yucca Mountain Quality Assurance Division

YMQAD:MRD-1835

Enclosure:  
Surveillance Record  
YMP-SR-96-012

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JUN 03 1996

Wesley E. Barnes

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cc w/encl:

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OFFICE OF  
RADIOACTIVE WASTE MANAGEMENT  
U.S. DEPARTMENT OF ENERGY  
WASHINGTON, D.C.

QUALITY ASSURANCE SURVEILLANCE RECORD

SURVEILLANCE DATA

<sup>1</sup>ORGANIZATION/LOCATION:

Yucca Mountain Site  
Characterization Office, Las  
Vegas, Nevada (YMSCO)

<sup>2</sup>SUBJECT:

10 CFR Part 21 reporting requirements

<sup>3</sup>DATE: 5/6-10/96

<sup>4</sup>SURVEILLANCE OBJECTIVE: To status the incorporation of 10 CFR Part 21 reporting requirements in Project procedures.

<sup>5</sup>SURVEILLANCE SCOPE:

The surveillance will evaluate the status in developing Project/Program-level procedures to implement 10 CFR Part 21 reporting requirements.

<sup>6</sup>SURVEILLANCE TEAM:

Team Leader:

Kristi A. Hodges

Additional Team Members:

N/A

<sup>7</sup>PREPARED BY:

Kristi A. Hodges

Surveillance Team Leader

5/5/96

Date

<sup>8</sup>CONCURRENCE:

N/A

QA Division Director

Date

SURVEILLANCE RESULTS

<sup>9</sup>BASIS OF EVALUATION/DESCRIPTION OF OBSERVATIONS:

See Page(s) 2-3

<sup>10</sup>SURVEILLANCE CONCLUSIONS:

See Page(s) 3

<sup>11</sup>COMPLETED BY:

K.A. Hodges

Surveillance Team Leader

5/30/96

Date

<sup>12</sup>APPROVED BY:

David San

QA Division Director

6/3/96

Date

**Block 9 (continued) BASIS OF EVALUATION/DESCRIPTION OF OBSERVATIONS:**

On May 6 through 10, 1996, a surveillance was performed at YMSCO at the Hillshire Facility in Las Vegas, Nevada. The purpose of the surveillance was to evaluate the status of incorporation of 10 CFR Part 21 (Part 21), "Reporting of Defects and Noncompliance" reporting requirements into Yucca Mountain Project (YMP) procedures.

Part 21 reportable conditions include defects in basic components or noncompliance, either of which, based upon an evaluation, could create a substantial safety hazard. Part 21 is not legally imposed on the Office of Civilian Radioactive Waste Management (OCRWM) or its contractors prior to issuance of a repository construction authorization; however, in September 1994, OCRWM made a determination, based upon legal counsel, to voluntarily implement the intent of Part 21 with respect to U.S. Nuclear Regulatory Commission (NRC) notification during site characterization.

Part 21, by itself, is not considered a QA issue, however, implementation of a Part 21 program will require involvement of QA procedures. One such procedure is YAP-15.1Q "Control of Nonconformances," (currently at Revision 2, ICN 1). Paragraph 5.2.3d directs the Specifying Organization QA/Quality Control (QC) to perform a reportability review in accordance with Attachment 9.5, and to document this review by checking the Reportable or Non-Reportable box in the Nonconformance Report Block 6 (QA Concurrence with Disposition). It then directs the Specifying Organization QA/QC to notify the YMQAD Director upon determination of a reportable condition.

Attachment 9.5 of YAP 15.1Q provides criteria for determining whether a reportable condition exists; however, there is no established process for initiating a Project or Program-level review should the YMQAD Director be notified of a reportable condition. In addition, the protocol for NRC notification of Part 21 conditions has not been established.

A Document Action Request (DAR) was initiated and approved per YAP- 5.1Q, Revision 2, "Document Development, Change, Review, Approval, and Acceptance Control," on February 16, 1996. The DAR requested that documented rationale for Part 21 reportability determinations be incorporated into YAP-15.1Q.

During the course of the surveillance, it was found that an Administrative Procedure (AP) has been in the drafting stage for approximately two years. There had been a lot of discussion and preliminary review; however, the procedure was put "on hold" after its author left the Project. The task has since been reassigned and the procedure redrafted, which entered the Quality Assurance Procedure (QAP) 6.2, "Document Review" process on May 15, 1996. The realization that a Program-level procedure, is, in fact, close to completion served as the basis for postponing the YAP-15.1Q DAR pending release of the AP. Although a preliminary draft of AP-32.6, "Reporting of Defects and Noncompliance to Meet the Intent of 10 CFR Part 21," Revision 0 was made available for review during the surveillance, a critique of its content was not within the scope of this surveillance. The adequacy of the procedure will be evaluated during the formal review process.

**Personnel Contacted**

Sharon Barkin, CRWMS M&O, Technical Publications Management  
Nancy Chappell, Project Management Organization, Compliance Support  
Rob Howard, CRWMS M&O, Product Integrity  
Sandra Moore, CRWMS M&O, Technical Publications Management  
Jim Schmit, YMQAD/Quality Assurance Technical Support Services

**Block 10 (continued) SURVEILLANCE CONCLUSIONS:**

Based upon procedure/documentation reviews and personnel interviews, the status for incorporation of Part 21 requirements into YMP procedures is progressing satisfactorily; considering the Draft A status of AP-32.6, which has been distributed for QAP 6.2 review. Establishment of a Program-level procedure is considered a positive step in meeting Part 21 reporting requirements, as well as clarifying the intent of those requirements.

There were no deficiency documents issued as a result of this surveillance; however, there are four recommendations for management consideration, as follows:

1. Identify additional procedures that will require Part 21 reportability determinations; e.g., procurement procedures. These procedures will need to be revised to interface with the AP upon its issuance.
2. Cancel or revise the Regulatory Compliance Plan to be consist with the AP approach.
3. The AP-32.6 DAR recommends classroom training for affected managers only and self-study otherwise. It is recommended that AP-32.6 classroom training be required for those with designated procedure actions, as well as those who are likely to encounter reportable conditions; i.e., procurement, inspection, quality assurance, and A/E personnel.
4. Upon release of the AP-32.6 for QAP 6.2 review, ensure that those organizational entities that are likely to have procedure actions or encounter Part 21 reportable conditions; e.g. Kiewit/Parsons Brinckerhoff, are provided opportunity to review and comment on the draft AP.