

**COMMENTS ON STP-02-074**

**SA-101**

**STATUS OF MATERIALS**

**INSPECTION PROGRAM**

**From:** Richard Woodruff  
**To:** "stp-announcements@nrc.gov".nrcgwia.GWIA@nrc.gov; Schneider, Kathleen  
**Date:** 10/31/02 11:12AM  
**Subject:** Re: STP-02-074 - Opportunity to Comment on Draft Revision to STPProcedure SA-101

In reply, I have the following minor comment:

1. The date performed on the sample on the Inspection Status Worksheet should be **6/1/03**.

Otherwise....Looks Good! rlw

**From:** "Frazee, Terry" <Terry.Frazee@DOH.WA.GOV>  
**To:** "NRC-KathyS (E-mail)" <kxs@nrc.gov>  
**Date:** 11/6/02 1:03PM  
**Subject:** STP-02-074

I read through the draft revision of SA-101 and noted the following:

1. Page 1 lists the objectives of this procedure. Several of the objectives do not have further mention in either the "Evaluation Procedures" or "Review Guidelines" sections. For instance, newly re-lettered item II. F. (determining that inspections are not scheduled with any geographic bias) could be addressed in the evaluation procedure by reviewing the "overdue" inspections and noting whether the locations are disproportionate with the state-wide or region-wide distribution of licensees. In any event, each objective should be given a general direction, or better a specific guideline, in the body of the procedure.
2. Page 3, Section B.2. of the Evaluation Procedures, notes that "Overdue core inspections for Priority 1, 2, and 3 licensees include inspections conducted at intervals that exceed the NRC IMC 2800 frequencies, with acceptable windows, by more than 25%: ... " and then goes on to specify the acceptable window, which happens to be 25% of the frequency. I believe that inserting "with acceptable windows" is both unnecessary and confusing. Unnecessary because the window IS 25%, and confusing because the evaluation criteria is 25%. This sentence addresses what constitutes an overdue inspection rather than the total "percentage of overdue core inspections for the review period". This is a distinction that needs to be made but not here. I would suggest revising the sentence to read "Overdue core inspections for Priority 1, 2, and 3 licensees include inspections conducted at intervals that exceed the NRC IMC 2800 frequencies with the following maximum windows: ... "
3. This same paragraph notes that "a different set of criteria may be applied" if the licensees has received an extension on its inspection frequency. An incomplete example is given. I suggest the following be used " ... e.g., Priority 1 licensees whose inspection frequency has been extended to once every 2 years would be overdue if the inspection is completed greater than 6 months -- instead of the normal 3 month window -- past the inspection due date".
4. Since some reciprocity inspection information is being collected, per the objective, some guidance is needed on how to assess the information. Right now, it appears that only the number of reciprocity inspections completed is collected. There is no information collected on the number of reciprocity licensees entering the state and certainly no assessment of percentages or how to assess if the number done is adequate.
5. As noted previously, each objective should have a statement in either the "Evaluation Procedure" or "Review Guidelines" which addresses the specific objective. In addition to Objectives II.B. and II.F. which have already been mentioned above, Objectives II.C. and II.D. need guidance (even a simple restatement could suffice).
6. On Page 6, item D.9. should be stated "Whether the Region or State considers ... " (instead of "If the Region ... " for consistency with the rest of the section.

7. On page 7, section E. "Review Information Summary" states "a tally" will be included and then goes on to list items that are "counted". However, the original item 7 is not struck out ("Any Agreement State inspection frequencies that do not match those detailed in NRC IMC 2800.") Since this is not an item that is "counted" or "tallied", it should be struck off the list.

8. On Page 8, item 7. mentions a tally of the reciprocity inspections completed. Another item should be added to capture the number of reciprocity requests received so an assessment of the adequacy of the inspection program for reciprocity can be determined. If some factor such as number of requests is not captured, there is no way to objectively evaluate the "status" of the inspection program in this area. The one number by itself doesn't tell us anything so either "complete the equation" or don't bother collecting the information on reciprocity inspections!

9. Appendix A, item 3, grammatical issue: "Multiple due inspections ... are counted as a single event." Subject-verb tense correction.

10. Worksheet – Would be more useful if there were a couple of columns for "date inspection findings issued" and "days since inspection". The "Notes" column could be shortened dramatically and a separate page used for "footnoted" information.

11. Appendix B, the second Q&A should address more thoroughly the case where, within the 3 year period, one inspection may have been completed early in the period and was (for example) 2 months overdue when completed. If this were a Priority 1 licensee, it could be 6 months overdue now. The information to capture for this licensee is that it is 6 months overdue. The Answer that is given in the draft procedure would have you capture the fact that it was 2 months overdue "several years ago" and totally miss the point that it is NOW overdue by 6 months.

12. Appendix B, the fourth Q&A addresses the situation where the data is not readily available. The Answer has the reviewer pulling files for the data and obtaining the total number of inspections conducted by the state. The Answer should make it clear that the overdue calculation should not use the total number of inspections but rather the total number of files reviewed. The Answer should specifically caution that the formula given in Appendix A is for situations where the state (or Region) data base can be used to obtain the information for all licensees. If sampling must be done (pulling files) the formula must be applied only to the files sampled.

13. Appendix B, last Q&A, last sentence, states that a particular rating "is" appropriate if certain factors apply. I suggest that the sentence be amended to read: "However, if the State has not addressed the root cause ... then a rating of ... unsatisfactory may be appropriate".

Thanks for the opportunity to comment!

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"The Department of Health works to protect and improve the health of people in Washington State"

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This message from Terry C. Frazee

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CC: "Robertson, Gary" <[Gary.Robertson@DOH.WA.GOV](mailto:Gary.Robertson@DOH.WA.GOV)>

**From:** Roberto Torres  
**To:** Kathleen Schneider  
**Date:** 11/7/02 1:07PM  
**Subject:** Comment on draft procedures SA-101 (NMSS 200200278)

Kathy:

I've found that the revised version of SA-101 is a marked improvement from the previous version. Revised SA-101 contains much needed clarification and provides performance-based guidance to an IMPEP reviewer. I have only one comment after reviewing draft SA-201.

1) On page 1, Section II.B. It makes mention that one of the objectives of SA-101 is to "verify that core reciprocity licensees are inspected in accordance with the frequencies prescribed in NRC IMC 1220...." Core reciprocity inspections are priorities 1, 2, and 3. Now lets move to page 8, Section V.E.7. Guidance is provided here to help the principal reviewer calculate the number of "Reciprocity inspections that were completed during the review period."

Looking back at the objective in section II.B., I think section V.E.7. needs clarification as to what type of reciprocity inspections should the reviewer be tallying. Should the reviewer needs to count core reciprocity inspections, or non-core reciprocity inspections, or both? According to the objective in section II.B. the answer will be for the reviewer to tally only core reciprocity inspections, but this is implied and not explicitly stated in section V.E.7.

EOM

**CC:** fdb; rjt; Thomas Essig

November 12, 2002

**Region III Comments on Draft STP Procedure SA-101**

**"Reviewing Common Performance Indicator #1, Status of Materials Inspection Program"**

1. Item II.A refers to priority 7 licenses. IMC 2800 now includes only priorities 1, 2, 3, and 5.
2. Item V.C.4 misspells "aggressive."
3. Items V.D.1, 2 and 3 discuss core inspections and initial inspections as if they are mutually exclusive. In fact, initial inspections are a subset of core inspections.

November 12, 2002

**MEMORANDUM TO :** Paul H. Lohaus, Director  
Office of State and Tribal Programs

**FROM:** George Pangburn, Director */RA by Francis Costello Acting For/*  
Division of Nuclear Materials Safety, RI

**SUBJECT:** COMMENTS ON REVISIONS TO OFFICE OF STATE AND  
TRIBAL PROGRAMS (STP) PROCEDURES SA-101 AND SA-  
200

Region I has reviewed STP Procedures SA-101 "Reviewing Common Performance Indicator #1, Status of Materials Inspection Program" and SA-200 "Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements" as requested in your October 24 and October 25, 2002 memoranda.

The revision to SA-101 clarifies and improves the procedure for evaluating this indicator. The Region has no comments on this procedure.

The Region also found the revisions to SA-200 a substantive improvement over the previous version. The Region does have the following comments on this procedure.

1. The revised procedure includes the regulation assessment tracking system (RATS) number in the comment section of the Appendix A tables. This is a valuable addition, but the table should be modified to include a separate column for the RATS number for each section. Since some sections of the regulations are amended multiple times, having the applicable RATS number(s) will increase the flexibility and use of the table for compatibility reviews by NRC and Agreement States staffs.
2. The Appendix A tables should be modified to include a column for the applicable suggested state regulation (SSR). Since a number of Agreement States use the SSRs as a model for their regulations, their inclusion will increase the flexible and use of the table for compatibility reviews by NRC staff and Agreement States. This may also promote uniformity since the State could also modify this column to include their specific citation.
3. Section V.B.2. of the procedure includes a brief description of the program elements table in Appendix B. This section should be expanded to include additional discussion on how the table could be used in conjunction with adequacy and compatibility determinations under Management Directive 5.6.

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**From:** James Clay  
**To:** Kathleen Schneider  
**Date:** 11/20/02 10:32AM  
**Subject:** REGION III COMMENTS ON STP PROCEDURE SA-101

Submitted for James Lynch:

Attached please find Region III's inputs as requested.

James Clay  
DNMS Division Secretary

**CC:** Douglas Collins; George Pangburn; James Lynch; Ken Brockman; Marc Dapas

**From:** "Tom Hill" <THill@dnr.state.ga.us>  
**To:** <kxs@nrc.gov>  
**Date:** 11/22/02 1:15PM  
**Subject:** Draft Revision to STP Procedure SA-101

Kathy, we appreciate the opportunity to review and comment on draft revision to STP Procedure SA-101, "Reviewing Common Performance Indicator #1, Status of Materials Inspection Program." Elizabeth Drinnon and I have reviewed the revision and have no substantive comments. The revision is straight forward and easier to read.

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**CC:** "Elizabeth Drinnon" <Elizabeth\_Drinnon@dnr.state.ga.us>

**From:** Linda McLean  
**To:** Josephine Piccone; Paul Lohaus  
**Date:** 11/26/02 10:04AM  
**Subject:** Response to Request for Comments on STP's Procedure SA-101

Region IV's Response to Request for Comments on STP's Procedure SA-101

We have reviewed the procedure and have no comments. Thank you for providing us an opportunity to comment on Procedure SA-101.

**CC:** Connie Spagnoli; Jack Whitten; Kathleen Schneider; Ken Brockman; Lance Rakovan;  
Vivian Campbell