

**TABLE 1A - REGULATORY / COMMITMENT DOCUMENT POSITIONS WITH JUSTIFICATION**

ITEM	U.S NRC DOCUMENT	NATIONAL / INDUSTRY STANDARD	YMP POSITION	JUSTIFICATION
A	Regulatory Guide 1.28, Revision 3, (8/1985), "Quality Assurance Program Requirements (Design and Construction)," which endorses ANSI/ASME NQA-1-1983 and ANSI/ASME NQA-1a-1983 Addenda (NQA-1).	ANSI/ASME NQA-1-1983 with ANSI/ASME NQA-1a-1983 Addenda, as supplemented or modified by the regulatory positions cited in section C of Regulatory Guide 1.28	YMP commits to the requirements and recommendations of the Regulatory Positions of this Regulatory Guide and the basic, supplementary requirements, and Appendix 2A-1 of the endorsed standard as supplemented or modified by the Regulatory Positions, with the following exceptions:	
			1. In lieu of implementing the requirements and recommendations of Regulatory Guide position C.2, "Quality Assurance Records," YMP will retain QA records in accordance with the retention and disposition instructions contained in a records retention schedule maintained by YMP. The retention periods delineated in this records retention schedule shall meet or exceed the retention requirements delineated in Regulatory Guide 1.28, Revision 3, Table 1.	This commitment and exception is consistent with the guidance established in NUREG-1804, section 2.5.1.3, Acceptance Criteria 17, item (12).
			2. General comment: ANSI/ASME NQA-1 refers to terms such as refueling, operations, inservice inspection, decommissioning, etc. These are examples of activities that will occur during the period of time that DOE has received a license to receive and possess Spent Nuclear Fuel and High Level Waste. At the appropriate time the QARD will be revised to address these activities.	At the appropriate time the QARD will be revised to address these activities.
			3. In lieu of ANSI/ASME NQA-1, Supplement S-1, "Terms and Definitions," the QARD will maintain a glossary of terms and definitions independent of this standard. The terms and definitions in the QARD glossary are consistent with Supplement S-1.	In order to provide one location for the definition of terms used in the QARD, it is appropriate to the QARD glossary. As stated in the commitment, the terms are consistent

				with the endorsed standard.
			4. ANSI/ASME NQA-1, Supplement 2S-2, requires implementing American Society of Nondestructive Testing <i>Recommended Practice No. SNT-TC-1A</i> , (6/1975) and applicable supplements to Nondestructive Examination (NDE) personnel. In lieu of this requirement YMP will implement the requirements of ASNT-TC-1A, (6/1980) edition with one additional exception. In lieu of the three (3) year re-certification interval specified in ASNT-TC-1A, (6/1980) edition, Level III NDE personnel may be re-certified on a five year interval. The qualification and certification will include a performance demonstration as part of the practical examination.	This position and commitment is consistent with the guidance established in NUREG-1804, section 2.5.1.3 Acceptance Criteria 9, item (7).
			5. ANSI/ASME NQA-1, Supplement 2S-3, "Supplementary Requirements for the Qualification of Quality Assurance Program Audit Personnel," requires that, "Personnel selected for quality assurance auditing assignments shall have experience or training commensurate with the scope, complexity, or special nature of the activities to be audited."  In lieu of this requirement the QARD will require as an alternative the following:  "The lead auditor shall, before starting the audit, ensure that the assigned personnel collectively have experience or training commensurate with the scope, complexity, or special nature of the work to be audited."	YMP believes that the position expressed in the QARD regarding the lead auditor will ensure collectively that the team will have the necessary experience and training for the audit to be performed is equivalent to the requirement as specified in NQA-1-1983, Supplement 2S-3.
			6. ANSI/ASME NQA-1, Supplement 3S-1,; Supplementary Requirements for Design Control, paragraph 3, provides for "prescribing and documenting of design activities on a timely basis," YMP will interpret "timely" to mean "consistent with the need of the design products."	YMP will interpret "timely" to mean "consistent with the need of the design products"

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			<p>7. ANSI/ASME NQA-1, Supplement 4S-1, “Supplementary Requirements for Procurement Document Control,” Section 2.3 identifies a requirement for procurement documents to require the Supplier to incorporate appropriate quality assurance program requirements in subtier procurement documents.”</p> <p>Additionally, ANSI/ASME NQA-1-1983, Supplement 7S-1, Supplementary Requirements for Control of Purchased Items and Services, Section 3.1 provides requirements and recommendations for source evaluation and selection requirements.</p> <p>For the purpose of suppliers of analytical services in support of scientific investigations, the following shall be applied:</p> <p>Prior to issuing the procurement document, develop a documented quality control sample plan that describes:</p> <ul style="list-style-type: none"> <li>-The number of quality control samples and approach to be used for submitting the samples (i.e., blind, duplicate, spike, etc.).</li> <li>- The preparation and analysis of quality control samples or the identification of the source of the preparation and analysis method. Standards used in the preparation of quality control samples shall be traceable to nationally recognized standards. If no nationally recognized standard exists, the basis for use shall be documented.</li> <li>- Acceptance criteria.</li> <li>- How the number of quality control samples, the approach, and the acceptance criteria provide confidence in the accuracy/precision of the data.</li> </ul>	<p>Due to the uniqueness of suppliers, which provide analytical services, these “special” requirements are considered appropriate.</p>
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			<p>- Ensure that quality control analytical results are received and evaluated against acceptance criteria, prior to use of data.</p> <p>- Ensure that data, quality control analytical results, the quality control sample plan, and evaluation documentation are submitted as Quality Assurance records.</p>	
			<p>8. ANSI/ASME NQA-1, Supplement 6S-1, "Supplementary Requirements for Document Control," section 3.1, "Major Changes," requires that; Changes to documents, other than those defined as minor in 3.2 below, are considered as major changes and shall be reviewed and approved by the same organizations that performed the original review and approval unless other organizations are specifically designated.</p> <p>YMP will implement the following alternative:</p> <p>YMP will require that changes to documents other than "editorial changes" as described in the QARD (subsection 6.2.8) must be reviewed in accordance with the QARD (subsection 6.2.6). Review is to be performed by "the same organizations that performed the initial review or by other qualified responsible organizations specified by the DOE (QARD subsection 6.2.3E).</p>	<p>Instead of using the term "minor change," the term that has been used in previous revision of the QA program has been "editorial corrections." For the purpose of the QARD the terms are synonymous.</p>
			<p>9. ANSI/ASME NQA-1, Supplement 7S-1, "Supplementary Requirements for Control of Purchased Items and Services," section 10, "Commercial Grade Items,"</p> <p>NUREG-1804, Acceptance Criteria 7 takes exception to the provisions of ANSI/ASME NQA-1 regarding commercial grade item dedication.</p>	<p>NUREG-1804, Acceptance Criterion-7(8) describes the requirements of NQA-1a-1983, Supplement 7S-1, Section 10, Commercial Grade Items, as inadequate to address commercial-grade item dedication and directs the use of the</p>

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			<p>Consistent with the NRC position stated in NUREG-1804, YMP will not conduct a commercial grade program in accordance with the provisions in ANSI/ASME NQA-1.</p> <p>The YMP commercial grade item dedication program is based on the guidance of NUREG-1804, acceptance criteria AC-7(8) and the applicable requirements of 10 CFR 21.</p>	<p>guidance of that Acceptance Criterion and 10 CFR 21.</p>
			<p>10. ANSI/ASME NQA-1, Supplement 17S-1, "Supplementary Requirements for Quality Assurance Records," sections 2.7 and 2.8, "Classification," addresses criteria and requirements for the classification (lifetime and nonpermanent) and "Retention" of Quality Assurance records, respectively.</p> <p>YMP records management program in regard to classification and retention of all records, including QA records, is based on the content of the YMP program records retention schedule. This schedule treats all QA records, without classification such as Lifetime, Nonpermanent, Programmatic, Nonpermanent, or Product Nonpermanent, as TEMPORARY records within the meaning of a federal records system based on the requirements of 36 CFR Chapter XII, Subchapter B, <i>Records Management</i>. The authorized disposition instructions for <u>all</u> QA records specified in this schedule require those records <u>without distinction</u> be retained until waste emplacement operations begin. At that time the records are to be reappraised. If the records are determined to be required for postclosure purposes, the disposition instructions will be revised. Otherwise, the records will be destroyed.</p> <p>This approach is described in the QARD, Section 17.0, subsection 17.2.8. Operation of</p>	<p>The justification for this YMP position is that the Yucca Mountain Records Retention Program will meet or exceed the classification and retention requirements for Quality Assurance records as required in applicable regulatory and NQA-1, Supplement 17S-1 requirements.</p>

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			<p>the records retention approach described above is expected to provide record retention requirements superior to those presently described in ANSI/ASME NQA-1, 1983, Supplement 17S-1, and Regulatory Guide 1.28, Regulatory Position C.2.</p> <p>In lieu of the requirements presented in ANSI/ASME NQA-1, Supplement 17S-1, sections 2.7 and 2.8, and Table 1 of Regulatory Guide 1.28, Revision 3, OCRWM proposes the aforementioned alternative to the specified requirements.</p>	
			<p>11. ANSI/ASME NQA-1, Supplement 17S-1, "Supplementary Requirements for Quality Assurance Records," addresses the requirements and recommendations for the storage of records that are determined to be QA records. This supplement does not include a provision for the temporary storage of QA records. The QARD includes the following provision for temporary storage of QA records:</p> <p>a. QA records shall be temporarily stored in a container or facility with a fire rating of one hour, or dual storage shall be provided.</p> <p>b. For single storage, containers or facilities shall bear an Underwriters' Laboratories label (or equivalent) certifying 1-hour fire protection or be certified by a person competent in the technical field of fire protection</p> <p>c. The period of time allowed for records to be in temporary storage will be specified in appropriate procedures.</p>	<p>Temporary Storage of QA records is accepted by the NRC. The provision is a carryover from the previous YMP commitment ASME NQA-1-1989. Supplement 17S-1, paragraph 4.4.3 provides for temporary storage. A similar provision is provided in ASME NQA-1-1994, in which Supplement 17S-1, paragraph 4.4.3 provides a provision for temporary storage. The use of NQA-1-1994 has been accepted for use by the NRC for the Exelon QA Program, "NO-AA-010." In addition, see requirement presented in NUREG-1804, 2.5.1.3 AC-17(8).</p>
			<p>12. ANSI/ASME NQA-1, Supplement 17S-1, "Supplementary Requirements for Quality Assurance Records," section 4.4.2, "Alternate Single Facility," since YMP will not be using the alternate facility, the QARD is silent on</p>	<p>Since YMP will not be using the alternate facility, the QARD is silent on this aspect of NQA-1.</p>

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			this aspect of ANSI/ASME NQA-1.	
			13. ANSI/ASME NQA-1, Supplement 17S-1, "Supplementary Requirements for Quality Assurance Records," section 5, "Retrieval;" the YMP records management is not configured in such a manner as to provide retrieval times on the type of record.	A revision to the system, if at all achievable, to accomplish this end would not provide value equal to the effort.
			14. ANSI/ASME NQA-1, Supplement 17S-1, "Supplementary Requirements for Quality Assurance Records," section 6, "Disposition;" all supplier QA records are required to be submitted to YMP in accordance with procurement document requirements. Directions for the disposition of records by a supplier are not required.	All records including those generated by a supplier will be retained and disposed of in accordance with the YMP record retention schedule, which provide retention times well in excess of those considered in NQA-1-1983, Supplement 17S-1, Para 1.6.
			15. ANSI/ASME NQA-1, Supplement 18S-1, Supplementary Requirements for Audits," section 3.3, 2 <sup>nd</sup> sentence states, "---- an individual appointed to lead the team ---- and evaluates responses." YMP takes exception to the phrase "and evaluates responses." In lieu of this phrase the YMP will provide the option for evaluating responses for adequacy by the most qualified individual.	In lieu of this phrase the YMP will provide the option for evaluating responses for adequacy by the most qualified individual.
			16. ANSI/ASME NQA-1, Supplement 18S-1; Supplementary Requirements for Audits," section 6, Response," requires that the "Management of the audited organization.....notify ..... in writing of the action taken or planned.  In the case of internal audits, it is YMP's position that such a response is not necessary.  The results of internal audits are placed into the electronic Corrective Action system. The results of the investigation, including determination of cause, as appropriate,	The results of internal audits are placed into the electronic Corrective Action system. The results of the investigation, including determination of cause, as appropriate, reviews, approvals, corrective actions, and schedules are available to auditing organization. Therefore, there is not a necessity for a written response.

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			reviews, approvals, corrective actions, and schedules are available to auditing organization. Therefore, there is not a necessity for a written response.	
B	Regulatory Guide 1.8, Revision 3, (5/2000), "Qualification and Training of Personnel for Nuclear Power Plants"	This regulatory guide endorses ANSI/ANS-3.1-1993, "Selection, Qualification, and Training of Personnel for Nuclear Power Plants," with certain additions and exceptions that are listed in the Regulatory Position of this guide.	<p>YMP commits to the requirements and recommendations for the selection, qualification, and training of personnel, subject to the additions, exceptions, and clarifications provided in Section C, "Regulatory Position," of the Regulatory Guide, with the following exceptions:</p> <p>For the purpose of the Construction Authorization, the commitment is limited to the following Regulatory Positions; C.2.1.1; C.2.1.2; C.2.1.3; C.2.11, and C.2.12. These include paragraphs 4.3.7, 4.4.13, 4.5.5, and 4.5.6 of the endorsed standard.</p> <p>In addition, for the purpose of the Construction Authorization, NUREG-1804, Section 2.5.1, Acceptance Criteria 1, item 7, requests that the qualification requirements for the "QA Manager" be equivalent to those provided in the ANSI/ANS Standard as endorsed by the Regulatory Guide. YMP has also elected to include the other members of the QA staff, including Quality Control in this commitment.</p>	For the purpose of the Construction Authorization, NUREG-1804, Section 2.5.1, Acceptance Criteria 1, item 7, requests that the qualification requirements for the "QA Manager" be equivalent to those provided in the ANSI/ANS-3.1 Standard as endorsed by the Regulatory Guide 1.8. YMP has also elected to include the other members of the QA staff, including Quality Control in this commitment.
C	NRC Information Notice 86-21, "Recognition of American Society of Mechanical Engineers Accreditation Program for N Stamp Holders," (3/31/1986), including Supplement 1, (12/04/1986), and Supplement 2, (4/16/1991)		YMP will recognize ASME accreditation of suppliers as stated in the NRC Information Notice.	Justification not required.

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D	NUREG-1297, "Peer Review for High-Level Nuclear Waste Repositories," (1988).		YMP commits to the requirements and recommendations of Section III, Definitions, and Section IV, Staff Position of this NUREG-1297.	Justification not required.
E	NUREG-1298, "Qualification of Existing Data for High-Level Nuclear Waste Repositories," (1988).		<p>YMP commits to the requirements and recommendations of Section IV, Staff Positions of NUREG-1298 with the following alternative: In addition to the four methods listed in Staff Position 2, YMP uses a fifth method, Technical Assessment which includes one or a combination of the following:  Determination that the employed methodology is acceptable;  Determination that confidence in the data acquisition or developmental results is warranted; or  Confirmation that the data have been used in similar applications.</p> <p>Additionally, the QA program that is discussed in Staff Position IV.1 is understood to mean 10 CFR 63 Subpart G or 10 CFR 63.142, depending at the point in time when the data was required to be qualified.</p>	The fifth method of qualifying unqualified data by Technical Assessment was reviewed and accepted by the NRC Staff in conjunction with NRC acceptance of QARD Revisions 13 and 15.
F	NUREG-1563, "Branch Technical Position on the Use of Expert Elicitation in the High-Level Radioactive Waste Program," (1996).		YMP commits to the requirements and recommendations of Section 3, "Branch Technical Position", and Appendix A, "Glossary" of this NUREG with the following exception; Step 7 of NUREG 1563 recommends documenting the rationale for any revisions to elicited evaluations after the experts receive feedback on their initial evaluations. YMP does not require documentation of the rationale for revisions to an expert's initial assessment in the expert elicitation report.	The basic premise of an expert elicitation is that assessments prepared by experts should be reviewed, discussed, and challenged by other members of the expert panel prior to finalization and development of an aggregate. This is a natural part of developing scientific interpretations: Experts evaluate data or other information using their past experience,

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				<p>hypotheses are advanced that express models and conclusions that are consistent with the data and the experts' experience, and the hypotheses are presented and debated among peers who likely have different experience bases and who likely interpret data differently. Based on feedback received from other panel members, the experts may modify or strengthen their original interpretations. YMP believes that documenting revisions to experts' evaluations has the potential to "anchor" the experts to their initial evaluations, thus making experts reluctant to revise an evaluation after the feedback process. In this regard, the DOE approach is consistent with the guidance contained in NUREG/CR-6372.</p>
G	<p>NUREG-1636, "Regulatory Perspectives on Model Validation in High-Level Radiation Waste Management Programs: A Joint NRC/SKI White Paper," (1999).</p>		<p>YMP commits to the requirements and recommendations in Section 3. , "Model Validation Approach from a Regulatory Perspective" of NUREG-1636, to the extent presented in QARD Supplement III, Scientific Investigation," Section III.2.6.</p>	<p>The YMP model development and validation criteria was reviewed and accepted by the NRC Staff in conjunction with NRC acceptance of QARD Revisions 13 and 15.</p>

H		ASME NQA-1 (2000), Subpart 2.7, "Quality Assurance Requirements for Computer Software for Nuclear Facility Applications."	YMP commits without exception to requirements of ANSI/ASME NQA-1 (2000) Subpart 2.7.	Justification not required.
I	Regulatory issue Summary 2000-18, <i>Guidance on Managing Quality Assurance Records in Electronic Media</i>		YMP will be using an electronic records system for Quality Assurance records, as such OCRWM commits to the use of the NRC guidance contained within the RIS.	Justification not required.
J	Electric Power Research Institute (EPRI) <i>Guideline for the Utilization of Commercial Grade Items in Nuclear Safety Related Applications</i> (NCIG-07), EPRI NP-5652 (6/88), as endorsed and modified by U.S. Nuclear Regulatory Commission Generic Letters 89-02, <i>Actions to Improve the Detection of Counterfeit and Fraudulently Marketed Products</i> (3/89) and 91-05, <i>Licensee Commercial-Grade Procurement and Dedication Programs</i> (4/91).	Electric Power Research Institute (EPRI) <i>Guideline for the Utilization of Commercial Grade Items in Nuclear Safety Related Applications</i> (NCIG-07), EPRI NP-5652 (6/88), as endorsed and modified by U.S. Nuclear Regulatory Commission Generic Letters 89-02, <i>Actions to Improve the Detection of Counterfeit and Fraudulently Marketed Products</i> (3/89) and 91-05, <i>Licensee Commercial-Grade Procurement and Dedication Programs</i> (4/91).	If YMP or its suppliers implement a commercial dedication process as defined in 10CFR 21.3, the implementing processes shall be developed with the guidance contained in Electric Power Research Institute (EPRI) <i>Guideline for the Utilization of Commercial Grade Items in Nuclear Safety Related Applications</i> (NCIG-07), EPRI NP-5652 (6/88), as endorsed and modified by U.S. Nuclear Regulatory Commission Generic Letters 89-02, <i>Actions to Improve the Detection of Counterfeit and Fraudulently Marketed Products</i> (3/89) and 91-05, <i>Licensee Commercial-Grade Procurement and Dedication Programs</i> (4/91).	As endorsed and modified by U.S. Nuclear Regulatory Commission Generic Letters 89-02, <i>Actions to Improve the Detection of Counterfeit and Fraudulently Marketed Products</i> (3/89) and 91-05, <i>Licensee Commercial-Grade Procurement and Dedication Programs</i> (4/91).

K		American Society for Nondestructive Testing (ASNT) <i>Recommended Practice No. SNT-TC-1A</i> , June, 1980 Edition	YMP commits to the requirements of ASNT-TC-1A, (6/1980) edition with one additional exception. In lieu of the three (3) year re-certification interval specified in ASNT-TC-1A, (6/1980) edition, Level III NDE personnel may be re-certified on a five year interval. The qualification and certification will include a performance demonstration as part of the practical examination.	YMP acknowledges the position presented in NUREG-1804, 2.5.1.3 AC-9(7) and commits with these similar requirements. In addition, this YMP position on ASNT SNT-TC-1A standard requirements has been previously reviewed and accepted by the NRC Staff in conjunction with NRC acceptance of QARD Revisions 13 and 15.
L	10 CFR 63.142, "Quality Assurance Criteria," (h)(2), <i>Control of purchased material, equipment, and services.</i>		In this matter the "documentary evidence" consists of documents identified as required to be submitted by a supplier in related procurement documents. These are QA records and retention will be in accordance with the YMP records retention schedule as presented in item A-10 of this table.	This clarifies the YMP position regarding implementing stated requirements.