

October 25, 2005

MEMORANDUM TO: Division of High Level Waste Repository Safety Staff

FROM: C. William Reamer, Director **/RA/** E. Collins for  
Division of High Level Waste Repository Safety  
Office of Nuclear Material Safety and Safeguards

SUBJECT: ISSUANCE OF DIVISION OF HIGH LEVEL WASTE REPOSITORY  
SAFETY DIRECTOR'S POLICY AND PROCEDURES LETTER 002,  
DOCUMENTING NON-CONCURRENCE, REVISION 0

Attached for your use is the Division of High Level Waste Repository Safety (HLWRS) Director's Policy and Procedures Letter 002, Documenting Non-concurrence, Revision 0. The purpose of this procedure is to have a standardized method to document non-concurrence.

If you have any comments or questions about the attached procedure, please contact your immediate supervisor.

Attachment: HLWRS Policy and Procedures Letter 002,  
Documenting Non-concurrence, Revision 0

CONTACT: Thomas Matula, HLWRS  
301-415-6700

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DISTRIBUTION: HLWRS staff

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<b>DATE</b>	10/04/05		10/04/05		10/05/05		10/05/05		10/7/05	

<b>OFC</b>	HLWRS	
<b>NAME</b>	CWReamer	
<b>DATE</b>	10/25/05	

**OFFICIAL RECORD COPY**

**Division of High Level Waste Repository Safety  
Director's Policy and Procedures Letter 002**

**Documenting Non-concurrence  
[Revision 0]**

Purpose/Discussion

The purpose of this procedure is to have a standardized method to document non-concurrence. For the purposes of applicability of this procedure, documents are those which have progressed to the stage where they are ready to move from non-final status, through a concurrence/approval process, to final status.

The contributors are responsible for the technical accuracy of all statements of fact and all statements of technical opinion in those areas in the documents for which they are responsible. By concurring on documents, contributors or responsible managers state that they have verified the factual accuracy and clarity of those areas in the document for which they are responsible and are in agreement.

Obtaining Concurrence

Concurrence is an act which indicates agreement with the overall approach, objective, and technical content in the individual's functional area of responsibility along with the belief that the document does not or will not adversely affect or conflict with other NRC programs or policies. The concurring individual should devote special attention to the identification of any inaccuracies in the document based on his or her area of expertise. In general, concurrence in documents must be obtained following the guidelines presented in U.S. Nuclear Regulatory Commission (NRC) Management Directive 3.57, Correspondence Management. It is the responsibility of the contributors (the individuals who prepare the documents, including the consolidation of contributions from others into integrated products), in consultation with HLWRS management, to determine who should be on concurrence and obtain concurrence of those individuals. The concurrence chain need not be lengthy and should be limited to those individuals who need to agree on the proposed action from a policy, technical or legal standpoint, or those who review the document for accuracy and completeness. If changes are made to a document that affect specific facts or substance, the reviewer should return the document to the appropriate contributors for verification and documentation of the changes and seek re-concurrence.

Non-concurrence

Non-concurrence is an act which indicates disagreement with technical content, overall approach, or objective of the document based upon the individual's experience and responsibility. If a concurring individual has issues with aspects of any document for which he or she has expertise or responsibility, that individual can raise those issues, and do so without fear of retribution.

Issues with the technical content, overall approach, or objective of the document should be discussed with the appropriate contributor to the document. If this discussion does not resolve the issues, the individual should discuss the issues with successive levels of HLWRS management

responsible for approval of the document, up to and including the signatory of the document, in an attempt to resolve the issues.

If an individual's issues cannot be resolved, and the individual continues to disagree with the information in the document, the individual may decide not to concur in the document. In such a case, the non-concurring individual, or highest level manager agreeing with the non-concurring individual, must document the reason for the non-concurrence to the HLWRS Division Director (or to the Division Director responsible for the approval of the document if not a HLWRS document). If the non-concurring individual is listed to concur on the document, the individual must note the non-concurrence on the concurrence sheet (by writing "Non-concurrence" in the concurrence block, initialing, and dating).

The HLWRS Division Director will discuss the non-concurring individual's issues with that individual and the responsible managers to achieve resolution. The HLWRS Division Director will document the disposition of the issues and inform the non-concurring individual of the disposition. If the non-concurring individual's issues are not resolved, the HLWRS Division Director will notify the individual of the availability of the processes in the HLWRS Guidance for Resolving Technical or Policy Issues Involving Differing Professional Judgements, February 22, 2005, and Management Directive 10.159, The NRC Differing Professional Opinions Program. The administrative staff will place the non-concurrence and disposition documentation, both linked to the document in question, in ADAMS (non-publicly available). This material will be evaluated for inclusion in the Licensing Support Network pursuant to 10 CFR Part 2, Subpart J, Procedures Applicable to Proceedings for the Issuance of Licenses for the Receipt of High-Level Radioactive Waste at a Geologic Repository.