

NRC INSPECTION MANUAL

ILPB

INSPECTION PROCEDURE 92702

FOLLOWUP ON CORRECTIVE ACTIONS FOR VIOLATIONS AND DEVIATIONS

PROGRAM APPLICABILITY: 2500, 2600, 2700, 2800

SALP: SOSAQV-O
SCSAQV-C

92702-01 INSPECTION OBJECTIVES

To establish that adequate corrective actions have been taken for violations and deviations, that their root causes have been identified, that their generic implications have been addressed, and that the licensee's quality assurance (QA) program procedures and practices have been appropriately strengthened to prevent recurrence.

92702-02 INSPECTION REQUIREMENTS

02.01 Documentation Review. Conduct a review of licensee responses to Notices of Violation and Deviations to ascertain that the licensee responses and stated corrective actions were timely and appropriate, that the licensee has conducted an indepth root cause analysis (and implemented any appropriate changes in training or procedures), that generic implications were addressed, and that the licensee's QA program practices and procedures, when appropriate, were strengthened to prevent recurrence. Also, review pertinent QA/QC records, audits, reports and both onsite or offsite review committee minutes to determine if the licensee's QA oversight practices should have identified the violation(s) or prevented such violation(s). Determine which responses are to receive onsite followup inspection based on their safety significance and complexity, their apparent inadequacy, or apparent weaknesses in licensee administrative or management controls.

02.02 Onsite Inspection. Conduct an onsite inspection of the selected violations and deviations with respect to the timeliness, completeness, and adequacy of licensee actions in the following areas. Where appropriate, these inspections should be actual physical verifications of equipment and processes.

- a. Corrective Actions. Determine that:
 1. Licensee management has forwarded copies of their response in the form of onsite tasking (as appropriate).
 2. The licensee has assigned responsibilities for effecting the identified changes in procedures and practices.

3. Corrective actions have been fully implemented.
 4. The licensee has posted copies of enforcement correspondence for radiological working conditions as required by 10 CFR 19.11.
 5. Followup actions were initiated for deviations noted in any recent QA audits conducted by the licensee of the inspection area in which violations or deviations were identified.
- b. Root Cause Analysis
 - c. Generic Implications Analysis
 - d. QA Program Procedures and Practices Changes. Determine that the licensee's review of the QA program evaluated the program's scope and effectiveness.

92702-03 INSPECTION GUIDANCE

General Guidance. 10 CFR Part 50, Appendix B, may form the regulatory basis for many enforcement actions. Commitments may have been made during the licensing process (e.g. the information contained in the plants FSAR represents commitments to the NRC) or may have been made in written correspondence to the NRC after receipt of the plant's operating license.

In accordance with 10 CFR 2.201, enforcement letters require written explanations and statements of reply concerning corrective actions, steps taken to prevent recurrence, and a schedule for completion of corrective and preventive actions. Other specific responses or actions may be required in enforcement letters. The inspector assigned to followup on the licensee's actions should therefore conduct a careful review of enforcement letters. In addition, inspection report transmittal letters may contain statements consisting of regional perceptions of, and concerns with, licensee performance. Such statements are valuable background information for the inspector.

The NRC Inspection Program places strong emphasis on the inspection of licensee performance as the basis for determining the overall adequacy of the implementation of quality assurance programs. Thus, when a deficiency in licensee performance is identified, and especially when repetitive deficiencies occur, a key element to be reviewed shall be the failure of the licensee's quality assurance program to identify and correct the deficiency. For selected areas, this review will involve focusing on the individuals, procedures and practices targeted at verifying that specified quality objectives have been achieved.

In addition, the region may want to consider conducting a performance based regional initiative inspection to reinspect the deficient area and verify that the licensee's corrective action was effective. Where licensee corrective actions for NRC identified deficiencies are not adequate, additional regional initiative may be warranted to assess the adequacy of licensee corrective actions for internally identified problems.

Specific Guidance

03.01 Documentation Review. Whether immediate NRC followup to a routine inspection is needed would depend on the region's estimation of the safety significance of a deficient QA program in the area of the inspection findings. NRC inspectors will very likely have developed information as to the probable root cause of safety significant findings as a result of normal inspection activities. Similarly, the inspector will typically have a general (or in the case of a resident inspector, a detailed) understanding of the audit, inspection

and surveillance practices of the licensee's QA organization and an opinion as to whether the licensee's quality assurance verification activities may require additional attention. However, the licensee will normally have been requested, as part of the enforcement process, to make his own determination of quality assurance adequacy unless, due to safety significance, immediate NRC inspection followup is warranted. Therefore for the sample of violations and deviations selected, the inspector and his management will ideally assess the adequacy of the licensee's evaluation and corrective actions, rather than conducting an onsite followup inspection.

The regional documentation review may involve extensive communication with the licensee for the purposes of clarification, elaboration or the provision of further documentation.

03.02 Onsite Inspection. For the same sample selected for an onsite inspection, the assigned inspector should review pertinent documents such as:

- a. Inspection reports.
- b. Inspection report transmittal letters.
- c. Notices of violation (NOVs).
- d. Licensee response letters.
- e. Minutes of meetings with the licensee.
- f. Regional records of communications with the licensee.

The onsite inspection should examine whether the licensee's evaluations included a review of findings from internal audits and inspections in arriving at determinations on the repetitive and generic nature of an NRC finding and the effectiveness of licensee programs. Where an item is identified as repetitive in nature, the licensee should have conducted an indepth analysis of the effectiveness of management control systems. This entails the determination of root causes of deficient management controls and their potential generic implications. It should be noted that this is considered to be the most important item in this inspection procedure.

92702-04 RESOURCE ESTIMATE

Approximately 25 hours of direct inspection per year are estimated for the execution of this procedure at a single unit site. Multiunit sites are estimated to require an additional 5 to 10 hours per year for each additional unit.

92702-05 REFERENCES

10 CFR 2.201, "Notice of Violation."

10 CFR 19.11, "Posting of Notices to Workers."

10 CFR Part 50, Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants."

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