U.S. Nuclear Regulatory Commission
Office of Nuclear Reactor Regulation

NRR OFFICE INSTRUCTION

Change Notice

Office Instruction No.: **COM-106, Revision 3**

Office Instruction Title: **Control of Task Interface Agreements**

Effective Date: **March 24, 2008**

Approved By: **Reginald W. Mitchell**

Date Approved: **March 17, 2008**

Primary Contact(s): **Sean E. Peters**
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Responsible Organization: **NRR/DPR/PSPB**

Summary of Changes: This is Revision 3 of Office Instruction COM-106, "Control of Task Interface Agreements (TIAs)." These revisions reflect the reorganization of NRR and the coordination of the TIA program by the Special Projects Branch in the Division of Policy and Rulemaking and process modifications based upon a best practice examination and Regional/NRR Division feedback, including the incorporation of a Concurrence Method and a Letter Method for completing TIA responses.

Training: None

ADAMS Accession No.: ML073440014

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1.   **POLICY**

It is the policy of the Office of Nuclear Reactor Regulation (NRR) to ensure that questions raised by other NRC organizations are resolved in a timely manner and are appropriately communicated to that organization. As such, the Task Interface Agreement (TIA) process is used to address questions or concerns raised within the NRC regarding nuclear reactor safety and the related regulatory and oversight programs. The process should ensure that the concerns are resolved in a timely manner and that the NRR responses are appropriately communicated.

2.   **OBJECTIVES**

- •   To establish what constitutes a TIA.

- •   To ensure that TIAs are appropriately managed within NRR.

- •   To ensure that the NRR staff provides appropriate regulatory and technical information in response to TIAs.

- •   To ensure that the NRR staff provides timely responses to TIAs.

- •   To provide guidance on the TIA process including documenting responses to TIAs.

- •   To provide for review and approval of responses to TIAs.

- •   To improve communications on TIAs within NRR.

- •   To improve communications on TIAs between NRR and requesting organizations.

- •   To promote consistency in the TIA process.

3.   **BACKGROUND**

A TIA is a request for technical assistance from a region or another NRC office. A TIA contains questions on subjects involving regulatory or policy interpretations, specific plant events, or inspection findings. A TIA could also be used to obtain technical assistance on an allegation-related issue. TIAs contain questions on subjects within the scope of NRR's mission and responsibilities. The requesting organization may use a TIA to obtain information on specific plant licensing basis, applicable staff positions for an issue, regulatory requirements, NRR technical positions, or the safety or risk significance of particular plant configurations or operating practices.

The procedures specified herein present the means to ensure that (1) the resolution of questions related to potential safety and compliance concerns are appropriately discussed with the requesting organization, (2) the resolutions of the questions are appropriately planned and responses are provided in a timely manner, (3) the issues are adequately evaluated, and (4) the conclusions are communicated and documented. These measures will help document NRR staff decisions, ensure compliance with NRC rules and regulations, help ensure that plant facility operations comply with license requirements, and ensure that plants operate in a safe manner.

4.   **BASIC REQUIREMENTS**

TIAs are one of NRR's primary means of supporting other NRC organizations. Accordingly, NRR staff should consider the requesting personnel from regional offices or other NRC organizations to be vital customers and these requests should be treated in the same manner as other primary NRR responsibilities, such as resolving licensing matters and responding to public inquiries. With this consideration in mind, the NRR staff and managers should promote communications with the regional offices and other NRC organizations and ensure that inquiries from personnel in other NRC organizations are addressed in a professional and timely manner.

4.1   **Communicating with Other NRC Offices**

The goal of the TIA process is to support other NRC organizations in the most efficient and effective manner. As such, TIAs are not intended to replace the routine discussions that take place among NRR staff and other NRC offices. In these routine discussions, the NRC staff exchanges opinions and evaluates plant configurations and operating practices in light of regulatory requirements, staff technical positions, and good engineering practices. Occasionally, however, a more formal communication mechanism is desirable to ensure that a position is documented and to ensure that the response from NRR has been reviewed by appropriate technical staff and management.

4.2   **Initial Discussions on Potential TIAs**

The purpose of having initial discussions on potential TIAs is to ensure that the requesting organization seeks the most efficient and effective means of addressing questions or concerns, and that TIAs are necessary. Specific TIA acceptance criteria are listed in Appendix A.

To begin technical issue discussions, the requesting organization should contact the TIA Program Manager (PM). The TIA PM will then contact the appropriate NRR technical Branch Chiefs. The requester and the NRR staff, using the TIA acceptance criteria, will weigh the complexity, significance, and necessity of a formal response in order to direct the technical issue into the most efficient process for resolution (i.e., phone call, email, or official TIA response). If the TIA is initiated by a Region for a plant-specific issue, the TIA PM will inform the Division of Operating Reactor Licensing (DORL) PM of all of the activities associated with its review.

Search for Precedent TIAs and Previous Staff Positions

Also, when contacted about a proposed TIA, the TIA PM and the associated NRR technical branch should conduct a search to ensure that the particular issue has not already been addressed. Searching for and identifying precedent applicable staff positions maximizes staff efficiency and the consistency of agency actions.

Per LIC-202, "Procedures for Managing Plant-Specific Backfits and 50.54(f) Information Requests," and in accordance with the backfit rule, applicable staff positions for a particular licensee may be located in standard review plans, branch technical positions, regulatory guides, generic letters, and bulletins, etc. Various methods and tools for searching for precedent evaluations that may provide additional insight include the use of the Agencywide Documents Access and Management System (ADAMS), the OpE Information Gateway on the Internal NRC Home Page, Inspection Manual guidance, and other NRC documents. Licensee documents such as Final Safety Analysis Reports and responses to violations may provide additional insights on how the licensee addressed the applicable NRC staff position. However, the fact that a question was raised may indicate that a position or policy is not well understood. Accordingly, the NRC staff should consider the following options for restating a previously documented position:

- Issue a Regulatory Issue Summary.

- Redistribute the documentation of the position or policy.

- Send a reminder via email to regional counterparts.

- Incorporate the existing position or policy into higher level documents that normally contain applicable NRC staff positions.

During the initial discussions on a possible TIA, the TIA PM and the applicable NRR technical branch will help the requesting organization in developing its technical position and in crafting the TIA questions.

4.3   Types of TIAs

From the initial discussions, if it is determined that an official TIA may be necessary, the TIA PM will suggest the type of TIA that should be requested. TIAs can be submitted under either the Concurrence Method or the Letter Method.

4.3.1   Concurrence Method

The Concurrence Method is the most expedient means of obtaining NRR concurrence on a technical position or an applicable NRC staff position. By using this process, the requesting organization formally submits a technical position,

typically used within an inspection report, and requests NRR concurrence. This process should be used for issues that the requesting organization already has an agreed upon technical position within its staff. It is the goal of the NRR staff to respond within 30 days of receipt.

4.3.2   Letter Method

The Letter Method, on the other hand, requires NRR to develop a technical position in a formal response to the requesting organization. This process should be used for issues that are new, complex, require study, or cannot be resolved within the concurrence time frame. It is the goal of the NRR staff to complete its response within 4 months of the initial request, although longer periods of time may be negotiated depending on the complexity of the issue.

4.3.3   Prioritization

The NRR staff must control and prioritize its activities and will include those considerations when negotiating the schedule, method, and level of effort with the requesting organization. The NRR staff will give special attention to the following:

- The NRR staff will give the highest priority to resolving questions involving significant safety issues (e.g., potential greater than green findings).

- The NRR staff will give priority to resolving issues that could involve the loss of power production (i.e., a plant shutdown, derating, or delay in startup).

- Regardless of the risk or safety significance, the NRR staff will give priority to a TIA from a regional office if the region determines that technical assistance is needed to support the review of an allegation. Management Directive 8.8, "Management of Allegations," requires a regional office to send a TIA when requesting technical assistance from NRR on an allegation. Questions concerning the processing of allegation-related material should be directed to either the NRR or Regional Office Allegation Coordinators (OACs).

- The NRR staff will give priorities to TIAs involving inspection findings and secondly to unresolved inspection issues (URIs).

- The NRR staff will give priority to resolving issues where uncertainties or conflicting views are adversely affecting the public's confidence in the regulatory process.

4.4   **TIA Conference Call and Submittal (All TIAs)**

Draft TIA

Prior to the conference call between the NRR staff and the requesting organization, a Draft TIA should be provided to NRR. The draft submittal should

be approved by the requesting organization's Deputy Division Director or designee, and the draft should choose one of the two processes mentioned above. The draft should indicate whether the TIA involves an inspection finding, an unresolved issue with a licensee, or some other issue.

If the TIA is related to an allegation, then all incoming documents should be handled in accordance with MD 8.8. These documents should be distributed on a need-to-know basis. Allegation related documents should be attached to the allegation blue cover sheet and appropriately marked.

Conference Call

The conference call to discuss the submittal of the TIA should be mutually agreed upon by the requesting organization and the NRR staff within a week of the Draft TIA request. The purpose of this call is to discuss the technical issues, identify the specific questions to be resolved, determine whether the proposed TIA should be submitted, establish the scope and depth of NRR's response and the resources needed, and determine the timing of the response. These discussions may eliminate the need for a TIA or may clarify the request when it is received. For example, the NRR staff may ask for the questions to be rephrased with the end goal of providing a more focused and meaningful response. Additionally, if the NRR staff identifies that additional information would be needed from the requesting office or a licensee to support the decision making, then the TIA should not be accepted until this information is available.

Requests for a staff position for which the responses are very straightforward and readily available, that have been addressed by a response to a previous TIA, that do not concern policy interpretations, or that are mutually agreed to have a very low safety significance can be answered by telephone or email. Concurrences are not necessary. When an issue is resolved without formal documentation, the involved staff should consider whether a memorandum to file should be prepared to document the internal discussions.

The NRR participants in the conference call should include the TIA PM (DPR/PSPB), the PSPB Branch Chief, and appropriate technical staff (Senior Reviewer Branch Chief). Additionally, if the TIA is generated by a Region for a plant-specific issue, the DORL plant PM should be notified in advance of the call and may attend. Furthermore, if the regional office is requesting technical assistance to support the processing of an allegation, the regional OAC should participate in this call. The regional OAC's role in this call is to address the timeliness of the TIA response and to ensure the proper handling of allegation documents.

For TIAs that are associated with allegations, the regional OAC will negotiate the due date for the draft and final TIA responses (Note: A draft TIA response is defined as pre-decisional and is sent to the requesting organization for comment).

For all other TIAs, the TIA PM will negotiate with the affected technical branch(es) and the requesting organization a target date for issuing the draft TIA response.

A date for the final TIA response may also be negotiated during this call. The target date and priority of a TIA is determined on the basis of safety and risk significance, operational impact, regulatory impact, or the need to support the closeout of an allegation.

Also during this call, the requesting organization will indicate if the final TIA response can be released to the public and if there are any restraints on discussing the issues with licensees or other external stakeholders. Upon conclusion of the call, if mutual agreement on the draft TIA is achieved, the requesting organization should make any agreed upon changes to the TIA request and submit the Final TIA request to NRR.

However, based upon the outcome of the preliminary discussions or the TIA conference call, the NRR staff may decide that the TIA is not necessary or appropriate, or that the TIA should fall under the Concurrence Method versus the Letter Method. The requesting organization may appeal the NRR staff's decision by directly contacting the Deputy Director of the Division of Policy and Rulemaking (DPR) by telephone or email.

Final TIA Submittal

When submitting the final TIA request, address the official TIA request to the Deputy Director of DPR and carbon copy the PSPB Branch Chief, the TIA PM, and the DORL Plant PM (if applicable). Once the official TIA submittal is received, the TIA PM will begin the work planning process associated with the submittal type.

4.5   **Work Planning (All TIAs)**

Responding to TIAs is one of NRR's primary means of supporting other NRC organizations; therefore, responding to a TIA by the established date is a key measure of NRR's responsiveness. If the schedule for responding to a TIA needs to be revised, the change must be coordinated with the requesting organization. Note that the proper consideration of schedule, importance, and resources should enable NRR to meet its operating plan performance goals.

The following information describes NRR's process for receiving and resolving accepted TIA requests. This work plan applies to TIAs following both the Concurrence and the Letter Methods.

(1)   The TIA PM should ensure that the written TIA (including the technical issue, schedule, and scope and depth of NRR's response) is consistent with previous discussions. If the TIA is not consistent, then the TIA PM and PSPB Branch Chief will consult the Deputy Director of DPR to determine the next action to be taken.

(2)   The TIA PM should obtain a Technical Assignment Control (TAC) number with the activity code RA through the Time, Resource, and Inventory

Management (TRIM) program. This provides a means of tracking the work.

(3)   The TIA PM, in coordination with the NRR technical staff, should develop a work plan. The plan should identify the specific questions to be resolved in the TIA response (i.e., primary technical or policy questions) and should define the scope, depth, resources, and schedule of the remaining work (Note: The discussions preceding the submittal of the TIA involved preliminary reviews and estimates).

To develop this plan, the TIA PM and NRR technical staff should evaluate the TIA questions to determine the associated applicable NRC staff position for that plant, the plant's licensing basis, the relationship to the applicable NRC staff positions and policy as it currently exists, and the likely risk significance of the issue or problem.

(4)   The TIA PM will prepare a work request form in accordance with the Work Planning Center process to achieve and document a mutually agreed-upon work plan consistent with prior discussions with the requesting office. The PM and technical Branch Chiefs are responsible for ensuring that the key elements of the work plan are captured in the TRIM program. The TIA PM is responsible for monitoring these elements.

In particular, it is important to estimate and plan for the staff-hours that will be required to process the TIA. The resources allocated to address issues in a TIA should be consistent with the technical or regulatory complexity of the issues and should consider the perceived risk significance of the subject plant configurations or operating practices (i.e., the lower the risk significance, the lower the resources).

(5)   The TIA PM will coordinate the request with the technical and licensing staff and the Office of Enforcement (OE) (if the TIA response is likely to conclude that a licensee practice was not appropriate and may result in an enforcement action), as appropriate. Additionally, the TIA PM will arrange for the Office of the General Counsel (OGC) input and concurrence on issues that involve interpretations of policy or regulatory requirements.

4.6   Conducting the Technical Review (Letter Method)

Once the NRR staff has begun the technical review, the TIA PM provides communication and project support for both the requesting office and the NRR technical staff. As such, the TIA PM will help the NRR technical staff identify potential generic and backfit issues, in addition to supporting Requests for Additional Information (RAIs). However, the need for RAIs should be minimized by the effective screening of the Draft TIA.

4.6.1 RAIs for Non-Allegation-Related TIAs

The requester and NRR staff should determine the restrictions against or recommendations for interaction with licensees and other external stakeholders during NRR's development of a response (including the role of the requesting office during such interactions). If needed to ensure clear and accurate information, interactions with licensees are allowed unless there is a clear reason to keep the response confidential (e.g., TIAs related to allegations). If the licensee or other external stakeholder is to be contacted, the issue shall be discussed with the requesting organization to ensure that the NRR staff and requesting organization are in agreement before discussions are initiated.

The NRR staff should consider whether it would be appropriate to request a written submittal from a licensee or other external stakeholder in order to document the basis for a response to a TIA.

Also, if the NRR staff conclusion could have an adverse impact on a licensee (e.g., entry into an LCO action statement), the issue shall be discussed with the requesting organization and licensee prior to formal issuance of the final TIA response. This communication ensures that the NRR staff has considered all relevant information in arriving at its conclusion and that the licensee is aware of the situation. In interacting with licensees and developing responses to TIAs, the staff should be sensitive to regulatory impact, backfit concerns, and whether information requested is necessary to make the regulatory finding.

4.6.2 RAIs for Allegation-Related TIAs

The NRC staff shall coordinate the development of an RAI with the regional OAC. This coordination will ensure the proper handling of information related to an allegation. The regional OAC will issue the RAI letter to the licensee. While drafting the RAI, the PM shall not place the questions into ADAMS or onto any computer network drives. The PM shall contact the regional OAC for guidance in sending the RAI to the region.

In accordance with NRR Office Instruction OVRST-200, Section 4.7, Allegation-related documents may not be transmitted from the NRC to any outside parties without the expressed permission of the OAC. Allegation-related correspondence, including RAIs must be either signed by the OAC or have been concurred by the OAC. In addition, if the allegation involves a pending investigation by the Office of Investigations, then the NRR staff must coordinate with the Office of Investigation (OI) through the regional OAC to avoid compromising the OI Investigation.

4.6.3 Identification of Generic Issues for Non-Allegation-Related TIAs

In order to identify possible generic issues, the TIA PM shall provide copies of the TIA to DIRS/IOEB, DPR/PGCB, and the affected technical and licensing branches. This step does not apply to allegation-related TIAs.

When generic issues are identified by the NRR staff, closure of the TIA may include a response that does not directly answer questions but instead refers an issue to other NRC processes, such as for generic safety issues and action plans. While the NRR staff should answer as many of the issues raised in a TIA as are answerable given plant-specific concerns and existing technical positions, the NRR staff should not circumvent the generic issue or issues for resolution processes by establishing new staff positions in responses to TIAs.

The response to a TIA should clearly state which, if any, items are being referred to generic issue processes. If NRR proposes to defer resolution of an issue identified in a TIA by referring the issue to another formal process, the TIA response must make the following determinations:

- There is no immediate safety concern requiring resolution.

- Deferring the issue does not affect NRC's regulatory function (i.e., no enforcement decision or other short-term action is dependent on the resolution of the TIA).

- The issue whose resolution is deferred by the TIA response is clearly captured by an established, formal process and can be traced to the incoming TIA.

4.7   Issuance of Draft TIA Response (Letter Method)

The draft response to a TIA should address all the questions raised in the TIA and state whether it applies to a specific plant or a group of plants. To ensure that the response accomplishes this task, the TIA PM will send a draft of the response to the requesting office as soon as NRR has agreed to the resolution of the technical or policy issues, and the position has been concurred upon by OE and OGC, as necessary (See Section 4.5(5)).

The draft response to the TIA is to be sent from the PSPB Branch Chief to the appropriate Deputy Division Director in the requesting office and should be processed in ADAMS as non-publicly available. (Note: TIA responses that involve generic issues, backfits, or exemptions shall be concurred upon by the DPR Deputy Director. Also, for TIAs associated with plant-specific issues, the DORL PM shall be put on distribution for the draft response). The requesting organization should respond to the draft TIA via email to the PSPB Branch Chief and the TIA PM within 10 working days (Note: If the requesting organization fails to respond within the 10 working days, then the final TIA response will be formally issued). If the requesting office agrees that its questions have been addressed, then the final TIA response will be formally issued.

If the requesting office does not believe that the proposed response is sufficient to address an issue or has a differing view regarding the possible NRR position, then the TIA PM should arrange for additional discussions between the NRR evaluators and the requesting organization. It may be necessary for a revised

draft TIA response to be issued to address the requesting office's concerns. If a consensus is not reached between the requesting organization and NRR within 30 days of notification from the requesting organization, the Deputy Director of DPR shall discuss options with the appropriate Deputy Division Director in the requesting office (e.g., nonconcurrence process, differing professional opinion program, etc.) and shall determine the appropriate action to close the related NRR work activity.

Backfits

In developing responses to TIAs, the NRR staff should be sensitive to regulatory impact and backfit concerns. If the NRR staff determines that it has questions for a licensee during the TIA process, the NRR staff should first decide whether or not the information requested is necessary to make the regulatory finding. If the NRR staff's response to a TIA can reasonably be viewed as a new or different staff position, the TIA PM and the NRR technical staff shall consult LIC-202, "Procedures for Managing Plant-Specific Backfits and 50.54(f) Information Requests," and LIC-400, "Procedures for Controlling the Development of New and Revised Generic Requirements for Power Reactor Licensees," to determine if a regulatory analysis should be prepared. Alternatively, the TIA response can acknowledge that a new position is being taken and what would be the likely outcome of the related backfit analysis. Additional discussions with the requesting office can then help determine if the formal backfit process should be initiated prior to using the TIA response in discussions with licensees or other stakeholders.

Allegation-Related TIAs

Regarding the draft response to an allegation-related TIA, the TIA PM shall coordinate the development of this response with the regional OAC. This will ensure the proper handling of information related to an allegation. NRR Office Instruction OVRST-200, Section 4.7, states that allegation-related documents may not be transmitted from the NRC to any outside parties without the express permission of the OAC. Unless the regional OAC has determined otherwise, the TIA draft response shall not be placed in ADAMS or on any computer network drives. The PM shall contact the regional OAC for guidance in sending the draft response to the region.

4.8   **Communication and Documentation Issuance of Final TIA Response (Letter Method)**

The final response to a TIA should be sent from the Branch Chief of PSPB or the Deputy Director of DPR (for TIAs related to generic issues, backfits, or exemptions) to the appropriate Deputy Division Director in the requesting office (Note: For plant-specific TIAs, the DORL plant PM shall be on distribution). With the exception of allegation-related TIAs, copies of the response should be provided to all of the regional offices and other NRC organizations and record management systems consistent with standard NRC document control policies.

Furthermore, the responsible NRR technical branches shall incorporate these responses into their branch training plans.

Discussions with the requesting office prior to issuance of the TIA response should address whether the final TIA response should be made publicly available. In some cases, TIAs and their responses are considered sensitive and, therefore, should not be placed in ADAMS as publicly available documents. In most cases, the response should be declared in ADAMS as publicly available in order to give licensees and the public access to the evaluation, consistent with current agency policy.

Situations involving a sensitive, safety significant, or Technical Specification related finding may warrant informing licensees in a timely fashion. Therefore, the NRR staff would send the response to a TIA directly to a licensee or group of licensees, in addition to its normal distribution, in order to share the NRR staff's technical finding. In situations where time is not critical, the NRR staff should issue the TIA response to the requesting office, internally distribute it, and make the document available to the public after a predetermined delay (e.g, the TIA response would be made public after 2 weeks unless a reason not to was identified as a result of its internal NRC distribution).   This delay allows time for the NRC staff to become familiar with the findings and assess its ramifications prior to ensuing discussions with licensees or the interested public.

In order to identify possible generic issues, the TIA PM shall provide copies of the final TIA response appropriate internal organizations such as those responsible for technical subjects, operating experience, and technical specifications.

Allegation-Related TIAs

Unless the regional OAC has determined otherwise, the TIA final response shall not be placed in ADAMS or any computer network drives. The PM shall contact the regional OAC for guidance in sending the final response to the region. The response will be distributed to those with a need-to-know.

4.9   Concurrence Method Documentation

The Concurrence Method is intended to be the preferred, expedited means for requesting organizations to obtain official NRR technical or policy feedback for issues that do not involve backfits or exemptions. Under this process, the requesting organization would follow Sections 4.2 and 4.4 above, concerning the TIA discussions and call. These discussions with the TIA PM and the responsible NRR technical staff will indicate which NRR branches need to be on concurrence.

Once the TIA is agreed upon for submittal, the requesting organization's Deputy Division Director should forward the issue to the Deputy Director of DPR with the PSPB Branch Chief, the TIA PM and, if applicable, the DORL plant PM on carbon copy. The requesting organization's technical or policy position must be clearly

stated, with the supporting information included. The TIA PM will follow Section 4.5 above concerning work planning, and use 30 days as the TIA response completion goal. Once the document has been reviewed and concurred upon by the appropriate technical staff and the PSPB BC, the PSPB BC would then email the official position (with or without modifications) to the requesting office and the four regional offices. Furthermore, the responsible NRR technical branches shall incorporate these responses into their branch training plans.

Note: If the NRR staff determines that additional information is needed prior to concurrence, then the NRR staff will issue a Request for Additional information and will make its concurrence determination within 30 days of receipt of the RAI response. Also, if the NRR staff intends to disagree with the position that the requesting office takes, then the TIA PM will inform the requesting office of the NRR intent, and the NRR staff will issue a letter response (similar to the Letter Method), clearly stating the NRR staff's position within 90 days.

5.   RESPONSIBILITIES AND AUTHORITIES

TIA Program Manager

The TIA PM in DPR/PSPB is the point of contact for all TIA related activities and is responsible for the proper implementation of this office instruction and recommending process improvements in implementation to the Deputy Director of DPR. The TIA PM coordinates the TIA activities with the regions, the other NRC offices, and the NRR staff. Additionally, the TIA PM assigns the TIA tracking number, assigns review schedules, and is responsible for the quality and timeliness of the TIA response. Furthermore, the TIA PM will maintain a system for tracking NRR's performance in planning for and responding to TIAs and will use the system to provide information on the overall TIA program.

Branch Chief, Special Projects Branch

The BC of PSPB shall ensure that staff, including assignment of a TIA PM, and other resources are provided to manage and execute the TIA program. The PSPB BC shall assist in the management of the TIA program and shall work with the TIA PM to correct problems and implement improvements. The PSPB BC is the decision-maker on individual TIA responses that do not involve generic issues, backfits, or exemptions and is responsible for working with the requesting organization to resolve disagreements.

Deputy Director, Division of Policy and Rulemaking

The DPR Deputy Director is the responsible manager for the NRR office level guidance related to the management of TIAs. The DPR Deputy Director is the decision-maker on individual TIA responses that involve generic issues, backfits, or exemptions and is responsible for working with the requesting organization to resolve disagreements. The DPR Deputy Director will periodically discuss the TIA program with regional managers

and other NRC organizations to assess the effectiveness of the program and solicit suggestions for possible improvements.

Other NRR Staff and Managers

All NRR staff members and managers shall support the TIA program by coordinating activities and communications with the TIA PM, PSPB BC, and DPR Deputy Director to ensure work satisfies expectations regarding quality, schedule, and cost.

6. **PERFORMANCE MEASURES**

NRR's operating plan defines the success of the TIA program as having 50 percent of the open TIA inventory being less than 6 months and 100 percent of the open TIA inventory of less than 1 year in age. However, the complex nature of TIAs prevents many of the responses from being completed within the initial planned schedule. Therefore, the PM and technical staff shall work TIAs under the Letter Method with an initial goal of completion of no greater than 4 months of receipt. TIAs under the Concurrence Method shall be worked with an initial goal of completion of no greater than 30 days of receipt.

7. **PRIMARY CONTACT**

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8. **RESPONSIBLE ORGANIZATION**

NRR/DPR/PSPB

9. **EFFECTIVE DATE**

March 24, 2008

10. **REFERENCES**
None

Enclosures:
1. Appendix A - TIA Acceptance Criteria
1. Appendix B - TIA Flowchart - Letter Method
2. Appendix C - TIA Flowchart - Concurrence Method
3. Appendix D - TIA Process Checklists
3. Appendix E - Change Notice History

Appendix A: TIA Acceptance Criteria

Acceptable TIA Questions

TIAs are suitable for answering the following types of questions:

- Policy or Regulatory Requirement Interpretations
- Plant Licensing Bases
- NRR Technical Positions
- Safety/Risk Significance of Plant Configurations or Plant Operating Practices
- Plant Specific Questions with Obvious Generic Implications (Note: Portions of the answer may be referred to other generic processes)

Unacceptable TIA Questions

The following types of questions are not suitable for answers under the TIA process:

- Non-Plant Specific Generic Issues (Refer to DPR/PGCB for possible Generic Communication, DPR for possible Issue for Resolution, or RES for Generic Safety Issues)
- Plant Backfit Analyses (Refer to DPR/PGCB for Backfit related questions)
- Disagreement with a previously stated staff position (Refer to the Non-Concurrence or Differing Professional Opinions Processes)

When to Use an Alternate Process (i.e., teleconference, email, etc.)

To promote enhanced communication and efficiency within the NRC, the most expedient method for resolving issues should be used. Therefore, TIAs should not be used when:

- The response is straightforward and readily available.

- The issue is of very low safety significance and is not tied to an inspection report.

- The staff has previously expressed a position (in a TIA response, regulatory guide, or other document).

- The question or concern relates to an issue that will be addressed as part of the Significance Determination Process within the Reactor Oversight Program.

- A more efficient means of answering a question would not compromise the NRC's regulatory function (e.g., would rely on a licensee's or vendor's evaluation).

- The inspection findings involve the performance of a risk significance evaluation that can be accomplished within the current budgeted resources of the NRR Probabilistic Risk Assessment Operational Support and Maintenance Branch and does not require the additional expenditure of resources to prepare and respond to a TIA.

Appendix B: TIA Flowchart - Letter Method

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                 │ Initiate Discussion │──────────────────┐
                 └─────────────────────┘                  │
                            │                              │
                            ▼                              │
                 ┌─────────────────────┐                  │
                 │ NRR Background Search│──────────┐       │
                 └─────────────────────┘           │      │
                            │                       ▼      ▼
                 ┌─────────────────────┐   ┌──────────────────────┐
                 │  NRR Helps Develop   │   │  Acceptance Criteria │
                 │    TIA Questions     │──▶│      Indicates       │
                 └─────────────────────┘   │   No TIA Required     │
                            │              │  Informal Response    │
                            ▼              │      Possible         │
                 ┌─────────────────────┐   └──────────────────────┘
                 │ Draft TIA Submittal │──────────┐     ▲
                 └─────────────────────┘           │     │
                            │                       ▼     │
                 ┌─────────────────────┐                 │
                 │      TIA Call        │────────────────┘
                 │  (Within 5 Days)     │
                 └─────────────────────┘
                            │
                            ▼
                 ┌─────────────────────┐
                 │   TIA Accepted/      │
                 │  Number Assigned     │
                 └─────────────────────┘
                            │
                            ▼
                 ┌─────────────────────┐
                 │ Final TIA Request Submitted │
                 └─────────────────────┘
                            │
                            ▼
                 ┌─────────────────────┐
                 │ TIA PM Work Planning │
                 └─────────────────────┘
                            │
                            ▼
                 ┌─────────────────────┐   ┌──────────────────────┐
                 │ NRR Tech Staff/TIA PM Work │──▶│   Refer Generic    │
                 └─────────────────────┘   │ Questions to PGCB,   │
                            │              │   IOEB and RES       │
                            ▼              └──────────────────────┘
                 ┌─────────────────────┐
                 │  Draft TIA Response  │
                 └─────────────────────┘
                            │
                            ▼
                 ┌─────────────────────┐
                 │ Comment Period (10 Work Days) │
                 └─────────────────────┘
                            │
                            ▼
                 ┌─────────────────────┐
                 │  Final TIA Response  │
                 │     (4 Months)       │
                 └─────────────────────┘
```

Appendix C: TIA Flowchart - Concurrence Method

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                    ┌─────────────────────┐
                    │  Initiate Discussion │──────────────┐
                    └─────────────────────┘              │
                              │                           │
                              ▼                           │
                    ┌─────────────────────┐              │
                    │ NRR Background Search│──────────────┤
                    └─────────────────────┘              │
                              │                           │
                              ▼                           ▼
                    ┌─────────────────────┐   ┌─────────────────────┐
                    │   NRR Helps Develop  │   │   No TIA Required    │
                    │     TIA Position     │──▶│  Informal Response   │
                    └─────────────────────┘   │      Possible        │
                              │                └─────────────────────┘
                              ▼                           ▲
                    ┌─────────────────────┐              │
                    │  Draft TIA Submittal │──────────────┤
                    └─────────────────────┘              │
                              │                           │
                              ▼                           │
                    ┌─────────────────────┐              │
                    │       TIA Call       │──────────────┘
                    │   (Within 5 Days)    │
                    └─────────────────────┘
                              │
                              ▼
                    ┌─────────────────────┐
                    │    TIA Accepted/     │
                    │   Number Assigned    │
                    └─────────────────────┘
                              │
                              ▼
                    ┌─────────────────────┐
                    │Final TI Request Submitted│
                    └─────────────────────┘
                              │
                              ▼
                    ┌─────────────────────┐
                    │ TIA PM Work Planning │
                    └─────────────────────┘
                              │
                              ▼
                    ┌─────────────────────┐
                    │NRR Tech Staff/TIA PM Work│
                    └─────────────────────┘
                              │
                              ▼
                    ┌─────────────────────┐
                    │   TIA Concurrence    │
                    │   (30 Work Days)     │
                    └─────────────────────┘
```

Appendix D: TIA Process Checklists

Requesting Office Initiates TIA Discussion

❏   TIA PM coordinates discussion with Requesting Office and NRR Technical Branches
❏   TIA PM informs DORL PM of status
❏   Determine if TIA is allegation related. If so, handle all incoming documents in
         accordance with MD 8.8.
❏   TIA Preliminary Screening - Follow Appendix A, "TIA Acceptance Criteria"
❏   Perform precedent search. If precedent is found, consider restating previously
         documented position:
         - Issue a Regulatory Issue Summary.
         - Redistribute the documentation of the position or policy.
         - Send a reminder via email to regional counterparts.
         - Incorporate the existing position or policy into higher level documents

If TIA is Determined Necessary:

❏   TIA PM suggests appropriate TIA process (Letter, Concurrence)
❏   TIA PM and Technical Branches aid in the development of the TIA Questions or
         Technical Position.

Requesting Office Submits Draft TIA

❏   Hold TIA Call (within 5 work days from Draft)
         ❏   Discuss the technical issues
         ❏   Identify the specific questions to be resolved and rephrase questions if necessary
         ❏   Determine the scope and depth of NRR's response and the resources needed
         ❏   Determine whether the proposed TIA should be submitted
                 - Are responses straightforward and obvious?
                 - Have the responses been addressed by a previous TIA response?
                 - Is the issue of very low safety and regulatory significance?
         ❏   Negotiate target date for issuing the draft TIA response.
         ❏   Negotiate target date for issuing final TIA response.
         ❏   Determine whether or not the final TIA response can be released to the public.
         ❏   Determine whether or not there are restraints on discussing the issues with
                 licensees or other external stakeholders.
         ❏   TIA PM assigns TIA number.

Requesting Office Submits Final TIA Request

❏   TIA PM ensures that the written TIA is consistent with previous discussions.
❏   TIA PM obtains TAC number with the activity code RA.
❏   TIA PM develops a work plan (if required).
❏   TIA PM prepares a work request form consistent with prior discussions.
❏   TIA PM coordinates the request with the technical and licensing staff, OE, and OGC as
         appropriate.

❏   TIA PM coordinate RAIs with NRR technical staff (if required).
❏   The NRR technical staff and the TIA PM will identify Generic Issues. TIA PM shall
        provide copies of the TIA to DIRS/IOEB, DPR/PGCB.
❏   The NRR technical staff and TIA PM will identify and resolve backfit issues.

        NRR Issues Draft TIA Response (Letter Method Only)
        ❏   The TIA PM will send a draft of the response to the requesting office.
        ❏   The requesting organization should respond to the draft TIA via email to the
                DPR/PSPB Branch Chief and the TIA PM within 10 working days.

                If the Requesting Office has Comments
                ❏   The TIA PM and the NRR technical staff resolve TIA comments.
                ❏   Issue revised Draft TIA response.
                ❏   If consensus is not reached on revised Draft TIA response, DPR Deputy
                        Division Director initiates interoffice discussions to finalize the TIA
                        response.

❏   DPR issues the Final TIA response (Letter Method) or concurrence (Concurrence
        Method).

Appendix E: Change History

Office Instruction COM-106, Revision 3

COM-106, Revision 3 Control of Task Interface Agreements			
Date	**Description of Changes**	**Method Used to Announce & Distribute**	**Training**
11/26/01	Initial Issuance	Email to NRR staff	DLPM PM Briefing
12/24/02	This Office Instruction COM-106, "Control of Task Interface Agreements," update provides; 1) a general revision to increase management oversight of the process, 2) requires a statement regarding plant applicability for the TIA response, 3) adds a 30 day response requirement for the requesting organization on the draft TIA , 4) changes the goal to 80% of the draft responses sent to the requesting organization by latest agreed upon schedule, and 5) several editorial changes.	Email to NRR staff	DLPM PM Briefing
11/30/05	The changes implement the guidance in MD 8.8 and NRR OI OVRST-200 for processing TIAs related to allegations; incorporate the guidance in NRR OI LIC-401 for interacting with NRR/DIRS/OE and DPR/GCPU on potential generic issues; changes the timeliness goal for draft TIA responses to 100%, and implements the NRR reorganization. Other changes include providing a step by step process.	Email to NRR staff	DORL PM Briefing
03/17/08	These revisions reflect the reorganization of NRR and the coordination of the TIA program by the Special Projects Branch in the Division of Policy and Rulemaking and process modifications based upon a best practice examination and Regional/NRR Division feedback. The changes include the incorporation of a Concurrence Method and a Letter Method for completing TIA responses, and revised performance metrics for completion.	Email to NRR staff	None