INVENSYS PROCESS SYSTEMS

Invensys Process Systems
15345 Barranca Parkway
Irvine, CA 92618

August 8, 2008
File No. QA-NRC-08-001

United States Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555-0001

Subject: Reply to NRC Notice of Violation 99901357/2008-201-01
NRC Inspection of Invensys Process Systems (IPS) Irvine CA facility, May 19-22, 2008

Reference:
1. Letter, NRC (J. Peralta) to IPS (J. Larson), July 11, 2008
Nuclear Regulatory Commission Inspection Report 99901357/2008-201
2. Docket No. 99901357

Gentlemen:

Reference 1 provided the results of the Inspection conducted by the Nuclear Regulatory Commission at the Invensys Process Systems (IPS) Irvine, CA facility on May 19-22, 2008. The Inspection Report transmitted a Notice of Violation related to the adequacy of the level of guidance provided in the 10CFR Part 21 implementing procedure.

Attached is the IPS response to the Notice of Violation, including the reason for the violation, the corrective steps taken and results achieved, the corrective steps to be taken to avoid further violations, and the date when full compliance will be achieved.

If you have any questions on this response, please contact me at 949-885-0716.

Sincerely,

Jeff Larson
Director, Nuclear Quality Assurance
Invensys Process Systems

cc: Juan Peralta (NRC)
Chief, Quality & Vendor Branch 1, Division of Construction Inspection
& Operational Programs
Office of New Reactors
David Golden
Paul Mesmer
Tom Szudajski
Bob Rasmussen
Catherine Traylor

Attachment

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Attachment 1 – Response to Notice of Violation
NRC Inspection Report 99901357/2008-201-01

DESCRIPTION OF CONDITION

The IPS 10 CFR Part 21 implementing procedure, QAM 13.3 [Revision 9] did not provide adequate procedural guidance to evaluate deviations and failures to comply associated with substantial safety hazards.

REASON FOR THE VIOLATION

The primary cause of the procedural inadequacy has been determined to be an incomplete understanding of the 10 CFR Part 21 terminologies, definitions and evaluation process requirements by the procedure author and reviewers.

CORRECTIVE STEPS THAT HAVE BEEN TAKEN AND RESULTS ACHIEVED

As indicated in the inspection report, this issue was entered into the IPS Corrective Action program upon discovery under Action Request Report (ARR) 629. A review of the three 10 CFR Part 21 evaluations performed to date (ARR 539, 579 and 580) determined that, although not adequately recorded through objective evidence in each case, the conclusions reached relative to the final classification and reportability determination (no substantial safety hazard – not reportable) were correct and consistent with regulatory requirements.

CORRECTIVE STEPS THAT WILL BE TAKEN TO AVOID FURTHER VIOLATIONS

1. Triconex procedure QAM 13.3 and the associated evaluation Form is being revised to more clearly reflect and communicate terminology, definitions and the requirements for 10 CFR Part 21 screenings, evaluations and record content.

2. Training will be performed with responsible personnel to ensure understanding of 10 CFR Part 21 and the revised QAM 13.3 requirements.

3. The three previous completed 10 CFR Part 21 evaluations will be reviewed using the new procedural guidance and the results documented on the revised Form.

DATES WHEN FULL COMPLIANCE WILL BE ACHIEVED

1. August 29, 2008

2. September 12, 2008

3. September 19, 2008