

Industry Comments on Draft IMC-0613, Inspection of Construction and Operational Programs

(Draft IMC-0613 provided for comment 9/17/09)

IMC Section/ Paragraph/Sentence	Comment	Proposed Resolution
1. 0613-03, Definitions	We understand that IMC-0613 is to be the repository for definitions of terms used in several IMCs related to new plant construction inspection. As such we recommend adding the definitions of "Preoperational Testing" and "Startup Testing" found in IMC-2504 (Oct. 2007).	Add to IMC-0613 the definitions of "Preoperational Testing" and "Startup Testing" from IMC-2504 (Oct. 2007).
2. Definitions, p. 1	We recommend modification of the definition of "construction activities" to avoid confusion with the definition of "construction" in 10 CFR 50.10 and 51.4 and to clarify the scope of the term.	<p>Revise the definition of "construction activities" as follows:</p> <p><u>As used in this manual chapter, any activity associated with the construction, fabrication, or testing of structures, components, subcomponents, subsystems, or systems that are subject to NRC regulations, either at the construction site or at remote fabrication or testing facilities. Construction activities also include related design and engineering activities including design changes for the structures, systems, and components.</u></p>
3. Definitions, p. 2	Construction Quality Practices, Continuous Learning Environment, and Organizational Change Management were eliminated from Appendix F	Delete these components from the definition of CSFC.

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4. Definitions, p.4,5	Is the phrase "legally binding" before "regulatory requirement" in the definition of NOV and violation redundant?	Consider deleting the descriptor, "legally binding."
5. Definitions p. 4; 05-01, p. 7; Appendix B, p. B-1; Construction Findings Flowchart	<p>The definition and discussion of commitments is not sufficiently clear. For licensees, we believe it refers to commitments made in writing to the NRC which have not been made a requirement by the Commission. It does not refer to internal commitments.</p> <p>There are many types of contractor commitments. To avoid confusion, IMC-0613 should distinguish between contractor commitments to meet 10 CFR Part 50, Appendix B, requirements versus contractual or other commitments to the licensee.</p>	<p>Provide more specific discussion of commitments which are not regulatory requirements. Ensure that all sections are consistent.</p> <p>Where the IMC refers to a failure to meet contractor commitments, consistently add the phrase found in the first paragraph of Section 05-01 so it reads as follows:</p> <p>"...failure to meet a contractor's commitment related to 10 CFR Part 50, Appendix B."</p>
6. Definitions, p. 5	<p>Qualifications for performing safety culture assessments should include experience <i>or</i> formal training. There are no regulations regarding safety culture assessments or the qualification of team members.</p> <p>Also, it should be made clear that this definition does not apply to licensee self assessments of safety culture.</p>	Change "and" to "or." State that this definition applies to independent or third party safety culture assessments.
7. 11.01, p. 16	Licensee Event Report and Construction Deficiency Report should be defined in the definitions section.	Add definitions for LER and CDR.

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8. 12.01.c, p. 17	Typo next to last line.	Change "is" to "in."
9. Appendix B, 1-3, p. B-2	There are four questions, not six	Change "six" to "four".
10. Appendix B, 1-3, p. B-3	<p>Note 1 in the box following the four greater-than-minor screening questions states that consideration of work-in-progress is applicable to only the first three of the screening questions.</p> <p>We see no reason for excluding the fourth screening question regarding conditions which left uncorrected could affect the closure of an ITAAC.</p>	Note 1 should be revised to be applicable to all four screening questions.
11. Appendix B, 1-4, p. B-4	It is unclear why <i>any</i> condition described in b.4 would cause the self revealing condition to be treated as an NRC identified condition. For example, it would be more reasonable to say "a fire which damaged safety related or ITAAC related SSC."	Delete or rewrite b.4 to more clearly explain the conditions which would require additional review.

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12. Construction Findings Flowchart	We recommend the Construction Findings Flowchart be revised to clarify the box labeled "Unknown Issue" consistent with the intent described in Section 0613-10. As presently shown, the figure does not indicate that further action is required when a condition cannot readily be determined to be a violation or failure to meet a commitment.	Re-label the "Unknown Issue" box as follows: "Unresolved Item for Further Evaluation" We further suggest a path be added from this box to the top of the first decision block.
13. Appendix C, 7.b, p. C-2	While we are discussing a new approach to CIAP, the term "greater than green" is not appropriate in this version.	Delete "greater than green."
14. Appendix E, E.3, second paragraph, p. E-1	<p>"...Or other authorized personnel."</p> <p>We believe these authorized reviewers should be formally designated in writing to do the review.</p>	"...or personnel designated in writing to review the construction activity."
15. Appendix E, E.3, third paragraph, p. E-1	<p>With regard to the sentence: "If the licensee had performed a quality control acceptance inspection, check, or review, which would reasonably be expected to identify and correct the issue, then the specific construction activity may not be a "work-in-progress."</p> <p>This seems to clarify the statement "release for use". However, we need to think about how this will work in the field. For example, after a welder completes a single weld, there could be a QC inspection</p>	We believe that additional discussion and examples are necessary to better clarify "work in progress."

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	<p>immediately following. If the welder later finds an issue with his weld parameters or material, does that mean the previous single weld is now more than a minor finding because it is no longer “work in progress”?</p> <p>Another situation to consider is, if a qc inspector did a general room checkout, without specific items to check and misses an issue, we would consider this to continue to be work in progress until the item has a specific qc review.</p>	
16. Appendix E, example 24, p. E-15	Minor correction	Remove “If” and “Or.”
17. Appendix E, example 25, p. E-15	Minor correction	Remove “Inspectors.”
18. Appendix F, 2 (a), p. F-2	<p>“Managers ensure that personnel have sufficient understanding of all nuclear-related codes/ standards/ requirements applicable to their job functions...”</p> <p>It would be unreasonable to expect a welder, for example, to know all the codes and standards.</p>	<p>“Managers ensure that personnel have sufficient <i>working</i> understanding of all nuclear-related codes/ standards/ requirements applicable to their job functions...”</p>

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19. Appendix F, 4 (a), p. F-3	<p>“The licensee communicates human error prevention techniques, such as holding pre-job briefings...”</p> <p>The expectation of a daily pre-job briefing for continuation of the same work activity does not seem necessary.</p>	After “briefings,” insert “when appropriate”