

**Sollenberger, Dennis**

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**From:** Gary Purdy - NSIR  
**Sent:** Friday, October 26, 2007 11:04 AM  
**To:** Dennis Sollenberger; Jennifer Tobin  
**Subject:** NJ review.doc  
**Attachments:** NJ review.doc

Dennis, Jenny,

Attached is my review of the New Jersey application.

Thanks,  
Gary

## **4.7 Event and Allegation Response Program Elements**

### **4.7.1 Procedures for Responding to Events and Allegations**

The evaluation criteria in SA-700 for event response include the following:

- a. immediate response and actions to mitigate an event;
- b. follow-up inspections and enforcement actions;
- c. notifications to licensing staff;
- d. reports to the incident file;
- e. notifications to other affected licensees of generic problems.

New Jersey provided several documents for responding to events. These procedures addressed immediate response and actions to mitigate an event and provided procedures for reports to the incident file. The document, "NJDEP Inspection Manual Chapter 2800," provides policy for follow-up inspections to events and enforcement actions. However, it is not clear what inspection procedures will be used for follow-up inspections. The NJEMS data base is used to notify the licensing staff of events. No procedures were found to notify other affected licensees of generic problems.

In guidance document, "SOP RR-101 Notification, Initial Response and Mobilization," section 2.3 Analyze Information states, "Check to see if the nuclides involved are Nuclear Regulatory Commission (NRC)-regulated materials (Attachment RR101-3). If this is true, contact the NRC using Attachment RR101-4 for phone numbers and attachment RR101-5 for a phone log." The purpose of this notification is not clear. Is the purpose to only notify the NRC of the incident or to notify NRC so that NRC can respond?

The evaluation criteria in SA-700 for response to allegations include the following:

- a. procedures should address response;
- b. follow-up and closeout;
- c. protection of the identity of a person making an allegation when requested; and
- d. protection of other sensitive information.

New Jersey document, "Management of Allegations" details procedures for processing allegations. The procedures address response, follow-up, closeout, and wrongdoing. Additionally, the procedure provides for protection of the identity of the allegor and protection of sensitive information.

### **4.7.2 Procedures for Identifying Significant Events and Allegations, and for entering Reports into the Nuclear Material Events Database (NMED)**

New Jersey document, "BER-RM-03 THE NUCLEAR MATERIALS EVENT DATABASE" details procedures for entering data into the NMED database. The document contains numerous typographical errors that make the document confusing and difficult to use. Examples of the errors are proved below.

1. Section 1.2 references documents that were not provided in the agreement package (e.g., BER-ER-5.03 and BER-ER-6.10).

2. It appears that a global search and replace was used to change NRC to DEP. There are many instances where NRC is the correct acronym. The document should be reviewed to ensure that the change was correct.
3. Part of Section 2.6 is missing. The document should be reviewed to ensure that Section 2 is complete.
4. The document uses Commonwealth instead of State.
5. Attachment 2, Footnote 4 the sample fax is located in exhibit 1 not table 1 of SA-300.
6. Attachment 2, Footnote 6 the minimum basic event information is located in Section 2 not Section 3 of SA-300. Attachment 1 to the document also provides the minimum basic event information.