June 24, 2011

Summary of Comments on SA-123,
Conducting Self-Assessments of the Integrated Materials Performance Evaluation Program (IMPEP)

I. Sent to the Agreement States for Comment: January 21, 2011 (FSME-11-010)

Comment/Dated: Organization of Agreement States–02/16/11 (e-mail)

Organization of Agreement States

Comment 1:

Section IV (E) is labeled as "Organization of Agreement States." The Board recommends this be section title be changed to state "Organization of Agreement States (OAS) Executive Board"

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 2:

Section IV (E)(1) states that the Organization of Agreement States will: "Based on agreements reached with the MSSA Director, provides staffing support for the IMPEP self-assessment working group." The Board recommends that this statement be changed to state "The OAS member designated to work with the IMPEP Project Manager will provide staffing support for the IMPEP self-assessment working group."

Response:

We agree with this comment, however, to be consistent with the style of the FSME procedures; the staff revised the sentence as follows: Designates the OAS member to work with the IMPEP Project Manager to provide staffing support for the IMPEP self-assessment working group.

Comment 3:

Section IV (E)(1) states "Based on agreements reached with the MSSA Director". The Board questions whether an agreement is necessary as we have agreed under SA-120 to designate an OAS member to work with the IMPEP Project Manager. As stated in comment 2, The Board recommends that this individual would be responsible for providing staffing support to the IMPEP self-assessment working group.

Response:

We agree with this comment. The edits made in response to Comment 2 addresses this comment.

Comment 4:

Section V (D)(3)(d)(i)(4) states "State Agreements procedures related to IMPEP activities." The Board recommends changing "State Agreements" to "Agreement States."

Response:

We appreciate this comment, but the use of "State Agreement" is appropriate as these procedures refer to the FSME external procedures. The use of "Agreement States" would refer to individual State procedures, which is not the intent. No change was made to the procedure based on this comment.

II. Sent to the NRC Offices for Comment: January 21, 2011

Comments-Dated: DWMEP/FSME – 01/25/11 (e-mail)
OEDO – 01/26/11 (e-mail)
Region III – 02/04/11 (e-mail)
Region I – 02/17/11 (e-mail)
OGC – 02/22/11 (e-mail)
DILR/FSME – 03/01/11

Office of Federal and State Materials and Environmental Management Programs / Division of Waste Management and Environmental Protection (FSME/DWMEP)

No comments.

Office of the Executive Director for Operations (OEDO):

Comment:

It is unclear what the purpose of the procedure is. It was written as a result of the recent IMPEP review, but it doesn't specifically discuss what this hopes to accomplish or what gaps were present in the recent IMPEP review. Perhaps a sentence or two in the background would provide that perspective.

Response:

We appreciate the need for additional background information that clarifies the purpose of the procedure. The following two sentences were included in the procedure in response to this comment.

The OIG audit identified the need of increased management monitoring of IMPEP operational issues and recommended the development of a mechanism to conduct self-assessments and capture lessons learned for IMPEP on a regular basis. The working group that conducted the IMPEP self-assessment in 2010 used a methodology similar to the one used by the 2001 IMPEP lessons learned working group, and developed a draft procedure to conduct future self-assessments which served as the basis to this procedure.

Region III:

Region III submitted editorial corrections which were incorporated into the final version of the procedure.

Region I:

Comment 1:

Section I: The word “Performance” is missing between “Materials” and “Evaluation”.

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 2:

Section I: Add the word “self” between “documentation of the” and “assessment”.

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 3:

Section I: Add “the self assessment” between “and response to” and “findings”.

Response:

We agree with the edit. This paragraph was re-written and addresses this comment.

Comment 4:

Section II B.: Change “self assessment” to “self assessments”.

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 5:

Section II C. and D.; Section III; Section IV; and Section V;: Remove the word “the” which appears before the word “IMPEP” in each of the sections. The document is very inconsistent on whether the word “the” should be placed before “IMPEP” or if it is implicit. Per discussion with ASPB staff it is implicit and therefore should be removed.

Response:

We agree with the edit. The word "the" was deleted before the word "IMPEP" through the document when it was referring to the Integrated Materials Performance Evaluation Program instead of the IMPEP self-assessment process.

Comment 6:

Section IV A. 5: Change “from Regions” to “from NRC Regional Offices.”

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 7:

Section V. A. 1: Need to set a firm length of time for the reoccurrence of self assessments. Since section V.A.2 goes into the reasons why the interval can be adjusted to either shorter or longer lengths, then V.A.1 needs to say for example "Comprehensive IMPEP self-assessments should occur at six year intervals."

Response:

This section has been revised to address this comment and comment 9 below. It read as follows: A MD 5.3 working group should be formed to perform IMPEP self-assessment every five years in order to ensure Agreement State viewpoints are sought during the assessment and reflected in working group recommendations.

Comment 8:

Section V. A. 2.c: Change "would suggest" to "indicate."

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 9:

Section V. A. 3: Suggest deleting V.A.3 and combining with V.A.1 since they appear to serve the same purpose. Ex.: V.A.1 "A MD 5.3 working group should be formed to perform a routine comprehensive IMPEP self-assessment every six years in order to ensure Agreement State viewpoints are sought during the assessment and reflected in working group recommendations." Section V.A.4 should then become the new section V.A.3 which explains examples of reviews when a comprehensive review isn't warranted.

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 10:

Section V. A. 4: Rewrite to say "If a weakness(es) is identified in a particular area in a period between routine assessments, and FSME management determines the identified weakness(es) does not warrant…"

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 11:

Section V.D.2: Add “of the review” between “duration” and “depending”

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 12:

Section V. D. 3: Rewrite to say “The routine comprehensive self assessment should include, at a minimum, the following components:”

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 13:

Section V. D. 3. a. iii: Change the “or” to an “and”; “…past and current IMPEP Project Managers, MSSA Management, Regional ….”

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 14:

Section V. D. 3. a. iii: Change to “Regional State Agreements Officers”

Response:

We agree with the edit. The procedure was revised accordingly.

Office of the General Council (OGC):

Comment 1:

Section I: The paragraph switches from present to past tense.

Response:

We agree with the comment. The procedure was revised accordingly.

Comment 2:

Section II.C. Explain what minimum scope guidelines are.

Response:

The wording "minimum scope" was deleted for simplicity.

Comment 3:

Section III: Rewrite 2nd sentence: The NRC developed IMPEP to evaluate NRC and Agreement State programs to determine that the programs adequately protect public health and safety and determine whether the Agreement State program is compatible with NRC's program.

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 4:

The Office of Federal and State Materials and Environmental Management Programs (FSME) currently manages IMPEP.

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 5:

Section III: last sentence: Substitute "This procedure was developed as a result of" with "NRC Developed this procedure in response to the"

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 6:

Section IV.A.1: Recommend revising sentence because it is unclear.

Response:

We agree this sentence needs to be revised for clarity purposes. Therefore, the sentence was rewritten as follows: Ensures future IMPEP self-assessments are captured in the Division's Operating Plan and the FSME ticket tracking system to ensure IMPEP self-assessments are conducted at its suggested frequency.

Comment 7:

Section IV.C.1. Replace "staff associated" with "experienced staff"

Response:

We agree with the edit. The procedure was revised accordingly.

Comment 8:

Section IV E: Modify sentence to read as follows: "Provides staffing support for the IMPEP self-assessment working group based on agreements reached with MSSA Director."

Response:

This edit will not be addressed in the procedure since Section IV E was rewritten addressing OAS Comment 2 shown above.

Comment 9:

Section V.2.: Unclear: Are the factors in this section used to determine when the IMPEP self-assessment should occur within the 4 to 6 year period or are these factors used to determine it should occur outside this interval?

Response:

We agree with this edit. We also believe that the edits made to this section in response to Region I comment 7 (shown above) addresses this comment.

Comment 10:

Section V.A.2.c. Unclear statement

Response:

We appreciate the comment; however, this statement provides a justification to extend the IMPEP self-assessment from its scheduled date. This section was revised in response to Region I's Comment 8. No additional revisions based on this comment.

Comment 11:

Section V.A.4. Unclear: For routine assessments do you refer to routine IMPEP reviews or the IMPEP program?

Response:

Routine assessments in this sentence refer to routine IMPEP self-assessments. This section was revised accordingly.

Comment 12:

Section V.A.4. Unclear the word IMPEP in this sentence refers to IMPEP or the State Program?

Response:

The word IMPEP in this sentence refers to the overall Integrated Materials Performance Evaluation Program, not to specific aspects of an Agreement State Program.

Comment 13:

Section V. B.2. What does "timely manner" refers to?

Response:

The word "timely manner" is used in this section to state the IMPEP self-assessments should occur at its suggested frequency, every 5 years. The wording "timely manner" was replaced with "every 5 years" for clarity.

Office of Federal and State Materials and Environmental Management Programs / Division of Intergovernmental Liaison and Rulemaking (FSME/DILR)

DILR submitted editorial corrections which were incorporated into the final version of the procedure.