

Non-Concurrence Process Record for NCP-2011-101

The U.S. Nuclear Regulatory Commission (NRC) strives to establish and maintain an environment that encourages all employees to promptly raise concerns and differing views without fear of reprisal and to promote methods for raising concerns that will enhance a strong safety culture and support the agency's mission.

Individuals are expected to discuss their views and concerns with their immediate supervisors on a regular, ongoing basis. If informal discussions do not resolve concerns, individuals have various mechanisms for expressing and having their concerns and differing views heard and considered by management.

Management Directive MD 10.158, "NRC Non-Concurrence Process," describes the Non-Concurrence Process (NCP). <http://pbadupws.nrc.gov/docs/ML0706/ML070660506.pdf>

The NCP allows employees to document their differing views and concerns early in the decision-making process, have them responded to, and attach them to proposed documents moving through the management approval chain.

NRC Form 757, Non-Concurrence Process is used to document the process.

Section A of the form includes the personal opinions, views, and concerns of an NRC employee.

Section B of the form includes the personal opinions and views of the NRC employee's immediate supervisor.

Section C of the form includes the agency's evaluation of the concerns and the agency's final position and outcome.

NOTE: Content in Sections A and B reflects personal opinions and views and does not represent official factual representation of the issues, nor official rationale for the agency decision. Section C includes the agency's official position on the facts, issues, and rationale for the final decision.

The agency's official position (i.e., the document that was the subject of the non-concurrence) is included in ADAMS Accession Number ML111040039.

This record has been redacted prior to discretionary release to the public.

NON-CONCURRENCE PROCESS

NCP TRACKING NUMBER

SECTION A - TO BE COMPLETED BY NON-CONCURRING INDIVIDUAL

TITLE OF SUBJECT DOCUMENT
INSPECTION REPORT NO. 70-3103/2011-201 AND NOTICE OF VIOLATIONS

ADAMS ACCESSION NO.
ML1110400390

DOCUMENT SIGNER
Margaret A. Kotzalis

SIGNER PHONE NO.
492-3190

TITLE
Acting Branch Chief

ORGANIZATION
Technical Support Branch/FCSS/NMSS

NAME OF NON-CONCURRING INDIVIDUAL(S)
Dennis C. Morcy

PHONE NO.
415-6852

TITLE
Branch Chief

ORGANIZATION
Projects Branch 1/DLR/NRR

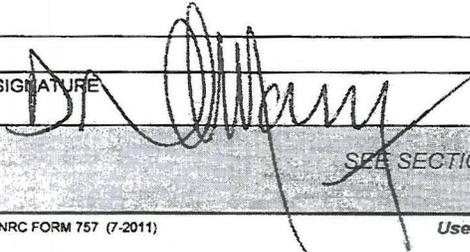
DOCUMENT AUTHOR DOCUMENT CONTRIBUTOR DOCUMENT REVIEWER ON CONCURRENCE

REASONS FOR NON-CONCURRENCE AND PROPOSED ALTERNATIVES

Please see attached document.

CONTINUED IN SECTION D

SIGNATURE



DATE
10/3/11

SEE SECTION E FOR IMPLEMENTATION GUIDANCE

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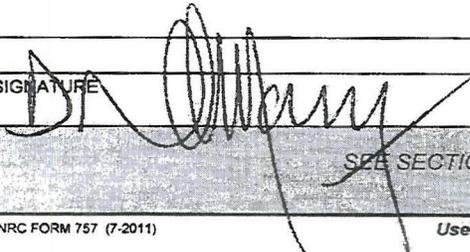
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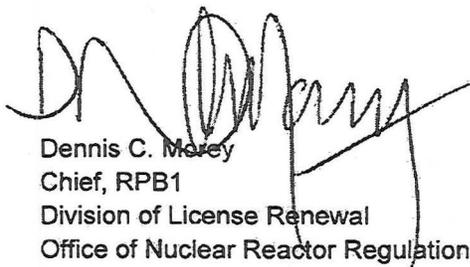
Reasons for Dennis Morey Non-Concurrence in Inspection Report 70-3103/2011-201

I participated as an inspector in the March 2011 criticality safety inspection at the LES facility and after reviewing the draft inspection report for the completed inspection, I non-concur for the reasons stated below.

[REDACTED]

I understand why gas centrifuge technology is classified and I fully support protection of this information and all licensee proprietary information. I do not believe that there is any immediate safety issue at the LES facility. I believe that NRC access was fettered during the March 2011 criticality safety inspection at LES and that the issue remains unresolved.

For the above stated reasons, I respectfully decline to concur in LES Inspection Report 70-3103/2011-201.

 10/3/11

Dennis C. Morey
Chief, RPB1
Division of License Renewal
Office of Nuclear Reactor Regulation

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ADAMS ACCESSION NO.
ML1110400390

DOCUMENT SIGNER
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DOCUMENT AUTHOR DOCUMENT CONTRIBUTOR DOCUMENT REVIEWER ON CONCURRENCE

REASONS FOR NON-CONCURRENCE AND PROPOSED ALTERNATIVES

Please see attached document.

CONTINUED IN SECTION D

SIGNATURE

Margie Kotzalas

DATE

7/15/11

SEE SECTION E FOR IMPLEMENTATION GUIDANCE

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]