

Conference Call Summary:
Corrective Action Program and Confirmatory Order
Technical Assignment Control Number. L33172
Nuclear Fuel Services
November 18, 2011

Background

The U.S. Nuclear Regulatory Commission (NRC) issued Confirmatory Order (Effective Immediately) NRC Office of Investigation Report No. 2-2010-001, to Nuclear Fuel Services (NFS) dated November 16, 2010. In response to the Order, NFS submitted a request dated August 5, 2011, to amend their license to revise Chapter 11 of their license. Before formally submitting requests for additional information, the NRC staff wanted to clarify their understanding of the submittal. Thus, on November 18, 2011, a conference call was conducted with NFS.

Participants

Christopher Ryder, NRC/NMSS
Larry Campbell, NRC/NMSS
Jennifer Wheeler, NFS
Vanessa Peterson, NFS

Discussion

The NRC staff briefly discussed the following topics, regarding its initial interpretation of the Order:

The scope of the corrective action program described in the license (Chapter 11) appears to be limited to "Reportable Events" and needs to be expanded from only addressing "Reportable Events" to addressing the types of non-conformances within the scope of Nuclear Quality Assurance (NQA)-1, Non-Mandatory Appendix for Corrective Action.

It is staff's present interpretation that the intent of the Order is that NFS is required to revise its Quality Assurance (QA) Program Description contained in the License, (Chapter 11, and elsewhere) to comply with the Non-Mandatory NQA-1 Appendix for Corrective Action.

In making the revision to Chapter 11, "should," "recommendations," "permissives" in the Non-Mandatory appendix are to be mandatory (i.e., changed to "shall").

Provisions contained in the Non-Mandatory Appendix need to be captured/addressed in the QA Program Description Document, Chapter 11, of the license, not just in procedures.

NFS staff stated that they wanted to meet with the NRC staff to discuss how the submittal complies with the order. For example, the introduction of Chapter 11 states that the topics in Chapter 11 apply not just to reportable events, but to all activities involving the handling of Special Nuclear Material.

The NFS staff stated that the level of detail in the submittal is commiserate with the detail typically found in a license. The Order does not direct NFS to commit to the non-mandatory appendix of NQA-1.

The Fuel Cycle Safety and Safeguards (FCSS) staff stated that it had discussed the Order with staff in Region II staff. Also, staff stated that both Region II and FCSS staff believe that the intent of the Order is for NFS to incorporate the non-mandatory appendix into the license. NFS disagreed, stating that the Order directed NFS to perform an assessment and incorporate the results of the assessment into the license.

Follow-Up

The NRC and NFS staffs agreed to have additional conference calls before meeting. NFS agreed to send the NRC staff times that they are unavailable because of holidays, and vacations.