

U.S. NUCLEAR REGULATORY COMMISSION**Date:** March 19, 20 and 21, 2012
3:15 – 3:56 PM (3/20/12)**TELEPHONE CONVERSATION RECORD****Mail Control or Report No(s).** 576841 **License No(s).** 01-06113-04 **Docket No(s).** 03003572

Name of Licensee: Tennessee Valley Authority (TVA)
Western Area Radiological Laboratory (WARL) in Muscle Shoals, Alabama

Name of Participant(s): E.S. Chandrasekaran, Manager WARL
Anthony Burzese, RSO
Lee Miller, Licensing in Chattanooga, TN
Kathy Modes, NRC

Telephone No. 256-386-2536

Subject: Title: Retract 1/30/2012 submittal and combine with complete modification package by 4/5/2012
(NOTE: This will be used as the Documents Title in ADAMS)

TVA called yesterday (3/19/2012) to notify the NRC that they are getting ready to submit another amendment request for the third and final modification to their well source calibrator. Hopewell Designs Inc. is scheduled to be on-site to perform this last modification the first and/or second week of June. Hopewell Designs performed the previous two modifications. The license needs this information to be tied down to the last license condition because the current tie down does not include this level of detail.

On March 20, 2012, I called TVA back to review the logistics to retract the 1/30/2012 submittal; noting that by submitting that information they met the intent of the FSME letter but by consolidating all of the modifications into one document this would provide a more comprehensive complete review. TVA is working to gather the specifications for this upcoming modification (lift mechanism upgrade) and will ask to retract the January 2012 letter and expedite the complete review of all modifications (two previously conducted and one to occur in the near future). TVA will ask for an expedited review to be completed by June 1st. TVA is aware that our program office will assist the region in this review.

TVA informed me that the well calibrator does not emit 500 rads per hour at one meter (Part 36 definition) and will ensure that they provide a calculation or other means to confirm this in their re-submittal.

TVA asked if there was any way to allow them to make minor revisions to their procedures without having to forgo an amendment to their license. I provided them the following information which they said is similar to a 10 CFR 50.59 safety review.

NRC will provide even greater flexibility to Type A Broad Scope licensees to make program changes and changes to procedures specifically identified in documents which were previously approved by the Commission and incorporated into the license, without prior Commission approval. If you would like authorization for this flexibility, please provide the following statements.

- a. Changes to your program and procedures will be limited to the following areas: training; audit program; radiation monitoring instruments; material receipt and accountability; safe use of radionuclides and emergency procedures; and radiation surveys. In addition, state that you will apply for, and receive an amendment to your license prior to implementing any other programmatic or procedural changes.*
- b. The proposed revision will be documented, reviewed, and approved by the your Radiation Safety Committee in accordance with established procedures prior to implementation.*
- c. The revised program will be in accordance with regulatory requirements, will not change the license conditions, and will not decrease the effectiveness of the Radiation Safety Program.*
- d. Your staff will be trained in the revised procedures prior to implementation.*
- e. Your audit program will evaluate the effectiveness of the change and its implementation.*

TVA is aware that in order for the NRC to authorize them to have this type of flexibility to make some program changes and revise some procedures previously approved by the NRC without amendment of the license, they will need to submit the following:

A description of the duties and responsibilities of the RSC, including:

- review and approval of permitted program and procedural changes prior to implementation;
- implementation of program and procedural changes;
- audit of licensed operations to determine compliance; and
- taking appropriate actions when noncompliance is identified, including analysis of the cause, corrective actions, and actions to prevent recurrence.

A description of the process for procedure and program review and approval, including documentation of the specific change. At a minimum, documentation shall state the reason for the change and summarize the radiation safety matters that were considered prior to approval of the change.

TVA will have this letter sent in by April 5, 2012 at the latest. I urged them to get it in as soon as possible.

After discussion with my Branch Chief, I emailed TVA:

From: Modes, Kathy
Sent: Wednesday, March 21, 2012 4:37 PM
To: 'Irmiller@tva.gov'; 'Chandrasekaran, E S'; 'Burzese, A Anthony'
Subject: flexibility

I spoke to my supervisor today and with the quick turnaround you want on the third modification, it would be best to save the flexibility request for another time. Would that be okay with you?

Action Required: Wait for licensee's letter (due at the latest 4/5/2012).

For TAR, ask for HQ review of modifications and ensure that the device can operate safely.

For future licensing action, ask for HQ's approval to use this License Condition to Grant Additional Flexibility: Notwithstanding the requirements of License Condition Number (insert number of license condition that incorporates the licensee's application and letters into the document), the licensee is authorized to make program changes and changes to procedures specifically identified in the (application dated or letter dated), which were previously approved by the Commission and incorporated into the license, without prior Commission approval, as long as:

- The proposed revision is documented, reviewed, and approved by the licensee's Radiation Safety Committee in accordance with established procedures prior to implementation;
- The revised program is in accordance with regulatory requirements, will not change license conditions, and will not decrease the effectiveness of the Radiation Safety Program;
- The licensee's staff is trained in the revised procedures prior to implementation; and
- The licensee's audit program evaluates the effectiveness of the change and its implementation.

Document Availability:

Publicly Available

Non-Publicly Available

Non-Sensitive

Sensitive – Privacy Act/ PII

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Non-Sensitive Copyright

Sensitive – Internal

Normal Release

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Date:

Sensitive- Proprietary

Sensitive – Security-Related

Delayed Release Date:

SUNSI Review Completed By:

Kathy Modes

/ RA /

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