



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

REGION I  
2100 RENAISSANCE BLVD., SUITE 100  
KING OF PRUSSIA, PA 19406-2713

May 19, 2015

MEMORANDUM TO: Christian Einberg, Chief  
Agreement State Programs Branch,  
Division of Material Safety, State, Tribal  
and Rulemaking Programs  
Office of Nuclear Material Safety and Safeguards

FROM: Daniel H. Dorman */RA/*  
Regional Administrator  
Region I

SUBJECT: RESPONSE TO DRAFT REPORT OF INTEGRATED MATERIALS  
PERFORMANCE EVALUATION PROGRAM REVIEW OF THE U.S.  
NUCLEAR REGULATORY COMMISSION REGION I MATERIALS  
PROGRAM

As requested in your April 27, 2015, memorandum, we have reviewed the draft report entitled "Integrated Materials Performance Evaluation Program Review of the U.S. Nuclear Regulatory Commission Region I Materials Program." We agree with the team's evaluation. The enclosed response contains several comments related to information contained in the draft report for your consideration.

The review of your team was comprehensive and professional; and the draft report accurately reflects Region I's radioactive materials program performance from May 1, 2010 to April 3, 2015. As reflected in the draft report, we continue to implement an effective materials program at a consistently high level of performance.

We appreciate the opportunity to review the draft IMPEP report. Please contact us as listed below if you have any questions regarding the enclosed comments.

Enclosure:  
As stated

cc w/enclosure: D. Dorman, RI  
D. Lew, RI

CONTACT: Daniel S. Collins, RI/DNMS  
(610) 337-5281

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**Region I Comments**  
**Draft Report –IMPEP Review of the Region I Radioactive Materials Program**

Comment 1:

The fourth paragraph on page 7, Section 1.0 refers to the questionnaire addressing the common and applicable non-common performance indicators that was sent to Region I prior to the IMPEP review. Nowhere else in the document are the non-common indicators referenced or discussed and there is no explanation of why the non-common indicators are not applicable. We recommend that the reference to the non-common indicators be removed from the text in section 1.0 or, alternatively, a short discussion added to explain why they are not applicable to NRC regions.

Comment 2:

The first paragraph on page 3 in Section 3.1.b states:

*The Division is composed of 40 Staff members, which equals 38 full time equivalent staff for the radioactive materials program. There are 30 technical staff members, 5 administrative staff members, and 5 supervisors/managers. Currently there are no vacancies. During the review period, seven staff members left the division within Region I. The period of time for each vacancy ranged from one to six months. The Division is planning to hire two additional staff to account for retirements and attrition. The Division implements the NRC's IMC 1248 for training and qualifications of the radioactive materials program staff.*

To clarify, the Division is composed of 41 staff members, which equals 29.4 full time equivalent staff for the radioactive materials program. The Division staff includes 30 technical staff members, 6 administrative staff and 5 supervisors/managers. Four of the technical staff and one supervisor are primarily responsible for performing reactor decommissioning and independent spent fuel storage installation inspections, which is beyond the scope of the materials program evaluated by the IMPEP review. At the time of the IMPEP review there was one vacancy in the radioactive materials program for the Division's Technical Assistant position. *The Division is planning to hire two additional staff to account for retirements and attrition. The Division implements the NRC's IMC 1248 for training and qualifications of the radioactive materials program staff.*

Comment 3:

The third paragraph on page 5 in Section 3.3.b. states:

*The review team confirmed that Division supervisors were performing inspection accompaniments of each inspector. The review team interviewed the supervisors, who stated they verbally express their findings to the inspectors and document the accompaniments in the inspector's annual assessments. The Division's administrative staff tracks the supervisory accompaniments and provides status reports to Division management.*

We recommend changing the wording of the second sentence in this paragraph to read, "...the supervisors, who stated they verbally express their *observations* to the inspectors and document their accompaniments in the inspector's *annual performance appraisal*." This wording change would help to avoid confusion between inspection findings related to licensee

performance that may be identified during an inspection and the results of the supervisory accompaniment.

Comment 4:

The first paragraph on page 7 in Section 3.4.b.states:

*The team identified that portable gauge licenses, specifically new and renewal actions, issued by the Division did not include a commitment from the licensee to the most updated version of Appendix H of NUREG-1556, Volume 1, Revision 1, "Program Specific Guidance about Portable Gauge Licenses". In 2005, an errata was issued that updated Appendix H from "Operating and Emergency Procedures" to "Operating, Emergency, and Security Procedures". The absence of the most updated Appendix H guidance on the license did not represent a safety or security concern because the security of portable gauges is a regulatory requirement. The Division has committed to ensuring that the licensee provides a commitment on the updated version of Appendix H for all future portable gauge licenses.*

We agree with your conclusion that the absence of a commitment from the licensee on the license to the most updated Appendix H did not represent a safety or a security concern nor does it impact the regulatory process because the errata language is duplicative of the requirements in the NRC regulations. Additionally the Division ensures that each licensee is complying with the regulatory requirements during the inspection of each licensee's program. Nonetheless, we will ensure that licensees provide commitments on the updated version of Appendix H of NUREG-1556, Volume 1, Revision 1 for future portable gauge licenses.