

Comment Resolution Document

Summary of Comments Received on *SA-102, Reviewing Common Performance Indicator, Technical Quality of Inspections*

I. Sent to the Agreement States, Wyoming, and Vermont for Comment: STC-15-57, July 31, 2015

Comments Received:

- a. Region III e-mail dated August 18, 2015
- b. State of Washington e-mail dated August 27, 2015
- c. Region I e-mail dated August 31, 2015
- d. OAS Board letter dated September 3, 2015

Region III:

Comment 1: Section II.I. This section references “increased controls.” We suggest that it be updated to include 10 CFR Part 37 and equivalent Agreement State regulations or license conditions which address risk significant Category 1 and 2 radioactive materials.

Response: Comment Incorporated. STC-15-072 clarifies that the effective date for implementation of Part 37 requirements for Agreement States is March 19, 2016. I’ve broadened the step to include cases where the State may be in the process of incorporating Part 37 requirements.

Comment 2: Section VI “Appendices” is misspelled.

Response: Comment Incorporated.

State of Washington:

Comment 1: With respect to accompaniments, do you wish to require one per year, each year, for a total of four in a four year period, or will it continue to be a total of four anytime during the four year review period? Since we have a fairly large program, see if you think our accompaniment procedures are acceptable, and if so can they be incorporated into SA-102: It works well for us to require our supervisor to accompany all inspectors (junior and senior) every other year for a total of two during a four year review period. Two additional accompaniments (in-between) will be conducted by a senior (HP-3) inspector of junior inspectors,

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and two senior inspectors will perform peer reviews on each other, (twice during the four year review period). This way, every inspector is accompanied four times during a four year review period. In addition, since our supervisor performs rare but occasional inspections, he will be accompanied as necessary during the review period by the Eastern Regional Director.

Response: Comment Noted. Once qualified, nearly all inspectors should be accompanied by their supervisor annually. Accompaniments should be once per year for a total of four in a four year period. The frequency of the accompaniments may be more than once but the minimum is once, annually. The requirement does not apply to inspectors who are not yet fully qualified.

Comment 2: One minor issue on Appendix B, we no longer require our licensees to maintain a hard copy of our regulations, they may also punch it up on our web page during inspections.

Response: Comment Noted. That's an acceptable practice. Actions in Appendix B are not requirements for the reviewer. Appendix B would not preclude you from doing that. In accordance with recommendation 5 of the 2010 IMPEP self-assessment we should encourage the use of electronic records.

Region I:

Comment 1: Delete Section II. (I). Since Part 37 has been implemented, suggest removing this item. Also since this procedure does not specifically mention verifying any other requirements it is not necessary to remind the reviewer that this is a specific objective. The reviewer should be inspecting licensees against all applicable regulations including Part 37.

Response: Comment Noted. STC-15-072 clarifies that the effective date for implementation of Part 37 requirements for Agreement States is March 19, 2016. The Agreement States may be in varying stages of incorporating 10CFR Part 37 via RATS ID 2013-1. I've broadened the step to include all cases where the State may be in the process of incorporating Part 37 requirements.

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Comment 2: In Section III Background, in the 2nd sentence add the word 'inspecting' in front of the word 'different' and delete the word 'doing', and add the word 'facilities' in front of the word 'to' and delete the word 'activities'.

Response: Comment Incorporated partially.

Comment 3: In Section V. A. 1. Delete the last sentence "or to verify that inspections conducted during the review period were performed in a timely manner." This pertains to a different indicator, *Status of the Material Inspections Program*.

Response: Comment incorporated.

Comment 4: In Section V Guidance B. 2. a. delete the word 'performance' and add the word 'IMPEP'.

Response: Comment Incorporated.

Comment 5: In Section V Guidance B. 2. c. Delete this section which reads "Inspection priorities should be reviewed against NRC inspection priorities. Differences in the program's inspection priorities from NRC priorities should be brought to the attention of the Team Leader." General Comment: This is under a different indicator (Status of Materials Inspection Program) and should not be reviewed under Technical Quality of Inspections.

Response: Comment Noted. No changes made as this action is not a timeliness attribute.

Comment 6: In Section V Guidance B. 2. Add sub-step f. which states "Inspections of complex decommissioning sites should be reviewed, if available."

Response: Comment Noted: Decommissioning activities are captured in sub-step V.B.f.

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Comment 7: In Section V Guidance B. add step 6 which reads “If the evaluation of casework examples does not reveal and programmatic weaknesses, no additional casework needs to be reviewed.”

Response: Comment Noted. No change made as the action is self-evident and best left to the inspector’s discretion. SA-102 provides a lot of guidance when weaknesses are found (see V.B.4 and V.B.5) but its best left to the inspector’s discretion when nothing adverse is found.

OAS Board:

Comment 1: Section V.B.3: The guidance on the number of inspectors that should be accompanied is vague and allows the IMPEP team too much flexibility. This could lead to inconsistencies across IMPEP reviews. The Board recommends the guidance be revised to indicate that half of the state’s or region’s inspectors should be accompanied unless there are performance indicators that would warrant additional accompaniments.

Response: Comment Noted. The step is intentionally flexible due to the differences in Agreement State programs and staffing. No changes made.

Comment 1: Section V.C.1.b: The Board thinks that guidance should be revised to indicate that, in NRC Regions and some Agreement States, it may be possible to use Web Based Licensing system as part of the review.

Response: Comment Noted. Step V.C.1.b will be revised to clarify the intent that WBL (or other electronic records) should be utilized to the maximum extent possible.