



CONVERSATION RECORD

04/16/2018

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU See below.		DATE OF CONTACT 09/07/2017	TYPE OF CONVERSATION <input type="checkbox"/> E-MAIL <input checked="" type="checkbox"/> TELEPHONE <input type="checkbox"/> INCOMING <input checked="" type="checkbox"/> OUTGOING
E-MAIL ADDRESS		TELEPHONE NUMBER (888) 447-9153	

ORGANIZATION National Nuclear Security Administration (NNSA)	DOCKET NUMBER(S) 71-9355 & 71-9370
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LICENSE NUMBER(S)	CONTROL NUMBER(S)
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SUBJECT  
Quality Assurance Program Discussion

SUMMARY  
 NRC participants: Chris Allen, Norma Garcia-Santos, Earl Love, Jeremy Tapp and Marlene Davis  
 NNSA participants: James Mumma, Temeka Taplin and Bill Stewart  
 AREVA Federal Services: Phil Noss  
 Los Alamos National Laboratory (LANL): Dave McCollum and Becky Coel-Robak  
 Idaho National Laboratory: John Zarling

The call, which NNSA requested to discuss questions related to its quality assurance program description (QAPD), commenced at approximately 1 P.M. eastern standard time. NNSA indicated that the application for the 435-B includes the QAPD in chapter 9 of the safety analysis report associated with their April 27, 2017 application (ML17138A026). NNSA wanted to change its current QAPD description, which is very detailed and focused on the LANL Quality Assurance Plan (QAP), to something more generic. The regulations in 10 CFR Part 71 require that an applicant either have an NRC approved QAP or submit a QAPD. The staff pointed out that for both the 435-B and the 380-B packages, the staff requested a QAPD because NNSA does not have an NRC approved QAP.

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ACTION REQUIRED (IF ANY)

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NAME OF PERSON DOCUMENTING CONVERSATION  
Chris Allen

SIGNATURE  
*William C. Allen*

## CONVERSATION RECORD (continued)

SUMMARY: (Continued from page 1)

NNSA wants to share the design of the 435-B and 380-B packages with private companies and allow those private companies to subcontract a fabricator to manufacture either the 435-B or the 380-B package. NNSA added that they would provide minimal oversight of the company with whom they shared the design. The staff pointed out that under such circumstances, 1) NNSA should follow both the regulatory and their QAP requirements for procurement of fabrication services, 2) fabricators need to comply with the applicable parts of 10 CFR Part 71 and 3) NNSA, as the certificate of compliance (CoC) holder, has the ultimate responsibility for the quality of the package. NNSA indicated that LANL participated in oversight of the initial fabrication of the 435-B package. When NNSA asked who would be cited if the NRC identified a regulatory violation, the staff responded that it would depend if the violation identified was either design related, fabrication related, or user related. The staff also stated that CoC users have a specific QAP which does not allow fabrication of packages, but only allows procurement, maintenance, repair, and use. The staff discussed the option of transferring the CoC to another entity, but the staff did not think that a CoC could be transferred to more than one entity. The staff committed to confirm this and inform NNSA of its findings.

NNSA indicated that they were considering revising the QAPD responsibility descriptions of the CoC holder, design authority, etc. The staff mentioned that NRC guidance is included in Regulatory Guide 7.10 for developing the QAPD. The staff indicated that it needs to have a clear understanding of the applicant's intent relevant to the QAPD changes. The current QAPD identifies that LANL has the ultimate responsibility for package quality assurance. The staff indicated that it may need to involve the Office of the General Counsel depending on NNSA's intent for making the QAPD changes and sharing the design of their package with private entities that can subcontract manufacturing of a package.

The call subsequently concluded at approximately 2:15 P.M. eastern standard time.