

# NUPIC

**Nuclear Procurement Issues Corporation**

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March 20, 2019

Ms. Kerri Kavanagh  
Branch Chief, Quality Assurance Vendor Inspection Branch 2  
Office of New Reactors  
U. S. Nuclear Regulatory Commission  
Mail Stop T-6C20M  
Washington, DC 20555

SUBJECT: Strategic Alliance for FLEX Emergency Response (SAFER) audit

Dear Ms. Kavanagh,

On March 12, 2012 the NRC issued Order EA-12-049, "Order Modifying Licenses with Regard to Requirements for Mitigation Strategies for Beyond-Design-Basis External Events (BDBEEs). [ML 12054A736]. The NRC then endorsed NEI 12-06 Revision 0, "Diverse and Flexible Coping Strategies (FLEX) Implementation Guide" as an acceptable method to implement Order EA-12-049. Revision 2 of NEI 12-06 was issued December 2015 and is the current implementation guide. This document describes various aspects of the program are required to be audited or made available for audit, specifically equipment storage, off-site resources, and programmatic controls.

Additionally, NRC letter dated September 20, 2018 from Louise Lund, Director, Division of Licensing Projects, Office of Nuclear Regulation, Subject: "Updated Staff Assessment of National SAFER Response Centers Established in Response to Order EA-12-049," and NRC Inspection Procedure 43006, "Inspection of the Implementation of Mitigation Strategies Order Regarding the Use of National SAFER Response Centers" references allows the NRC to review the most recent NUPIC audit of the SAFER program to verify licensee's assessment of their vendor and to verify that any deficiencies identified are being properly addressed in the corrective action program.

Although the above documents reference the Nuclear Procurement Issues Corporation (NUPIC) audit of SAFER there is no regulatory basis that provides instruction for NUPIC to conduct these assessments. SAFER is not a 10CFR50, Appendix B required activity and does not align with NUPIC By-laws for performing nuclear safety-related audits.

## Question

What is the NRC's position with regard to NUPIC assuming responsibility for performing the assessment of the SAFER activities in lieu of another organization performing this triennial review?

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Sincerely,

A handwritten signature in black ink that reads "MARK COREN". The letters are cursive and somewhat stylized, with the first name "MARK" and last name "COREN" clearly legible.

Mark Coren  
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cc: NUPIC Representatives:  
Greg Galletti  
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