OFFICE OF NUCLEAR REACTOR REGULATION

COM-106, Revision 6	Technical Assistance Request (TAR) Process
Volume 100	NRR Interfaces
Approved By:	Craig G. Erlanger
Date Approved:	August 24, 2020
Effective Date:	August 24, 2020
Certification Date:	August 24, 2025
Responsible Organization:	DORL
Primary Contact:	Booma Venkataraman 301-415-2934 booma.venkataraman@nrc.gov

Summary: This issuance merges relevant portions of the process contained in NRO Office Instruction, NRO-COM-108, Revision 1, "NRO Construction Inspection Interfaces with Region II" (ADAMS Accession No. ML113220316) into this revision of COM-106. NRO-COM-108, Revision 1, is rescinded with this issuance. Additionally, it incorporates a new graded approach with enhanced guidance and streamlined tools to address program lessons learned and focus resources commensurate with the significance of the issue to meet stakeholder needs effectively and efficiently. This office instruction applies to operating reactors and reactors under construction.

Training:	NRR and Region Staff briefings/training sessions

ADAMS Accession Number: ML19176A098

TABLE OF CONTENTS

Office Instruction: COM-106, Revision 6, "Technical Assistance Request (TAR) Process"
Dated: August 24, 2020

ADAMS Package Accession No: ML19228A001(non-public)   *- e-mail concurrence

OFFICE	NRR/DORL/LPL3	NRR/DORL/LA*	NRR/EVS*	NRR/DEX/EENB*
NAME	BVenkataraman	JBurkhardt	SAnderson	MMcConnell
DATE	01/29/2020	02/03/2020	02/20/2020	02/10/2020
OFFICE	NRR/DRA/APOB*	NRR/DRO/IOEB*	NRR/VPO/VPOB*	NRR/DORL/LPL4*
NAME	DHelton	BBenney	TFredette	TReed
DATE	02/07/2020	02/07/2020	02/10/2020	02/06/2020
OFFICE	OE*	RI/DRP/PB3/SBRO*	RII/DRP/RPB5/WBRO*	RIII/DRS/EB1
NAME	NHilton	PCataldo	WDeschaine	MHolmberg
DATE	02/19 /2020	02/11/2020	02/10/2020	02/06/2020
OFFICE	RIV/DRS/PSB*	RI/DRP/DD*	RII/DRP/D*	RIII/DRP/DD*
NAME	RKellar	BWelling	MMiller (J Heisserer for)	MShuaibi
DATE	02/10/2020	03/13/2020	03/13/2020	03/17/2020
OFFICE	RIII/DRS/DD *	RIV/DRS/D*	NRR/DSS/D*	NRR/DEX/D*
NAME	DCurtis	RLantz	JDonoghue	EBenner
DATE	03/17/2020	03/06/2020	03/12/2020	03/05/2020
OFFICE	NRR/DRA/D*	NRR/DRO/DD*	OE/D*	NRR/VPO/VPOB/BC*
NAME	MFranovich	MYoung	GWilson	VHall
DATE	03/13/2020	03/11/2020	03/12/2020	03/31/2020
OFFICE	OGC/NLO*	NRR/DORL/LPL3/BC*	NRR/VPO/D*	NRR/DORL/D*
NAME	KGamin	NSalgado	MKing	CErlanger
DATE	08/07/2020	07/15/2020	07/15/2020	08/16/2020
OFFICE	NRR/DRMA/DD	NRR/DORL/D		
NAME	TGorham	CErlanger		
DATE	08/20/2020	08/24/2020		

OFFICIAL RECORD COPY

1.　　**POLICY**

It is the policy of the Office of Nuclear Reactor Regulation (NRR) to address questions raised by other Nuclear Regulatory Commission (NRC) organizations in a timely manner with a level of effort commensurate with the significance[1] of the underlying issue. As such, the Technical Assistance Request (TAR) process is used to offer information assistance to organizations within the NRC regarding operating nuclear reactors and their related regulatory and oversight programs under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, production and utilization facilities and reactors under construction either under 10 CFR Part 50 construction permits or 10 CFR Part 52 combined license processes for nuclear power plants. The process ensures that NRR responses and recommendations are promptly communicated to appropriate stakeholders.

The general purpose of this office instruction (OI) is to provide guidance to NRR and other NRC organization staff for initiating and processing TARs. The NRR management expects that TARs will be processed in a manner consistent with NRC's principles of good regulation (i.e., independence, openness, efficiency, clarity, and reliability) and organizational values (i.e., integrity, service, openness, commitment, cooperation, excellence, and respect).

2.　　**OBJECTIVES**

To respond efficiently to the needs of both internal and external stakeholders, specific objectives include:

- Provide NRR and other staff an enhanced framework for processing TARs;
- Promote consistency in processing TARs;
- Guide effective scoping, screening, evaluation, and resolution of issues;
- Ensure the TAR process is applied to plant-specific inquiries;
- Effect agile referrals to alternate processes where appropriate;
- Promote a holistic and integrated view of safety while processing a TAR;
- Focus level of effort, rigor, and resources commensurate with issue significance;
- Ensure effective engagement among internal and external stakeholders; and
- Meet timeliness goals.

3.　　**BACKGROUND**

COM-106 was first issued on November 26, 2001 and had several subsequent revisions as part of self-assessment and continuous improvement of the program (see Appendix A for Change History). The TAR program was formerly known as the Task Interface Agreement (TIA) program. In January 2019, an agency working group (WG) was

---

[1] Commensurate with the significance - A graded approach to focus resources on issues that are typically more significant to public health and safety. The term "significance" means primarily "risk-informed safety significance" (i.e., all relevant principles of integrated decision-making, from NRR Office Instruction LIC-504). However, the term may apply to issues that may be significant for other reasons (e.g., high public interest, allegation related, reactor construction schedule, regulatory stability, etc.).

established to complete a major enhancement, called the "TIA Revitalization Project." The project had the following drivers:

- Align the program with the NRC organizational expectations to be an effective risk-informed regulator and modernize its decision-making;

- Incorporate, as appropriate, recommendations from the NRR Low Safety Significant Issue Resolution (LSSIR) initiative (ADAMS Accession No. ML19260G224);

- Integrate best practices from offices of Nuclear Material Safety and Safeguards (NMSS) and New Reactors (NRO)[2] and identify the needs of merging the NRO. Construction TAR program into the COM-106 program; and

- Holistically redesign the program with fresh stakeholder dialogue to fulfill the agency mission and vision.

Specifically, the WG considered several sources of insights including the operating experience of past TIAs, best practices from other offices, and feedback from agency staff surveys. Highlights of internal stakeholder feedback are available in ADAMS Accession No. ML20050C584. Additionally, to enhance the TIA process, the WG considered industry recommendations received in the public engagement on March 19, 2019 (ADAMS Accession Nos. ML19077A297 and ML19074A141). On May 29, 2019, the WG held a public meeting to provide an update on the project and address the industry recommendations. The summary of the May 29, 2019, meeting is available at ADAMS Accession No. ML19156A428. The WG hosted discussions with tabletop illustrations at a public engagement with the industry on November 7, 2019 to highlight the proposed process. The meeting summary of this engagement is available at ADAMS Accession No. ML19329B485. An interim draft guidance was made publicly available, due to the intricacies of the upgrade, for general awareness in December 2019 (ADAMS Accession No. ML19338E029). Further, a refined draft of the guidance (ADAMS Accession No. ML20178A474) was issued for public comments on July 9, 2020. The industry provided comments for staff consideration in the subsequent public webinar on July 27, 2020. The meeting summary is available at ADAMS Accession No. ML20231A673.

This revision of COM-106 overhauls and streamlines the TIA program and incorporates the recommendations and feedback as noted above.

4.　　**BASIC REQUIREMENTS**

This section describes the procedure for initiating and processing TARs requested by other NRC organizations. This OI is intended to guide NRR staff in providing information assistance to other NRC organizations and helping to ensure compliance with NRC rules, regulations, and applicable requirements. This section provides the procedures for the main process and includes several supporting sections applicable to the operating reactor process, the construction TAR process, or both.

---

[2] The offices of NRR and NRO merged on October 13, 2019, into NRR.

Main TAR Process Snapshot
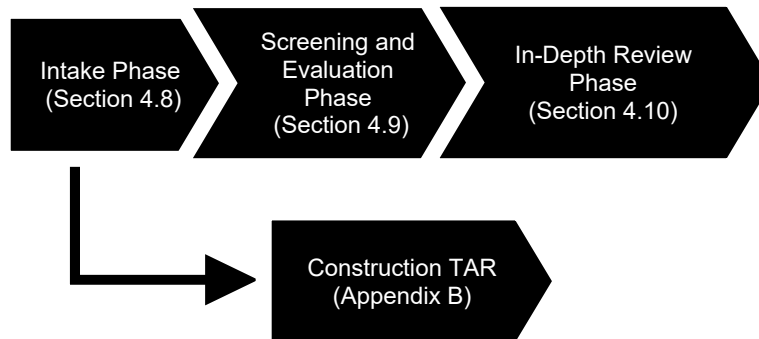
4.1 Introduction

The TAR process is a fact-gathering and issue evaluation exercise that informs decision-making in other NRC processes such as licensing, oversight, enforcement, and backfitting. A TAR is a request for technical or information assistance, most often from a regional office, but it may also come from another NRC headquarters office. A TAR could also be used to obtain technical assistance on an allegation-related issue. A TAR should be viewed as an extension of the regulatory process it serves; for example, a TAR related to an unresolved item (URI) referred from an inspection should be considered as an extension of the inspection process. No final agency action is taken, or regulatory decision provided within the TAR process itself. It will be up to the requesting office to take any appropriate action based on the information gathered and the recommendations or results provided by the TAR process.

A TAR addressing new construction activity is unique in that it may adversely impact the construction schedule for an NRC regulated facility covered by 10 CFR Part 50 or Part 52. For these reasons, construction TARs are processed using the guidance detailed in Appendix B of this OI.

The goal of the TAR process is to support other NRC organizations efficiently and effectively. As such, TARs are not intended to replace informal discussions or other routine processes that take place among NRR staff and other NRC offices. In these routine processes, NRC staff exchanges opinions and evaluates plant configurations and operating practices in the light of regulatory requirements, staff technical positions, and good engineering practices. Occasionally, however, when routine channels are exhausted for resolving an issue, or the issue has become protracted or stagnant, a TAR may be needed to ensure that the issue receives focused attention in NRR in order to be routed or resolved with an effort commensurate with its significance and with appropriate documentation.

The TAR process has a three-phase structure[3] to enable the review effort to be commensurate with the significance of the issue. The process includes templates and tools for safety significance screening, information intake, and recording and communicating responses. The TAR Coordinator, designated by the DORL

---

[3] Construction TARs will only be processed in the TAR intake and branch off to the steps described in Appendix B.

management, serves as the primary point of contact for all TAR related activities and is responsible for effective implementation of the TAR program and the office guidance (Refer to Section 5 of this OI for more details). An overview of the three-phase approach of the TAR process is provided below:

- Intake (≤ 8 hours[4] level of effort):

  The TAR Coordinator leads initial discussions to complete issue intake and gather facts from the requestor for pre-screening of the issue. Facts gathered should typically include voluntary licensee inputs. If a resolution or a referral to an alternate process is achieved in this phase, then the issue is closed out with a record in the TAR SharePoint site and the licensee or applicant is notified. Refer to Section 4.8 of this OI for details.

  When a construction TAR is identified, it will be processed using guidance in Appendix B of this OI, with a goal of resolving the construction-related technical issue in a timely manner (typically ≤ 30 days) so as not to impact closeout of construction inspection activities.

- Screening and Evaluation (≤ 30-day goal):

  An Integrated Team (IT), which includes the TAR Coordinator, the requestor, and other individuals such as members from the Office of General Counsel (OGC), conducts a screening and evaluation of issues submitted in the Intake phase in order to align on the path forward. The IT performs a structured assessment, including assessing the issue's safety significance. The Screening and Evaluation results memorandum, with concurrences from the IT members and its Chairperson, will document the path forward including a response, if any. This phase will include notification to licensees and an opportunity for licensee inputs. Refer to Section 4.9 of this OI for details. This phase will not apply to Construction TARs.

- In-Depth Review (≤ 80-day goal):

  The TAR Coordinator leads a focused collaboration with NRR technical staff, OGC, and the Office of Enforcement (OE) (if required), coordinating with the requestor and engaging the licensee systematically as appropriate, to provide an In-Depth review for issues referred from the screening and evaluation phase. In this phase, the staff will verbally inform the licensee of the facts supporting the draft results, as the staff understands them. The output of this phase is a clear, concise, fact-based, and timely response, with NRR's DORL management sign-off. Refer to Section 4.10 of this OI for details. This phase will not apply to Construction TARs.

All days indicated throughout this OI are in calendar days, unless noted otherwise.

---

[4] Level of effort unit in hours refers to work hours and not clock hours throughout this document.

Table 1.   Cross-Referencing Supporting Sections/Appendices with Main TAR Process

Supporting Section Reference	Description	Applicable to Intake Phase? (Section 4.8)	Applicable to Screening and Evaluation Phase? (Section 4.9)	Applicable to In-Depth Review Phase? (Section 4.10)	Applicable to Construction TAR? (Appendix B)
4.1	Introduction	Yes	Yes	Yes	Yes
4.2	Pre-Screening	Yes	No	No	Yes
4.3	Closure of Issues	Yes	Yes	Yes	Yes
4.3.1	Search for Precedents	Yes	Yes	No	Yes
4.3.2	Generic Implications	Yes	Yes	Yes	Yes
4.3.3	Backfitting and Issue Finality Considerations	Yes	Yes	Yes	Yes
4.3.4	Considerations of Enforcement	Yes	Yes	Yes	Yes
4.4	Safety Significance Considerations	Yes	Yes	No	No
4.5	Acceptance Criteria	Yes	Yes	Yes	Yes
4.5.1	TAR Intake Acceptance Criteria	Yes	Yes	Yes	Yes
4.5.2	TAR Screening and Evaluation Acceptance Criteria	No	Yes	No	No
4.5.3	TAR In-Depth Review Acceptance Criteria	No	No	Yes	No
4.6	Interface with NRC Staff and Management	Yes	Yes	Yes	Yes
4.7	External Stakeholder Interactions	Yes	Yes	Yes	Yes
4.7.1	Verbal Interactions	Yes	Yes	Yes	Yes
4.7.2	Written Interactions	Yes	Yes	Yes	Yes
4.7.3	Voluntary Supplemental information	Yes	Yes	Yes	Yes
4.11	TAR Related to Allegation	Yes	Yes	Yes	Yes
4.12	Deviations from the Process	Yes	Yes	Yes	Yes
4.13	TAR withdrawals	Yes	Yes	Yes	Yes
4.14	Resolving Requestor Office Disagreements	No	Yes	Yes	Yes
4.15	Continuous Improvement	Yes	Yes	Yes	Yes
Appendix C	TAR Intake Form	Yes	No	No	Yes
Appendix C	Screening and Evaluation Authorization e-mail template	No	Yes	No	No
Appendix C	Screening and Evaluation Results Memo template	No	Yes	No	No
Appendix C	In-Depth Review Response Memo template	No	No	Yes	No
Appendix D	Operating Reactor TAR Summary of Action Steps	Yes	Yes	Yes	No

4.2   Pre-Screening[5] Issues to Determine an Early Path Forward

The goal is to use the most expedient method for resolving questions or issues. Therefore, a TAR generally should not be used when:

- The response is straightforward and readily available;

- The issue has been pre-determined to be clearly of very low safety significance and the requesting office could disposition[6] it under the Very Low Safety Significance Issue Resolution (VLSSIR) effort[7] (see Section 4.4.1 of this OI);

- The NRC staff has previously expressed a clear and definitive position regarding the issue;

- The question or concern could be referred to another process (e.g., backfitting, generic issues[8] program, differing professional opinion, legal interpretations, etc.); and

- The question could be resolved by relying on a licensee or vendor's evaluation or informal NRC staff resolution without compromising the NRC's regulatory function.

Specific pre-screening areas and respective instructions are described in Sections 4.3 and 4.4 of this OI. The TAR acceptance criteria are described in Section 4.5 of this OI.

4.3   Closure of Issues: Response, Referrals or Other Recommendation

When a TAR is closed, three outcomes are possible (Figure 1):

(1) The issue is resolved in the TAR process. This will be documented either in the Screening and Evaluation Results memorandum, the In-Depth Review Response memorandum, with an entry to the Intake form technical response field for Construction TARs only, or recorded in the TAR SharePoint site for issues that are closed out in the Intake phase.

(2) A referral is made to another process (e.g., backfitting) and the issue will no longer be tracked in the TAR process. The basis for this referral will be documented in the Screening and Evaluation results memorandum or the In-Depth Review Response memorandum, or in the TAR SharePoint site (if referred in the Intake phase).

(3) The issue is recommended for no further regulatory action due to its very low safety significance and licensing basis (LB) standing. This will be documented in the Screening and Evaluation Results memorandum.

---

[5] The pre-screening guidance is primarily for the TAR Coordinator and staff in the intake phase. However, this guidance may be used for pre-TAR activities to determine if a TAR is appropriate.
[6] "Disposition" means to close out the issue to require no further regulatory action.
[7] VLSSIR criteria do not apply to construction TARs.
[8] Generic Issues program is owned by NRC's Office of Nuclear Regulatory Research.
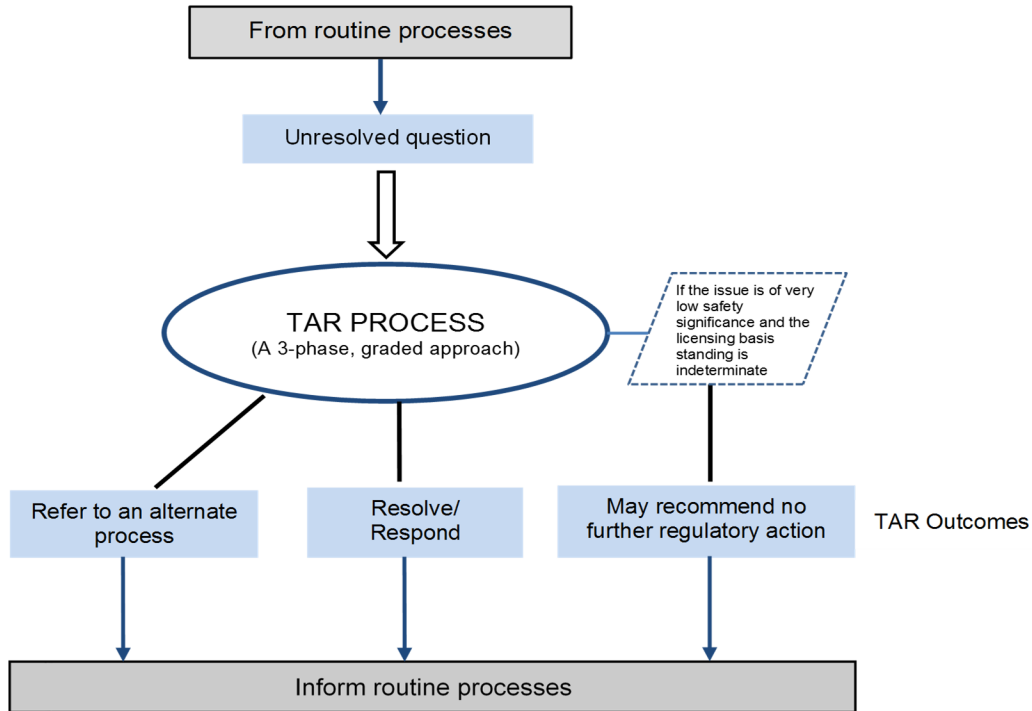
Figure 1. TAR Block Diagram

The TAR closure documentation in any of the three phases is not intended as an agency action, but rather is intended to inform the process the TAR serves. It is the responsibility of the requesting office to take necessary actions in the associated process using the recommended disposition, referral, or response from the TAR documentation.

For issues outside of the scope of the TAR process (e.g., that do not meet the acceptance criteria or other circumstances), the TAR Coordinator should take action to ensure the issue is referred to the applicable process and the appropriate program contact as early as possible, with communication to the requesting office and the plant PM. Once the issues raised in the TAR are entered into the alternate process after a TAR referral, the TAR Coordinator should re-status the TAR from the "open" list to the "closed" list on the monthly TAR status report. The TAR Coordinator should then close the Enterprise Project Identifier (EPID) number(s) associated with the TAR, if it is in the Screening and Evaluation or In-Depth review phases.

The following sections (Sections 4.3.1 to 4.3.4) provide instructions on specific areas that may be useful in screening, scoping, and effecting closure of issues in the TAR process.

4.3.1   Search for Precedents and Previous Staff Positions

As applicable, during TAR Intake or Screening and Evaluation, the TAR Coordinator with the help of the applicable team (e.g., the IT in screening and evaluation) or other staff should conduct a search to ensure that the particular issue has not already been addressed. Searching for and identifying precedent

staff positions may preclude the need for a TAR or other staff action, thereby saving resources and ensuring appropriate consistency with previous NRR conclusions.

Previous staff positions may be located in standard review plans, branch technical positions, regulatory guides, generic letters, bulletins, etc. The TAR SharePoint site should be searched for TIA or TAR precedents on similar topics to determine if a solution already exists and may be applicable to the issue of concern.

The Agencywide Documents Access and Management System (ADAMS) and the NRR Operating Experience (OpE) Information Gateway https://drupal.nrc.gov/nrr/ope search tools could also be useful for this purpose.

Licensee documents such as the Updated Final Safety Analysis Report (UFSAR) and responses to violations may provide additional insights on how a licensee addressed an applicable NRC staff position.

Even if a staff position already exists, the fact that a question was raised could indicate that a position or policy is not well understood. Accordingly, the NRC staff should consider the following options for restating a previously documented position:

- Issue a Regulatory Issue Summary;

- Update to inspection manual chapters and procedures;

- Redistribute the documentation of the position or policy;

- Send a reminder via e-mail to regional counterparts; and

- Incorporate the existing position or policy into higher level documents that normally contain applicable NRC staff positions.

Note: The above functions are outside the TAR process except redistributing documentation and sending a reminder.

4.3.2   Issues with Generic Implications

4.3.2.1   Generic Issues

The TAR Coordinator and cognizant NRR technical staff should review the proposed TAR against the screening criteria listed in Management Directive (MD) 6.4, "Generic Issues Program." If the issue is identified as a potential generic issue (program administered by Office of Nuclear Regulatory Research), it should be submitted into that process rather than the TAR process. This screening may provide an early referral of the issue away from the TAR process.

4.3.2.2   Generic Concerns or Communications

Once it has been determined that the issue involves generic implications, the TAR Coordinator should coordinate a meeting between the requesting organization (issue requestor, branch chief, and division director or delegate), DORL branch chief, NRR technical branches, the NRR Division of Reactor Oversight (DRO) Generic Communications and Operating Experience Branch, DORL plant project manager (PM), and DORL management. The purpose of this meeting is to discuss whether to proceed with the review or proceed with the closure of the TAR and the initiation of the review as a generic communication. The staff will begin discussions on the type of product that will be issued (rulemaking, regulatory issue summary, regulatory guide, etc.).

4.3.3   Backfitting and Issue Finality Considerations

A TAR is not intended to establish a new agency position for the purposes of backfitting. If it is determined at any time that the issue under consideration is outside the plant licensing basis, then the TAR process is not the appropriate process to follow and the issue could be referred to the backfitting and issue finality process. The TAR Coordinator should ensure the appropriate backfitting Community of Practice Point of Contact or Subject Matter Expert (SME) is included in the discussion as early as possible to determine if the issue should be referred to backfitting and issue finality process. Backfitting and issue finality guidance and policy can be found in MD 8.4, "Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests."

Often, questions referred to the TAR process relate to the plant licensing basis. Licensing basis information is unique to the plant and may lack detail or present ambiguity (e.g., multiple descriptions about one topic in different places), or complexity (e.g., information on a complex design). Determining whether the issue is in the licensing basis is key to routing the issue appropriately. Enclosure 2 of the LSSIR recommendations memorandum dated February 5, 2020 (ADAMS Accession No. ML19260G224), provides high-level guidance for determining if the issue is in the licensing basis or not and this may be used in the pre-TAR discussions as well as the TAR screening and evaluation activities.

Once it has been determined that the issue (including Construction TARs) is not within the licensing basis and further pursuit of the issue could result in imposing a new requirement, the TAR Coordinator should arrange a meeting among the requesting organization (issue requestor, branch chief and division director or delegate), DORL branch chief, cognizant NRR technical branches, backfitting SME, DORL Plant PM, and DORL management. The purpose of this meeting is to discuss the closure of the TAR and initiate discussions for potential referral to the backfitting and issue finality process. The meeting discussions should include passing on relevant TAR safety significance determination information to the backfitting process to help make its decisions early, if applicable. This can happen in the Screening and Evaluation phase and sometimes even in the In-Depth review phase of the TAR.

4.3.4   Considerations of Enforcement

The staff does not take or recommend enforcement actions through the TAR process. Enforcement -related decisions are outside of the scope of the TAR process. The requesting organization is responsible for any enforcement-related decisions.

4.4.   Safety Significance Considerations for Operating Reactors

4.4.1   LSSIR Recommendations

The LSSIR initiative applies to issues that are both not clearly within the plant's licensing basis and of insufficient safety significance to warrant the expenditure of significant additional agency resources.[9] One of the LSSIR recommendations is the VLSSIR process, with updated guidance in Inspection Manual Chapter (IMC) 0612, Appendix B, "Issue Screening," which allows inspectors to disposition issues, when VLSSIR criteria are met.

When an issue is referred from the inspection process to the intake phase of this OI, the TAR Coordinator discussion with the requestor should include any previous efforts to assess the issue's safety significance and research the plant licensing basis in accordance with the aforementioned IMC 0612 guidance. The agency public documentation for dispositioning the issue, if originating from the inspection process, should be executed by the requesting office (e.g., in the inspection reports under IMC 0611).

If the inspection issue is referred to the TAR process and was not previously screened out and dispositioned using the IMC 0612 guidance on safety significance standing, it could still be screened out and dispositioned in the screening and evaluation phase of the TAR process, as described in Section 4.9 of this OI. Additional information gathered in this phase, together with the perspectives of the TAR IT may lead to the conclusion that the issue is of very low safety significance and does not warrant further agency efforts on the issue.

4.4.2   Exceptions: Effort Not Commensurate with Safety Significance

A wide range of inspection issues may enter the TAR process including those known to be of very low safety significance. These issues may be accepted, if they meet the TAR acceptance criteria. The issue screening and evaluation or a resolution, if achievable, is expected to be completed in the Screening and Evaluation phase, by the IT in accordance with Section 4.9 of this OI. In exceptional cases (see Section 4.12 of this OI), the IT may refer the issue to the In-Depth Review phase (Section 4.10 of this OI) due to its high stakeholder value, or other reasons, which then will need the approval of the office directors of NRR and the requesting office to authorize resources for the In-Depth review. Under such scenarios, the TAR effort would not be commensurate with the safety significance of the issue.

---

[9] See Low Safety Significance Issue Resolution Working Group Recommendations (ADAMS Accession No. ML19260G224).

4.5.   <u>Acceptance Criteria</u>

A TAR contains questions on subjects within the scope of NRR's mission and responsibilities. The TAR process is to be used to address plant-specific[10] issues. Issues concerning generic applicability (including generic issues), plant backfitting and issue finality, enforcement decisions, and disagreements with previous staff positions cannot be accepted in the TAR process. The following types of questions are typically associated with an issue identified at a specific plant:

- regulatory requirements;
- plant licensing basis;
- URI or inspection finding resolution;
- NRR staff technical positions;
- safety or risk significance of certain plant configurations or plant operating practices;
- specific plant events; and
- construction-related technical issues

4.5.1   <u>TAR Intake Phase Acceptance Criteria</u>

The following conditions should be met to enter TAR intake:

- The issue is plant-specific; and

- TAR request initiated by the requesting office (see Section 4.8).

4.5.2   <u>TAR Screening and Evaluation Phase Acceptance Criteria</u>

The following conditions should be met to enter TAR screening and evaluation:

- Completed information on Intake form;

- The issue has not been previously determined to meet the criteria for LSSIR disposition (as discussed in Section 4.4 of this OI); and

- Requesting Office division management authorization (e-mail to DORL management (see Appendix C).

4.5.3   <u>TAR In-Depth Review Phase Acceptance Criteria</u>

The following conditions should be met to enter TAR In-Depth review:

- The issue is plant-specific;

- The issue is (1) not of very low safety significance as determined by the application of the TAR Safety Significance Determination tool, or (2) the safety significance is indeterminate; and

---

[10] An issue that applies to one specific plant.

        o   Exceptions may be granted based on agreement between NRR and requesting Office Directors, where safety significance alone is not a driving factor (e.g., an issue of high public interest). See Section 4.12 of this OI.

- A well-defined, focused set of questions has been formulated by the IT in the Screening and Evaluation phase and recommended for In-Depth review.

        o   Questions accepted in the Screening and Evaluation phase to be recommended to the In-Depth review cannot be changed unless the process is exited and restarted in the Intake phase.

4.6 Informing and Interfacing with NRC Staff and Management

4.6.1 TAR SharePoint Site

The TAR Coordinator should maintain a log of completed and active TARs on the internal agency SharePoint site.[11] This site serves as a historical reference library of completed TARs. This database will also include the ADAMS references for the completed Intake forms for construction and operating reactor TARs.

4.6.2 Quarterly Briefing of NRR Executive Team

The TAR Coordinator will provide a TAR status update to engage the NRR Executive Team (ET). This will allow the ET to engage and inform regional management, ensuring agency alignment on open issues related to the items in progress in the TAR program. As needed, urgent TAR issues can be relayed through monthly ET regional counterpart calls.

4.6.3 Workload Management Status Reporting

The TAR Coordinator will provide a status report for the monthly NRR workload meetings.

4.7 External Stakeholder[12] Interactions

The goals of the TAR process include engaging external stakeholders effectively and efficiently to get information and providing timely communication and notifications on the issue under review. The TAR process should be viewed as an extension of the process it serves. Thus, if the TAR process receives an unresolved question from the inspection process, or a technical issue identified through construction inspection, it becomes an extension of the inspection process. As such, interactions with the stakeholders should follow the needs of the process the TAR serves and address the specific issue at hand while every effort should be made to make the process transparent whenever possible. Due consideration should be given to balance transparency with the potential consequences of sharing preliminary or pre-decisional information. The licensee or

---

[11] https://usnrc.sharepoint.com/teams/NRR-Technical-Assistance-Request.
[12] External Stakeholders means licensees or applicants.

applicant should be engaged as early as possible and throughout the TAR process to obtain substantive and timely information pertaining to the TAR. Staff should follow any overarching guidance from the referring process that relates to these interactions. For instance, when an operating reactor inspection issue is referred to the TAR process, the guidance documents to supplement this OI would be IMC 0620, "Inspection Documents and Records," which provides staff guidance on types of draft information that can and cannot be shared with a licensee, vendor, or applicant, and IMC 0330, "Guidance for NRC Review of Licensee Draft Documents," which provides staff guidance on review and handling of licensee draft documents provided to the NRC. The goal of interactions is to ensure the availability of clear, accurate, and complete facts about the issue.

4.7.1   Verbal Interactions

The TAR Coordinator will work with the requesting office and/or the plant PM for discussions in the TAR phases, depending on the process the TAR serves (e.g., URI or a general question). The requesting organization should interface with the licensee or applicant to gather facts as early as possible (pre-TAR intake activities). These should be informal exchanges. These exchanges are not typically public meetings because the TAR is primarily a fact-gathering process. The nature of the discussions should be purely information exchanges for fact-gathering, clarification or notification rather than problem-solving, and no decisions or agreements should be made. However, if the issue referred to the TAR process is of specific public interest or of high stakeholder value, the interactions may be made public, with due consideration given to balancing openness and the consequences of sharing preliminary or pre-decisional review information.[13] More details of verbal interactions in TAR Intake, Screening and Evaluation and In-Depth review phases are provided in the Sections 4.8, 4.9, and 4.10, respectively, of this OI.

4.7.2   Voluntary Supplemental Information

The TAR process encourages the licensee or applicant to participate in the process as early as possible, providing its position or submitting supplemental information to support the review. These could be in the form of position papers, white papers, or a formal submittal on the docket. To support timely execution of the TAR process, this information should represent the best available information. In particular, new and detailed computational analysis or experimentation should not be encouraged if its primary purpose is to influence the assessment of safety significance.

Relevant licensee- or applicant-provided information should be collected by the requesting office early during the information gathering stage (e.g., TAR Intake) to enable the TAR team to characterize the issue and become aware of alternate licensee positions. Further details unique to TAR Intake, Screening and

---

[13] Because TAR is an internal fact gathering exercise that informs decisionmaking in other processes, TAR response, referral, or recommendations documentation (Construction TAR process, Intake, Screening and Evaluation or In-Depth phases) will be issued to the requesting office and not made publicly available. The requesting office could publish (e.g., in inspection) reports the actions taken as a result of a TAR response, referral, or recommendations publicly.

Evaluation and In-Depth review phases are available in the Sections 4.8, 4.9, and 4.10, respectively, of this OI.

4.7.3   Written Interactions

On occasion, the NRR staff or requesting organization may need additional information beyond that which could be obtained by the requesting office in the intake phase. In such cases, the TAR Coordinator will request the additional information working in coordination with the requesting office and/or the plant PM depending on the process the TAR serves. The TAR Coordinator will issue the request to the licensee (this may typically happen in the TAR In-Depth review) working with the requesting office, if the issue is related to a URI. For all other requests, the TAR Coordinator will work with the requesting organization and the plant PM to issue the request.

The licensee or applicant may submit the information voluntarily by e-mail to the requesting office or the plant PM on an agreed upon schedule. The TAR Coordinator should put the document in ADAMS and it will be referenced in the In-Depth review response, if used to support the staff's TAR conclusion. Further details on written interactions unique to the TAR screening and evaluation and In-Depth review are available in the Sections 4.9 and 4.10, respectively, of this OI.

4.8   Intake Phase

The TAR Intake (see Figure 2) is the initial fact-gathering framework. The TAR Coordinator facilitates an information exchange with the requesting office to pre-screen the issue (Section 4.2 of this OI) to achieve an early resolution, a referral to an alternate process or a referral to the Screening and Evaluation phase. Interactions are expected to happen at the staff and/or branch chief level in this phase. Although this phase is focused on gathering facts, the staff is encouraged to resolve the issue within 8 work hours, if possible.

4.8.1   Logistical Considerations

The Intake process is typically expected to be preceded by informal discussions with the TAR Coordinator to discuss the TAR process instructions and acceptance criteria (see Section 4.5 of this OI) and is initiated with the requesting office submitting a request to the TAR Coordinator to enter the TAR process. This could be an e-mail from the requesting office staff (requestor) with a copy to the respective branch chief.

The requestor and the TAR Coordinator, using the TAR acceptance criteria, should evaluate the complexity, significance, and necessity of a TAR to direct the technical issue to the most efficient process for resolution (e.g., phone call, e-mail, or TAR). During these discussions, the TAR Coordinator will perform an initial screening (pre-screen) of the request in the areas described in Sections 4.3, 4.4, and 4.5 of this OI to determine if it should enter the TAR process or be routed to an alternate process. The TAR Coordinator should be sensitive to the nature of the issue and timeframe needed for resolution

(inspection schedule or licensee impact) and take these factors into consideration in responding to the request.
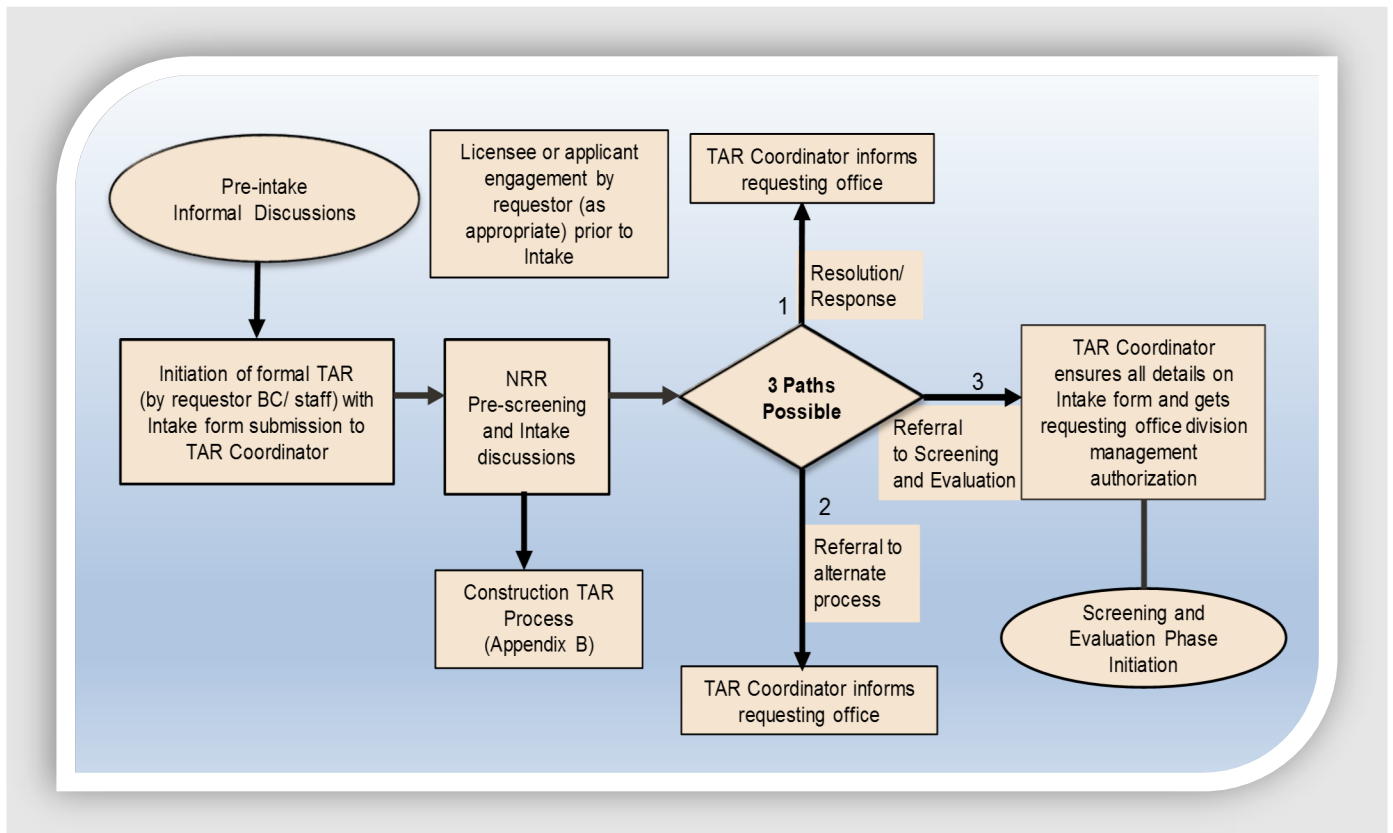

Figure 2. Intake Phase Flowchart

Appendix C describes the Intake form, which allows the TAR Coordinator and the requestor to focus initial discussions on requisite fact-gathering. The requestor will be required to provide as much information as possible with the request to enter the TAR process.

Informal discussions and pre-screening should include a determination of whether an issue is construction-related. The following question should be posed: "Is the issue related to on-going construction of a power reactor or research reactor, testing facility, or other non-power production or utilization facility?" If the answer is "Yes," the Intake form will be completed accordingly (Box 10 checked YES) and the TAR Coordinator and requestor will initiate the Construction TAR process using the guidance in Appendix B of this instruction.

4.8.2   Work Planning

Planning and processing of a TAR is critical in ensuring the work is completed in a timely and effective manner. The TAR Coordinator is responsible for scheduling and coordinating the review and keeping the staff and management informed throughout the life of the TAR. The TAR Coordinator and NRR

technical staff will charge their time to a pre-existing, non-fee billable EPID that is available from respective NRR and the requesting office Divisions for the work in this phase. This EPID must not be specific to the TAR. The TAR Coordinator should:

- Initiate a TAR, when a request (e-mail or memorandum) is received from the requestor with an Intake form attached (Appendix C), as complete as possible;

- Assign a TAR number and enter in the SharePoint to track it until closeout. TAR numbering will be sequential by calendar year (e.g. 2019-01, 02, etc.) and Construction TARs will include a suffix letter "C" (e.g. 2019-01-C);

- Notify the DORL BC and management on the receipt and processing of the TAR request;

- Pre-screen the issue (Sections 4.3, 4.4, and 4.5 of this OI), to resolve, refer the issue to an alternate process, or refer the issue for TAR screening and evaluation;

- Coordinate activities with an effort to be completed in 8 hours. The 8 hours includes time for the TAR Coordinator to facilitate a structured and focused conversation with the requesting office, plant PM, relevant technical staff, including DRO Operating experience technical staff and any other appropriate staff, to attempt to resolve[14] the issue (at the staff or branch chief level) if possible and complete the Intake form initiated by the requestor;

- Status the TAR as "Closed" and capture information about the issue in the SharePoint site, if a resolution or referral is achieved in this phase. If licensee inputs were used, gathered informally, to close out the issue, then the TAR Coordinator should notify the licensee through the requestor or plant PM of the TAR closure. For example, if a region refers a URI to TAR, the communication will be provided by the requesting region staff (e.g., inspector) to the licensee. If another NRC organization refers a question to TAR, then the plant PM will communicate the closed TAR status to the licensee, provided licensee inputs were used;

- Store the completed Intake form for the issue on the SharePoint site and in non-public ADAMS. For the TARs that move to screening and evaluation phase, the Intake documentation will be included with the Screening and Evaluation documentation. For allegation-related TARs, coordinate with the Allegation Review Board (ARB), and documentation must not be placed on the SharePoint Site or ADAMS (See Section 4.11); and

---

[14] TAR Intake is primarily for gathering facts; however, resolution of an issue may be possible in some cases. For example, if the TAR Coordinator is pre-screening an issue for precedent information or previous positions and coordinates the research in the 8-hour window with other NRR staff on the issue, and is able to resolve the issue, then the TAR Coordinator should inform the requestor, record the issue resolution in the TAR SharePoint Site as "resolved" and the TAR "closed." There will be no separate documentation issued.

- Coordinate with the requestor to create a complete non-public ADAMS package containing the completed Intake Form and all supporting materials.

4.8.3   Moving an Issue to TAR Screening and Evaluation Phase

If resolution or referral is not achieved in the Intake phase, the TAR Coordinator should refer the issue to TAR screening and evaluation phase, once the TAR Coordinator determines sufficient information is provided to conduct a screening and evaluation of the issue. Within 3 working days of the completion of the Intake phase and discovery that the issue needs to move to screening and evaluation, the TAR Coordinator should work with the requestor for the requestor's division management to submit the Screening and Evaluation authorization e-mail (Appendix C) to the DORL management with a request to move the issue up to a screening and evaluation status. This initiates the screening and evaluation review.

4.9   Screening and Evaluation Phase

The Screening and Evaluation phase (Figure 3) builds on the Intake phase and provides a formal framework to perform the following primary functions: issue screening, evaluation, scoping, and documentation of the conclusion in order to route the issue appropriately. The Screening and Evaluation phase will not perform the function of driving the issue to resolution. In some cases, it may be possible to resolve the issue as a by-product of performing the other functions; resolution is not an intended primary function of this phase. An integrated decision-making team, assembled by the TAR Coordinator, performs focused reviews to reach alignment on the issue's path forward with a graded approach, commensurate with the significance of the issue, with a timeliness goal of 30 days from the team kickoff meeting. As a general guidance, the IT should use the first 15 days to scope, screen, evaluate, and align on the path forward and use the latter 15 days to draft, concur, and complete the TAR conclusion documentation. It is expected that under limited circumstances, extensions beyond 30 days to continue and complete the screening and evaluation may be allowed with appropriate justifications. Extension may be given in situations such as extensive new information received from the licensee, complexity in scoping of the issue, and lack of available resources.

4.9.1   Logistical Considerations

Within 7 working days of the initiation of screening and evaluation (Section 4.8.3 of this OI), the TAR Coordinator should work with DORL management to stand up an IT and organize a kickoff meeting. During this time, the TAR Coordinator should inform the applicable technical divisions, SMEs (e.g., backfitting), OE, and OGC about the TAR initiation, request assignment of dedicated staff to the IT and provide a copy of the relevant supporting information. The TAR Coordinator should request DORL management to expeditiously recommend or help select a Chairperson for the IT, typically an SES manager. The IT will be generally comprised of a Chairperson, the requestor, TAR Coordinator, plant PM, technical

staff, SMEs (e.g., generic concerns, backfits), NRR risk analyst[15] and OGC. In addition, the team may include an OE member (if needed). If it is known in advance that a particular skill set is not needed (e.g., a risk analyst in the case of an allegation-related TAR where safety significance will not be assessed by the IT), that skill set need not be included on the IT. The team will engage through meetings or conferences as necessary to complete the screening, evaluation, possible response, and the necessary decision-making and documentation.

Appendix C provides information on the Screening and Evaluation Results memorandum which will be used by the IT to record the conclusions in this phase including a response if achieved.
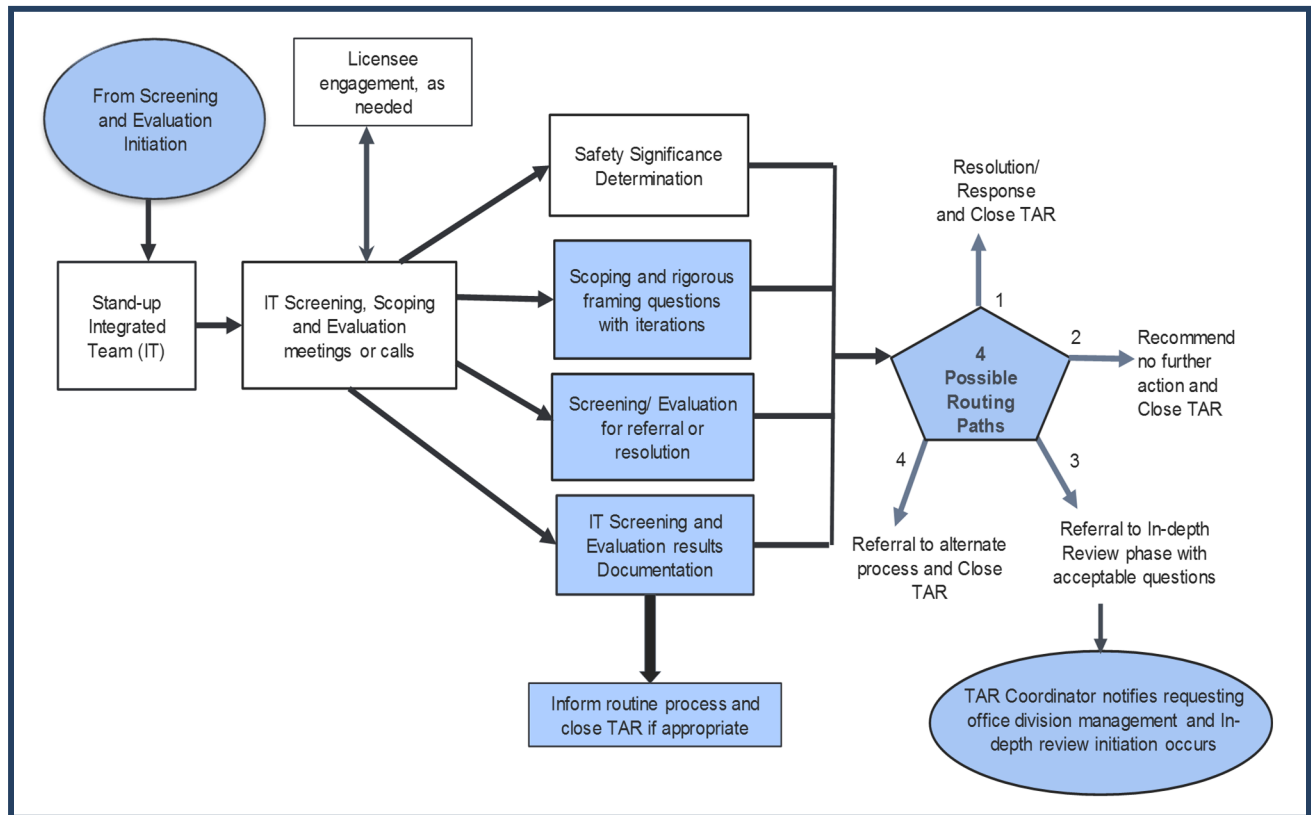
Figure 3. Screening and Evaluation Phase Flowchart

4.9.2   <u>Work Planning</u>

Following are the work planning steps for the Screening and Evaluation phase:

- Requestor's division management issues a TAR screening and evaluation initiation memorandum to DORL management;

---

[15] If an issue has received significant evaluation by a Regional senior reactor analyst (SRA) prior to entering the TAR process, it may be more efficient to have the Regional SRA participate on the IT, with NRR/DRA's general awareness.

- The TAR Coordinator should obtain an EPID through Reactor Program System (RPS) with a non-fee billable charge code, within 2 working days of the TAR screening and evaluation initiation. The EPID will also establish the milestones and the deadlines to complete for the TAR screening and evaluation and may be extended to TAR In-Depth review, as needed. The TAR Coordinator will identify the following typical milestones (assuming no licensee inputs are added in this phase):

    - Screening and Evaluation initiation

    - Kick-off meeting (7 working days from initiation)

    - Initial Safety Significance Screening Completed (10 days from kickoff)

    - Other Screening, Scoping, Evaluation and Resolution (if applicable) completed (10 days from kickoff)

    - IT meeting to make final decision on path forward (15 days from kickoff)

    - Screening and Evaluation Results memorandum signed off (30 days from kickoff)

- The TAR Coordinator should identify dedicated resources for the IT within 7 working days of the TAR screening and evaluation initiation. DORL management will be requested to assist, if necessary, to ensure that resources are available to complete the work in the short period of time;

- The TAR number assigned in the TAR Intake phase should be continued;

- Track the TAR screening and evaluation to completion and ensure documentation and distribution of the TAR screening and evaluation conclusion. The TAR Coordinator should organize and facilitate all meetings, and maintain a record of significant discussions, agreements and action items, including the progression of changed or refined questions from the Intake Form as necessary; and

- For an issue that is closed out in the TAR screening and evaluation (resolution, referral, or recommendation for no further action), the TAR Coordinator should communicate with the requestor and/or the plant PM to ensure that the licensee or stakeholder is informed of the issue's closure or exit the TAR process.

4.9.3   Conduct of Operations

4.9.3.1   IT Activities

The TAR screening and evaluation IT activities include the following:

- Hold a kickoff meeting to review the initial request, assess any special expertise needs, and identify roles and responsibilities;

- Identify incomplete information on the Intake Form, if any, and with the TAR Coordinator's lead, obtain additional information such as licensee inputs;

- Rigorously scope and refine the Intake questions in this phase. Perform iterations and discuss with the requesting office, assign questions to necessary review areas, and identify any early answers. Legal questions should be referred to OGC. The IT should hold detailed discussions with the requestor in the beginning to understand the issue of concern, the requestor's proposed questions, the basis, and collect any details necessary for the respective team members to perform their reviews;

- Perform the screening for safety significance with the TAR Safety Significance Determination tool (Appendix C);

- For questions that relate to licensing basis, the IT should discuss all available information and facts including any disputed facts recorded on the intake form and supporting documentation. In addition, the IT should collect additional facts as necessary pertaining to determining LB standing, including research and seeking licensee information if necessary. The technical staff, backfitting SME, OGC, TAR Coordinator, plant PM and other staff should discuss whether the issue is clearly in or outside the licensing basis or if the licensing basis is indeterminate;

- Within 15 days from the kick-off, the IT should meet and discuss the issue and the steps undertaken in the screening and evaluation. The Chairperson should make the decision described below based on the facts presented with the results of the safety significance determination, licensing basis discussions, the final questions on the underlying issue as agreed with the requestor, and other relevant inputs from the team and licensee;

- Consider disputed facts and integrate them early in the review;

- Identify and grant issue exceptions with respect to TAR acceptance criteria (see Section 4.5.3) and route the issue with well-defined questions to In-Depth review for resolution with office directors' approval from NRR and the requesting office; and

- Achieve one of the following five TAR screening and evaluation outcomes with the Chairperson as the decision maker:

    (1) The Chairperson of the IT makes a recommendation for no further regulatory action on the issue, based on the results of the safety significance evaluation and the indeterminate

licensing basis standing of the issue (not relevant for allegation-related TARs);

(2) After assessing safety significance and team collaboration, the IT provides a documented referral of the issue to the In-Depth Review phase (Section 4.10 of this OI), with a well-defined set of questions that meet the acceptance criteria, based on the issue's not very low safety significance status (not relevant for allegation-related TARs);

(3) The IT achieves an early resolution of an issue, irrespective of its safety significance, because:

The IT arrives at an answer for part or the entire issue within 2 weeks into screening and evaluation. If, during this phase, the issue is determined to be in the licensing basis, then the IT will provide a response to the requesting office documenting the response in the Screening and Evaluation Results memorandum;

(4) The IT identifies an existing staff position (see Section 4.3.1 of this OI), which may resolve the issue or may be used in the evaluation; and

(5) Refer the issue to an alternate process. For example, if the screening and evaluation results indicate the issue is clearly outside the licensing basis, the IT will refer the issue to the backfitting process (Section 4.3.2).

- Document the decision using the Screening and Evaluation Results Memo template (Appendix C).

4.9.3.2   Safety Significance Determination

The risk analyst and topical area SME team members will apply the TAR Safety Significance Determination Tool (see Appendix C) using the information provided in the completed Intake form for the issue (except for allegation-related TARs). The results of this assessment will be briefed out to the IT to ensure that all relevant technical information was incorporated into the assessment. The outcome of the safety significance determination worksheet is a recommendation to the IT that the issue is or is not of very low safety significance. The results of this review will be documented on the Screening and Evaluation Results memorandum, and the safety significance evaluation information will either be attached to the memorandum or else stored in ADAMS with the accession number reference on the screening and evaluation template. For occasions where the safety significance screening tool cannot be satisfactorily applied (e.g., where safety significance is indeterminate or not applicable), the team will record this result and the basis for this determination in the Screening and Evaluation Results and the IT will refer the issue to the

TAR In-Depth review phase, after scoping and developing a set of well-defined questions for In-Depth review and resolution. For allegation-related TARs, the safety significance assigned by the ARB as part of the allegations process will be used, to the extent that safety significance needs to be factored in to prioritizing resources.

4.9.3.3   Licensee or Other Stakeholder Interactions During Screening and Evaluation Phase

Once a TAR screening and evaluation is accepted and initiated and around the time of the kick-off meeting, the TAR Coordinator should work with the requesting office and plant PM to hold a call with the licensee to inform about the issue entry in the TAR process. The licensee should be provided information about the proposed questions and facts of the issue in this call. The timing of the call should be chosen to increase effectiveness of the interface. As discussed in Section 4.7.1, these interactions are not typically public exchanges. Informing the licensee affords it an opportunity to provide information voluntarily to support the TAR screening and evaluation. The licensee may submit any information not already collected in the Intake phase, with a potential for a follow-up clarifying conference call if necessary. Staff should rely on the best available information. In order to promote process timeliness, staff should not await the results of new and detailed analytical studies or experimentation. In some rare instances, the IT may request additional information (Section 4.7.2) from the stakeholder to support the screening and evaluation.

The staff should ask the licensee to provide any voluntary information for NRC consideration within 5 days of the call or by a certain agreed upon date. The additional information, if any, should then be considered through the requesting organization to verify it does not obviate the need for the TAR or change the questions as defined. Further, the requesting organization should advise the NRR staff as to whether the information should be included as a part of the TAR review.

The TAR Coordinator will confirm with the requesting office that any licensee inputs on the issues or questions raised are accurately captured on the TAR Intake form and, if necessary, the requesting office will update the form to reflect the current licensee position on these issues.

4.9.3.4   Issue Scoping, Evaluation, and Conclusion

The TAR IT screening and evaluation activities should ensure the requestors' questions are well-framed and refined with necessary iterations, are not overly broad or speculative, are in scope (with respect to Sections 4.3, 4.4, and 4.5 of this OI), and consider all relevant stakeholder inputs. There should be a free exchange of information between the requesting organization and the IT to ensure that the questions frame the requestor issue accurately and can be

answered by NRR. Agreement should be reached with the requestor on the set of questions that need to be answered or referred to In-Depth review as appropriate. Thus, the IT should be able to characterize the issue effectively, with well-defined and succinct questions, and together with the safety significance determination, should recommend a path forward with a graded approach. The TAR Coordinator should coordinate the question formulation process and the final agreed questions should be recorded in the Screening and Evaluation Results memorandum. The requestor should keep his or her management informed on major changes to scope and bring any concerns to the Chairperson promptly. If a resolution is achieved, the team should document the response in the Screening and Evaluation Results memorandum and close out the TAR.

The TAR Coordinator will draft the Screening and Evaluation Results memorandum (Appendix C) and coordinate concurrence from the IT. The Screening and Evaluation Results memorandum will include a section for the requestor to provide comments on the process of handling the issue and any other concerns or comments if applicable. The TAR Coordinator will notify the requesting office that the screening and evaluation is completed and distribute the document in non-public ADAMS (except for allegation-related TARs where the document cannot be placed in ADAMS).

4.9.3.5   Moving an Issue to the In-Depth Review Phase

For issues that meet the TAR In-Depth review acceptance criteria (Section 4.5 of this OI) or for which an exception is granted, the questions formulated in the screening and evaluation by the IT become the designated questions for review within the In-Depth review, and should not change during the TAR In-Depth review process. Within 2 working days of the screening and evaluation documentation recommending the referral of the issue to TAR In-Depth review, the TAR Coordinator will provide e-mail notification to requesting office management about the outcome from the TAR screening and evaluation, including a description of the issue and the questions with the completed Intake and Screening and Evaluation attachments, and status the EPID in RPS for extension. This initiates the In-Depth review phase.

4.9.4   Multiple Issues Referred to the TAR Process Screening and Evaluation and Staggering Teams

The above guidance describes the activities applicable to a single issue in the process. It is possible that there could be several different requests to enter TAR screening and evaluation from various requesting organizations. NRR staff should control and prioritize activities depending on staff availability for ITs. Closeout dates may be negotiated, with substantial deviations documented per

Section 4.12 of this OI. NRR staff will give special attention to the following when considering priority:

- issues involving significant safety issues;

- issues that could involve the loss of power production (i.e., a plant shutdown, derating, or delay in startup);

- issues related to an allegation;

- TARs involving inspection findings or URIs; and

- issues where uncertainties or conflicting views are impairing the public's confidence in the regulatory process.

4.10   In-Depth Review Phase

In-Depth review provides a focused and detailed review and a clear and concise response to the issues.

4.10.1 Work Planning

This section describes the TAR Coordinator's responsibilities for scheduling and coordinating the TAR review. During the review, if the schedule for responding to a TAR needs to be revised, the change should be communicated and agreed upon with the requesting office. Once the TAR In-Depth review is initiated (see Section 4.9.3.5) and the review questions are established, as documented in the Screening and Evaluation Results memorandum, changes are not permitted other than minor editorial clarifications. If substantive changes are necessary after an issue enters the TAR In-Depth review process, the TAR should be withdrawn by the requesting office (Section 4.13 of this OI) and resubmitted as a new request.

Activities to take place under the In-Depth review are broken down into seven milestones, where "T" stands for time in calendar days and "L" is the time taken by the licensee to submit additional information, if applicable, during the review. When no licensee information is necessary, "L" will be entered as 0 in RPS (default).

In-Depth Review Milestones

T=0   In-Depth review TAR Initiation
T=7   Kick-off Meeting
T=35+L   Evaluation and Follow Up with Stakeholders
T=40+L   Draft TAR Response from the NRR technical staff to TAR Coordinator
T=60+L   NRR ET Brief
T=70+L   TAR Team Debrief and Licensee Informed
T=80+L   Issuance of Final TAR Response
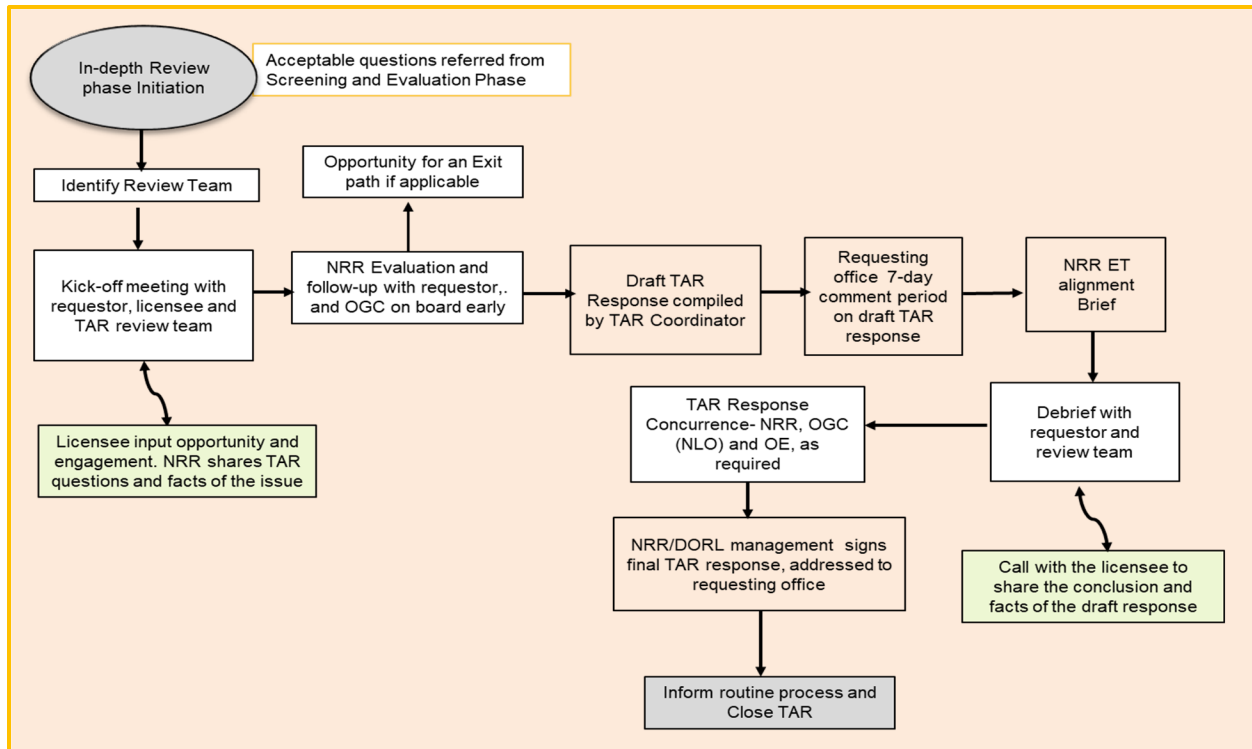
Figure 4. In-Depth Review Phase Flowchart

4.10.2 Establishment of TAR Review Team

The TAR Coordinator will establish a TAR review team with dedicated resources necessary to accomplish reviews of the issues identified by the requesting office within 5 days of the initiation of the In-Depth review TAR. The TAR Coordinator will provide copies of the proposed TAR (Intake form and Screening and Evaluation results) to the affected organizations and request assignment of dedicated staff to the TAR review team.

The TAR review team will typically consist of a representative from the applicable technical area, the TAR Coordinator, the plant PM, and the NRR Division of Risk Assessment (DRA) risk analyst, if needed. The review will also include OGC and OE as appropriate. If possible, individuals from the screening and evaluation IT including the OGC representative may be retained for continuity and efficiency in processing the request. The goal of the TAR review team is to complete reviews required to support resolution of issues within 80 days unless a different schedule was agreed upon to support the requesting office. The TAR Coordinator will establish milestones and schedules in RPS using the same EPID that was opened in the TAR Screening and Evaluation phase.

4.10.3 Kick-off Meeting

The TAR review team, led by the TAR Coordinator, will conduct a kick-off meeting (this is typically a non-public conference call), with the requesting

office staff and the licensee. The kick-off meeting is intended to inform stakeholders that the issues have been accepted into the In-Depth Review phase of the TAR process and discuss verbally the following:

(1)   The issue characterization and the questions as referred by the IT from screening and evaluation;

(2)   The scope and depth of the review;

(3)   Planned interim milestones and schedule and any potential challenges or new developments (e.g., licensee voluntary action);

(4)   Determine if additional resources are warranted;

(5)   Understand the licensee's view of the facts, including identification of disputed facts, if any;

(6)   If additional information will be necessary; and

(7)   Proprietary information in the review.

No regulatory decisions will be made in the kick-off meeting and no regulatory or enforcement debates should be conducted in this meeting. The TAR Coordinator should document the discussion from the kick-off meeting in a note to file.

4.10.4   Licensee or Stakeholder Interaction during In-Depth Review

During the kick-off meeting, the NRR staff should discuss all the details of the NRC's screening and evaluation of the issue including the facts of the underlying issue with supporting references and safety significance considerations as appropriate. Offering this opportunity to the licensee early provides transparency and also opens the path for licensee clarification and additional inputs that are germane to the In-Depth review. If a licensee would like to voluntarily provide additional information, then this should be provided within 7 days to support a timely review. An extension beyond 7 days will be approved by the DORL management in coordination with the technical division management after the impact to the schedule or significance is assessed. The additional information should then be considered through the requesting organization to verify it does not obviate the need for the TAR. Furthermore, the requesting organization should advise the NRR staff as to whether the information should be included as a part of the TAR review. If the information needs to be part of the TAR review, the response schedule should be reviewed and adjusted, as necessary.

4.10.5   NRR Staff Evaluation and Follow-Up with Stakeholders

During the NRR staff review, if additional information is needed from the requesting office or an external stakeholder, the TAR review team will meet to discuss and assess how this impacts the ability to meet the established TAR

timeliness metrics. Additionally, the team should be aware of constraints that may exist on discussing the issues with the licensee (e.g., issues involving allegations, proprietary, or pre-decisional concerns). Following these reviews, the cognizant NRR technical staff should draft a response using the response template (Attachment C).

The TAR review team members should focus the scope of the TAR review on areas that ensure a clear and concise response can be provided to the questions identified in the TAR. The TAR response should not discuss areas outside of those required to address the TAR issues of concern. Proprietary or pre-decisional information should be handled in accordance with agency policy. Where there are differing views or disputed facts among staff and stakeholders that have a legal aspect (e.g., in understanding the licensing basis), the counsel of OGC should be sought as soon as possible and not solely when the TAR is ready for concurrence. During this review, the technical staff should keep the TAR Coordinator apprised of the review status and any issues impacting completion of the review. The TAR Coordinator will arrange for conference calls as needed throughout the technical review to keep the requesting office informed of developments in the review and to facilitate any necessary exchange of information.

4.10.6   Draft TAR Response

Once the technical reviews are completed for a TAR item, team members from the technical branches document the results using the TAR Response Memorandum Template (Appendix C). The lead NRR review branch may receive inputs from other technical staff and provide a compilation. The draft TAR response should be provided to the TAR Coordinator, who will compile the final response, including inputs from other staff or organizations.

The requesting office does not concur on the TAR response; however, at this point, the TAR Coordinator should share the draft response with the requestor and requestors' division management and offer 7 days to provide any comment or concerns. This will allow the requestor an opportunity to raise any concerns about the review and the TAR conclusion prior to finalization. The TAR Coordinator should promptly coordinate conference calls with the requestor, the technical staff, and OGC (if needed) to resolve any concerns or elevate the issue to management, as appropriate. After the requestor's concerns have been resolved and after briefing and aligning with DORL management, the TAR Coordinator will set up the NRR ET briefing.

4.10.7   NRR ET Brief

The TAR Coordinator will schedule a briefing for NRR's ET. If there are any concerns or issues raised during the ET briefing, the TAR Coordinator should update the draft TAR response appropriately or follow-up with the technical staff for resolution.

4.10.8   Team Debrief and Call with the Licensee

The TAR Coordinator will schedule a team debrief with the requestor and the review team after the NRR ET briefing, if needed. Following the team debrief, a call will be scheduled, led by the TAR Coordinator, which will include the requestor, the NRR technical staff as appropriate, and the licensee to share verbally, the conclusion and the supporting facts of the draft TAR response.

4.10.9   Issuance of TAR Response

Once the team debrief is completed and the call with the external stakeholder is completed, the TAR Coordinator will then route the document for concurrence. This concurrence will typically include the lead NRR technical staff members, respective branch chiefs, and the lead NRR technical division director that conducted the review of the TAR issue. Following concurrence from the technical divisions, the TAR response will also be concurred on by NRR's enforcement specialist (if required) and obtain a no legal objection from OGC as appropriate. The TAR Coordinator will then seek final signature authority/approval on the TAR response from the DORL management.

The TAR Coordinator will enter the TAR response addressed to the requesting office into ADAMS, as non-publicly available, and distributed within 3 days (except for allegation-related TARs where these documents cannot be placed in ADAMS). When added to ADAMS, the title should have the following format: TAR Response (Plant or Subject under Review), Issue. Additionally, the TAR Coordinator should forward the response to the generic communications and operating experience branch staff in NRR to review the issue, considering factors that contribute to the significance of the issue and the potential for generic applicability that may have become more evident during the resolution of the technical issues. The requestor or the plant PM (depending on the process the TAR serves) should notify the external stakeholder or licensee of the exit of the issue from the TAR process.

4.10.10   Exit Path for TAR

In rare circumstances, the TAR process may be exited after issues are entered and accepted into the TAR In-Depth review process as discussed below:

- The requesting office elects to withdraw a TAR (see Section 4.13 of this OI). For example, circumstances may have changed that negate the need to continue the review (e.g., licensee completes actions that correct the issue of concern) or the content/subject of the TAR requires substantive revision (see Section 4.10.1 of this OI).

- The TAR review team identifies that the TAR issue should be resolved in an alternative process (e.g., referral to the generic issues, see Section 4.3 of this OI). These situations should typically be identified and avoided during the intake or screening of issues for TAR acceptance. Guidance in Section 4.3 of this OI should be followed to close out the TAR.

The TAR Coordinator and the requesting office should discuss the case-specific circumstances to discontinue the TAR review and have a mutual understanding of the basis for using the exit path strategy. It is possible that only portions of the TAR may need to be resolved through an alternate process and that the other portions could still be answered through the TAR process. Such considerations should be discussed and agreed upon before pursuing activities.

4.11   TAR Related to Allegation

A requesting organization may ask for technical assistance through the TAR process to resolve issues (including construction-related issues) raised in an allegation. The ARB with responsibility for the allegation should designate a member or the cognizant Office Allegation Coordinator (OAC) to support the TAR process. The allegation team designee should be involved in intake discussions, the IT and the TAR review team activities, as applicable, and should also be placed on concurrence for the Screening and Evaluation memorandum or the In-Depth Review response.

Allegation-related issues cannot be dispositioned on safety significance and licensing basis standing considerations. An allegation-related issue should be processed in the intake phase to collect facts using the Intake form (Appendix C). If the allegation is not resolved or referred to another process in the intake phase, then it should be referred to the Screening and Evaluation phase with the approval of the ARB Chairperson or a designee. An IT will be assembled and may include members of the ARB. The Safety Significance Determination Tool will not be exercised for an allegation-related issue and the issue cannot be recommended for dispositioning. The safety significance assigned by the ARB as part of the allegations process will be used, to the extent that safety significance needs to be factored into prioritizing resources. The IT may resolve the issue (if possible), make a recommendation to refer it to another process, or make a recommendation to refer it to the In-Depth review phase. In all cases, the issue will be evaluated with respect to the TAR Acceptance criteria (Section 4.5.3), with the exception of the Safety Significance assessment. Since these issues are exempt from safety significance considerations, no approval is needed from the NRR and requesting office managements to spend resources in the In-Depth review phase. The TAR review schedules should align with the allegation team needs for a timely response in the allegation process.

TAR documentation related to allegations should be distributed on a "need-to-know" basis and should not be placed in ADAMS or stored on network drives. If the Intake form is used to collect information and supporting facts, these documents should not be placed in ADAMS. Additional guidance on how to handle an allegation can be found in MD 8.8, "Management of Allegations." Protection of the concerned individual(s) will be maintained as provided in MD 8.8.

4.12   Deviations from the Process

For various reasons, the staff may find it necessary to deviate from the process outlined above (e.g., availability of staff resources, issue complexity, etc.). As the OI is considered staff guidance, occasional variances in the process can be accommodated. Any substantial deviations from the process will be documented in ADAMS as a

memorandum from the TAR Coordinator to the appropriate DORL branch chief, with description of the basis of the deviations.

In the Screening and Evaluation phase (Section 4.9 of this OI), for issues where safety significance alone is not a determining factor for significance, the IT should obtain approval from the NRR office director and the director of the requesting office for an "exception" with the concurrence of these directors on the Screening and Evaluation Results memorandum.

4.13   TAR Withdrawals

There are cases where the TAR process has been initiated but is no longer warranted (applies to any phase). In these cases, the TAR should be withdrawn from the process. The TAR Coordinator should document the justification for the withdrawal in ADAMS as a memorandum from the TAR Coordinator to the responsible DORL branch chief. This serves as a record for the resources expended on the TAR effort prior to withdrawal.

The Deputy Director of the requesting organization may request to withdraw the TAR (screening and evaluation or In-Depth review). This can be accomplished with an e-mail to the DORL management. The TAR Coordinator will create an ADAMS package containing the withdrawal request and the errata or applicable information supporting the withdrawal. This also serves as a record for the resources expended on the TAR effort prior to withdrawal.

4.14   Resolving Requesting Office Disagreements on TAR Results

Under circumstances where the requesting office may not align or agree with either the TAR screening and evaluation results for issues that do not meet the TAR acceptance criteria, the TAR In-Depth review response, or the Construction TAR response (as described in Appendix B), the requesting office, with concurrence of its office director, can submit a memorandum to the TAR Coordinator identifying the need for another opportunity to review the issues with a basis of the concern. The requesting office will provide this request in a memorandum to the TAR Coordinator within 2 weeks of obtaining the Construction TAR response, screening and evaluation results or the In-Depth review final response in ADAMS. The TAR Coordinator will then forward this memorandum to the NRR Office Director with a request for an independent review of the requesting office request and basis as documented in the memorandum. For this review, the affected NRR organizations will assign staff members not assigned to the original review (Construction TAR, IT or the In-Depth review team) and make a final determination as to whether a sufficient basis has (or has not) been established to warrant expenditure of additional NRR and OGC resources and other expertise within the TAR process. The results of this independent review should be provided within 2 weeks of the independent panel kickoff meeting and will be documented and placed in a non-public ADAMS package (except for allegation-related TARs, for which the documentation is not placed into ADAMS at all) together with the requesting office memorandum and the Construction TAR response, TAR Screening and Evaluation Results memorandum, or the In-Depth Review Response that was originally provided. The TAR Coordinator should monitor and track the progress of the process. If the independent review indicates there is sufficient basis to reopen or clarify the issue, either the original TAR will be withdrawn, and the issue will be reentered as a new TAR or a clarification will be communicated to the requesting office to close out the issue.

All closing documentation will be placed in a non-public ADAMS package (except for allegation-related TARs) with the requesting office memorandum, the independent panel recommendations, closing clarification, and the final Construction TAR response, Screening and Evaluation results, or the In-Depth review response, as applicable.

4.15   Continuous Improvement

To promote continuous improvement of the TAR process, NRR provides quality surveys to the requesting organization upon completion of a TAR request. In addition, staff can offer suggestions for process improvement through the TAR Process Feedback Form on the TAR SharePoint site.

Further, the current revision of the COM-106 guidance includes the recommendations of internal and external stakeholders on the TIA Revitalization Project, which was executed in 2019-2020.

5.   RESPONSIBILITIES AND AUTHORITIES

All staff who support or use the TAR process are responsible for reading, understanding, and applying this OI. They are also responsible for identifying possible improvements to the guidance and submitting suggestions to their management or to the primary contact of this OI. Staff should also refer to Appendix B and Appendix D respectively for Construction TARs and operating reactor TARs for action steps and clarity on roles and responsibilities.

The following describes the key roles and responsibilities associated with the TAR process:

A.   NRR Director (may be delegated to NRR Deputy Director)

1. Responsible for the effective implementation of the policy and procedures regarding the TAR process;

2. Grants exceptions to specific issues referred by Screening and Evaluation IT to move to In-Depth review, in concurrence with the requesting office director;

3. Approves an independent panel to review the issue for disagreements or concerns raised by requesting office after the TAR results are documented; and

4. Engages and informs regional management or other requesting office management, ensuring agency alignment on open issues related to the items in progress in the TAR program, as needed.

B.   Requesting Office Director (may be delegated to Deputy Director)

1. In collaboration with the NRR director, grants exceptions to specific issues referred by Screening and Evaluation IT to move to In-Depth review;

2. Approves disagreements or concerns raised by requesting office after the TAR results are documented to be raised for an independent panel review; and

3. Provides support to the program as necessary and provides feedback on the program to NRR for continuous improvement from the requesting office perspective.

C.   NRR Division of Operating Reactor Licensing (DORL) Director (may be delegated to Deputy Director)

1. Develops program guidance and training to ensure the consistency of the program implementation across NRR and requesting offices, specifically for the regions (the largest internal stakeholder);

2. Periodically discusses the program with regional managers and other NRC organizations to assess the effectiveness of the program and solicit suggestions for possible improvements;

3. Helps the TAR Coordinator with the standing up of an IT for a TAR screening and evaluation expedited effort by reaching out to NRR division management and OGC for resources;

4. Recommends a Chairperson for the IT or helps the TAR Coordinator select a Chairperson for the IT; and

5. Concurs and signs the In-Depth review TAR response to provide a supporting document to inform agency decisions or actions in the process the TAR serves.

D.   Requesting Office Division Director (may be delegated to Deputy Director)

1. Supports the program and provides suggestions for possible improvements to the DORL management;

2. Ensures the requesting office staff are collaborating or supporting the process effectively and timely (e.g., prioritizing staff effort in screening and evaluation, communication with the licensee to get information needed, etc.);

3. Authorizes initiation of Screening and Evaluation phase of TAR by coordinating with region staff and branch chief after making the assessment the issue needs a screening and evaluation;

4. May identify disagreements with NRR TAR screening and evaluation or In-Depth review results and generate a memorandum to the TAR Coordinator for independent review with the requesting office director concurrence for NRR's consideration; and

5. Authorizes and approves initiation of Construction TARs, as needed, after assessment that formal resolution is needed for a construction-related issue.

E.   Chairperson of the Integrated Team

1. Convenes IT meetings;

2. Is the decision maker for the IT;

3. Ensures appropriate screening and evaluation in a timely manner;

4. Ensures appropriate decision and documentation;

5. Signs the TAR Screening and Evaluation Results memorandum to provide a supporting document to inform agency decisions or actions in the process the TAR serves; and

6. Works with NRR office director and the requesting office to clarify or resolve any disagreements in screening and evaluation decisions, when elevated to an independent panel.

F.   DORL Branch Chief

1. Ensures that staff and other resources are provided to manage and execute the TAR program, including assignment of the TAR Coordinator;

2. Ensures TARs are making progress and timeliness goals are met and report and rectify issues working with management; and

3. Serves as the process owner and ensures the suggestions for the improvement are captured and coordinate revisions to the guidance as appropriate.

G.   TAR Coordinator

1. Serves as the primary point of contact for all TAR related activities and is responsible for effective implementation of the TAR program and the office guidance. The TAR Coordinator is a designated role with a designated backup assigned by DORL management;

2. Coordinates TAR activities with the regions, other NRC organizations and NRR staff;

3. Coordinates with staff requestors to articulate issues, formulate questions, etc. in completing TAR intake templates;

4. Assigns the TAR number, opens the EPID and assigns milestones, shepherds the TAR action from cradle to closeout and is responsible for the quality and timeliness of the TAR final documentation;

5. Tracks and reports NRR's performance through monthly reports and participating in workload management meetings;

6. Provides training and information sessions to staff as necessary;

7. Promotes continuous improvement of the program by conducting surveys and capturing feedback from various avenues and leading the periodic updates of the guidance; and

8. Coordinates disagreements with the requestor and the independent panel review when appropriate.

(Note: more specific TAR Coordinator activities are included in the sections above)

H.   Office of General Counsel (OGC)

1. Serves as a member of the IT for screening and evaluation of the issue, reviews and provides no legal objection (NLO) on the Screening and Evaluation results memorandum, and provides legal advice;

2. Provides legal counsel on backfitting and issue finality aspects of the issue, if any; and

3. Reviews TAR In-Depth review response for legal adequacy and defensibility, takes part in review discussions and provides NLO on the final TAR response.

I.   Office of Enforcement (OE)

1. Participates in TAR screening and evaluation or In-Depth review discussions as necessary, if the issue is related to an enforcement action; and

2. Provides support with respect to the non-concurrence process and Differing Professional Opinion program, where applicable.

J.   Requesting Office Staff (or Requestor) in TAR Screening and Evaluation

1. Member of the IT and participates in scoping, screening, and evaluation activities, including aligning on the path forward of the issue;

2. Responsible for collection of all information on the Intake form;

3. Helps interface with the licensee or stakeholder as appropriate;

4. Helps formulate the final TAR questions related to the issue in coordination with the IT;

5. Concurs on the Screening and Evaluation Results memorandum; and

6. Identifies disagreements, if applicable, to be elevated to an independent panel after the IT decision.

K. Requesting Office Staff (or Requestor) in TAR In-Depth Review

1. Participates in kick-off and review follow-up meetings with NRR staff;

2. Helps to verify and collect new information and interfaces with the licensee as appropriate;

3. Reviews draft TAR response when it is ready and coordinates the requesting office management inputs; and

4. Identifies disagreements, if applicable, to be elevated for an independent panel after the TAR response issuance.

L. Requesting Office Staff (or Requestor) in Construction TAR Initiation and Processing

1. Engages with TAR Coordinator to determine a path to resolution for construction issue(s);

2. Collection of information to complete TAR intake template;

3. Interfaces with licensee or other stakeholders as appropriate; and

4. Assists in articulating and formulating construction issues and questions for formal resolution.

M. NRR Technical Staff

1. Staff should work with the TAR Coordinator to ensure the process plan in RPS is complete in scope, resources, and schedule;

2. Technical branch chiefs are responsible for assigning staff and aligning with the TAR Coordinator on the proposed milestones in RPS;

3. Due to the expedited nature of TAR screening and evaluation, technical branch chiefs should assign dedicated resources promptly and discuss priority conflicts with the DORL branch chief;

4. Technical staff are responsible for screening and evaluation, in collaboration with the IT, which includes analysis of the issues, with consideration of safety significance, review of licensee inputs and defining the questions that need to be answered;

5. Assigned lead technical staff will concur on the documentation in both screening and evaluation and In-Depth review phases;

6. For In-Depth review, technical staff will provide inputs using the In-Depth response template to the TAR Coordinator, who will assemble the complete response; and

7. For Construction TARs, assigned technical staff are responsible for developing and providing response inputs to the TAR Coordinator.

N. Risk Analyst[16]

1. Participates in the screening and evaluation IT as a member;

2. Completes the Safety Significance Determination in coordination with other SMEs and the requestor;

3. Participates in the screening and evaluation activities and aligns on the path forward in screening and evaluation with input to the documentation;

4. Concurs on the screening and evaluation documentation and the Safety Significance Determination worksheet; and

5. If needed, provides inputs to the technical review during In-Depth review phase.

O. NRR/DORL Plant Project Manager (Plant PM)

1. Provides support or expertise with plant licensing basis;

2. Helps TAR Coordinator interface with the licensee or stakeholder as appropriate;

3. Participates in the activities in the screening and evaluation IT as a member and concurs on the screening and evaluation results documentation; and

4. Participates in In-Depth review and concurs on the In-Depth review response.

P. NRR Subject Matter Experts[17]

1. Participate as members of the screening and evaluation IT to provide specific expertise (e.g., backfitting, generic implications). A specific topical area SME will be assigned to work with the risk analyst in completing the Safety Significance Determination;

2. Participates in the screening and evaluation activities and aligns on the path forward with input or concurrence to the results documentation as necessary; and

3. Support development of responses to construction-related TARs, as assigned.

---

[16] This would typically be staff from NRR/DRA. However, there could be occasions where it is more effective to have a Regional SRA or an experienced risk analyst from RES perform this function.
[17] For backfitting and issue finality discussions, SMEs are also referred to as Community of Practice points of contact.

6.   PERFORMANCE MEASURES

A TAR is considered open upon receipt of the formal request memorandum or e-mail from the requesting office at the Intake. A TAR is closed out as described in Section 4.3 of this OI with documentation. During the initial TAR discussions, NRR and the requesting organization may negotiate the priority for NRR's TAR responses based on available resources and the nature of the issue. Refer to Section 4.9.4 of this OI for considerations of priority for screening and evaluation.

Timeliness goals will be tracked for each open TAR in the NRR workload management system as follows:

Screening and evaluation kickoff meeting:	7 working days from TAR screening and evaluation initiation (EPID start date)
Screening and evaluation TAR completion:	30 days from kickoff meeting or as agreed
In-Depth review TAR entrance meeting:	7 days from In-Depth review initiation
In-Depth review TAR completion:	80 days from In-Depth review initiation or as planned with licensee input consideration

All intermediate milestones will be reported as status items. Exclusion or deviations will be discussed in the management meetings with the justifications and path forward.

Construction TARs initiated in accordance with the process outlined in Appendix B are expected to be completed in as timely a manner as possible in keeping with construction schedules and associated inspection and oversight. The nominal expectation for completion of construction TARs is 30 days. Other intermediate goals for Construction TAR processing are outlined in Appendix B.

For the operating TARs, NRR's performance measure is that 80 percent of the operating TAR inventory for screening and evaluation should be completed (documentation with recommendations or closure of TAR) by the established target date and 95 percent of TAR inventory for In-Depth review should be completed (closure of TAR) by the established target date.

7.   PRIMARY CONTACT

Booma Venkataraman
Booma.Venkataraman@nrc.gov
301-415-2934

8.   **RESPONSIBLE ORGANIZATION**

DORL

9.   **EFFECTIVE DATE**

August 24, 2020

10.   **CERTIFICATION DATE**

August 24, 2025

11.   **REFERENCES**

- Management Directive (MD) 6.4, "Generic Issues Program"
- MD 8.4, "Management of Backfitting, Forward Fitting, Issue Finality, and Information Requests"
- Inspection Manual Chapter (IMC) 0330, "Guidance for NRC Review of Licensee Draft Documents"
- IMC 0611, "Power Reactor Inspection Reports"
- IMC 0612, Appendix B, "Issue Screening"
- IMC 0620, "Inspection Documents and Records"

Enclosures:
1. Appendix A – Change History
2. Appendix B – Construction TAR Process
3. Appendix C – Documentation Template Descriptions
4. Appendix D – Operating Reactor TAR Summary of Action Steps

Appendix A

Office Instruction COM 106

Change History

Date	Description of Changes	Method Used to Announce & Distribute	Training
11/26/01	Initial Issuance	**E-mail to NRR staff**	DLPM PM Briefing
12/24/02	This Office Instruction COM-106, "Control of Task Interface Agreements," update provides; 1) a general revision to increase management oversight of the process, 2) requires a statement regarding plant applicability for the TIA response, 3) adds a 30 day response requirement for the requesting organization on the draft TIA, 4) changes the goal to 80% of the draft responses sent to the requesting organization by latest agreed upon schedule, and 5) several editorial changes.	E-mail to NRR staff	DLPM PM Briefing
11/30/05	The changes implement the guidance in MD 8.8 and NRR OI OVRST-200 for processing TIAs related to allegations; incorporate the guidance in NRR OI LIC-401 for interacting with NRR/DIRS/OE and DPR/GCPU on potential generic issues; changes the timeliness goal for draft TIA responses to 100%, and implements the NRR reorganization. Other changes include providing a step by step process.	E-mail to NRR staff	DORL PM Briefing
03/17/08	These revisions reflect the reorganization of NRR and the coordination of the TIA program by the Special Projects Branch in the Division of Policy and Rulemaking and process modifications based upon a best practice examination and Regional/NRR Division feedback. The changes include the incorporation of a Concurrence Method and a Letter Method for completing TIA responses, and revised performance metrics for completion.	E-mail to NRR staff	DORL PM Briefing

Date	Description of Changes	Method Used to Announce & Distribute	Training
12/30/13	These revisions reflect regional suggestions for improvement and lessons learned from continued use of the process, including the Concurrence Method added in the last revision. The changes include increased communication mechanisms and a restructuring that aims to better detail the process steps and differences between the Letter Method and Concurrence Method. This revision also provides consistent methods for communicating with the licensee/industry, improving the public transparency of the process.	E-mail to NRR staff	DORL PM Briefing
11/20/15	This is Revision 5 of Office Instruction COM-106, "Control of Task Interface Agreements." Revisions reflect the OIG recommendation to revise the TIA timeliness goals as well as process modifications based upon headquarters and regional feedback and lessons learned from continued experience.	E-mail to NRR staff	DORL PM Briefing
08/24/20	This issuance merges relevant portions of the process contained in NRO Office Instruction, NRO-COM-108, Revision 1, "NRO Construction Inspection Interfaces with Region II" (ADAMS Accession No. ML113220316) into this revision of COM-106. NRO-COM-108, Revision 1, is rescinded with this issuance. Additionally, it incorporates a new graded approach with enhanced guidance and streamlined tools to address program lessons learned and focus resources commensurate with the significance of the issue to meet stakeholder needs effectively and efficiently. This office instruction applies to operating reactors and reactors under construction.	E-mail to NRR staff	NRR and Region Staff briefings/ training sessions

Appendix B

Office Instruction COM-106

Construction TAR Process

Introduction

A construction TAR is the mechanism that NRC personnel (usually construction inspectors) use to formally clarify construction-related technical or inspection requirements for facilities licensed and built under the purview of the Office of Nuclear Reactor Regulation (NRR). The construction TAR process is used to facilitate the assignment of appropriate resources to respond to an identified issue in a timely manner, and to provide a method to document the resolution of the issue for future reference.

Construction TARs are processed in a unique manner compared to non-construction TARs because construction TARs typically require resolution in a much shorter time frame. This allows construction inspection activities to remain aligned with a rapidly evolving construction environment. Expediting construction TARs enables construction inspectors to perform required inspections while structures, systems, and components (SSCs) are accessible, and provides licensees or construction permit holders regulatory clarity and confidence that construction activities will not be adversely impacted. The overall goal is to resolve construction TARs by an agreed upon due date (nominally 30 days) that supports the construction inspection schedule.

Processing Construction TARs

1. Intake and Pre-screening.

    a. Complete Intake Form. The construction TAR requestor initiates a construction TAR by completing a TAR Intake Form (template) in accordance with Appendix C and Section 4.8 of this OI. The requestor designates the TAR as a construction TAR by checking "YES" in field #10 of the template. Note that the low safety significance issue resolution portion of the template is not applicable to construction TARs. However, if the issue of concern is known to be of very low safety significance and the TAR effort is extending significantly beyond the agreed upon due date, the TAR Coordinator should arrange a meeting among the requesting organization (issue requestor, branch chief and division director or delegate), DORL branch chief, cognizant NRR technical branch chief and staff, OGC, and DORL management, to determine if the remaining level of effort is commensurate with the safety significance of the issue and associated enterprise risks.

    b. Perform Pre-Screen. Pre-screening of the construction TAR is accomplished by the TAR Coordinator with the assistance of the construction TAR requestor in accordance with the pre-screen instructions of this OI. Supporting information is compiled for detailing and articulating the specific construction issue(s), and technical questions related to the issue are formulated. Pre-screening of construction TARs should be accomplished within 1 working day of receiving the completed TAR Intake Form.

    c. Obtain Management Approval. Construction TAR submittal is approved by the requestor's branch chief.

d. Enter TAR into TAR Database. The TAR Coordinator will log the TAR in the database.

2. Construction TAR Evaluation

a. Establish Need Date. The TAR Coordinator and the construction TAR requestor establish a "need date" for resolution of the construction TAR. The need date should be established such that the impact on construction of the facility and performance of construction inspections is minimized.

b. Identify Technical Support. The TAR Coordinator identifies the NRR branch or organization that has the technical expertise to support resolution of the construction TAR. This may require multiple branches or organizations depending on the complexity of the construction TAR.

c. Conduct Initial Meeting. The TAR Coordinator facilitates a meeting or phone conference with the construction TAR requestor and the cognizant technical branches or organizations. The purpose of this meeting is to ensure that the technical staff responsible for evaluation of the construction TAR fully understand the construction TAR questions and the need date. This meeting should occur within 5 working days of construction TAR initiation, or sooner depending on the construction TAR need date. If necessary, the construction TAR requestor changes the construction TAR questions as agreed upon in this meeting.

d. Perform TAR Evaluation. The technical support branches or organizations complete the construction TAR evaluation. The evaluation should be complete by the TAR need date or as soon as possible if the need date cannot be met. If an extension is needed beyond the nominal timeliness of 30 days, or the established need date, then the TAR Coordinator should work with the requestor, NRR staff, and management as needed, to establish an acceptable new need date.   A new need date will be assigned, taking into consideration other technical support staff priorities.

e. Conduct Resolution Meeting. The TAR Coordinator facilitates a meeting or phone conference with the TAR requestor and the technical support staff. The purpose of this meeting is to ensure that the construction TAR evaluation provided by the technical support staff fully answers the construction TAR questions and to identify any additional questions that need to be answered to resolve the underlying issue. The TAR Coordinator may engage OGC counsel to review the TAR response, as necessary. The output of this meeting is either a finalized construction TAR evaluation or an amended construction TAR with additional questions. The finalized construction TAR response is recorded in field # 27 of the Intake form, approved by the cognizant NRR technical branch chief, with the approval recorded in field # 28 of the Intake form.

f. Perform Additional Evaluation. If the construction TAR is amended in step e. to request additional information, or if it is determined that additional questions need to be answered, an Additional Evaluation should be conducted if:

1) this is the first additional evaluation, and

2) the additional evaluation will not challenge the "need date" for the TAR response in support of construction inspection activities.

If either criterion is not met, then the TAR Coordinator should arrange a meeting among the requesting office (requestor, branch chief, division management), DORL branch chief, cognizant NRR technical division management, technical staff, and DORL management, to determine if an additional evaluation needs to be conducted, and what/how additional questions will be answered. NRR/DORL and the cognizant technical division will make the final determination on the TAR after due consideration of the requesting office inputs. A memorandum (placed in non-public ADAMS) will be generated to record the NRR determination to the requesting office division management from DORL management for such scenarios.

3. Completing the Construction TAR

   a. Logging the TAR Evaluation. Once the construction TAR evaluation is finalized, the TAR Coordinator will close the TAR in the database.

   b. Uploading to ADAMS. The TAR Coordinator will ensure that the completed construction TAR and response (documented in the Intake form) and supporting documentation is uploaded to non-public ADAMS and distributed appropriately, except for allegation--related TARs where the documents cannot be placed in ADAMS.

Construction TAR Process

```
┌────────────────────────────┐              ┌────────────────────────────┐
│                            │              │   Initial Coordination     │
│    Construction-related    │              │   Technical Meeting:       │
│  Issue Identified (COM-     │─────────────▶│                            │
│    106, Section 4.8)       │              │   (TAR Coordinator,        │
│                            │              │   Requestor, Tech Staff)   │
│                            │              │   Step 2.c.                │
└────────────────────────────┘              └────────────────────────────┘
              │                                           │
              ▼                                           ▼
┌────────────────────────────┐              ┌────────────────────────────┐
│                            │              │  Perform TAR Evaluation(s) │
│    Construction TAR        │              │   (Tech Staff, et. al)     │
│    Process                 │              │   Step 2.d.                │
│    Initiated               │              │                            │
└────────────────────────────┘              └────────────────────────────┘
              │                                           │
              ▼                                           ▼
┌────────────────────────────┐              ┌────────────────────────────┐
│   Complete Intake          │              │   Resolution Meeting:      │
│   Template: Refine         │              │   Step 2.e.                │
│   Issue/Question(s)        │              │   (TAR Coordinator,        │
│   Management Approval      │              │   Requestor, Tech Staff,   │
│   TAR Database Entry       │              │   Technical BC, and        │
│                            │              │   OGC as needed)           │
└────────────────────────────┘              └────────────────────────────┘
              │               2 possible outcomes         │
              ▼                                           ▼
      ╱───────────────╲                      ┌────────────────────────────┐
     ╱  Evaluation:     ╲                    │  Additional Evaluation and │
    │   Establish Need   │                   │  management engagement     │
    │   Date             │                   │  Step 2.f.                 │
    │   ID Tech Staff    │                   │  (only If needed, e.g.,    │
     ╲  Steps 2.a. and  ╱                    │   amended TAR)             │
      ╲  2.b.          ╱                     └────────────────────────────┘
       ╲─────────────╱                                    │
                                                          ▼
                                              ╭────────────────────────╮
                                             (   Construction TAR       )
                                             (   Response               )
                                              ╰────────────────────────╯

                                              Response recorded by TAR
                                              Coordinator with Technical BC
                                              approval Added to ADAMS and TAR
                                              SharePoint site
```

Appendix C

Office Instruction COM-106

Documentation Template Descriptions

1. TAR Intake Form with Instructions (non-public ADAMS Accession No. ML19228A002)

   As described in Section 4.8.2 of this OI, the Intake Form is a tool for NRR to collect facts relevant to the issue for consistency and efficiency. The requesting office will complete the information with TAR Coordinator assistance in the Intake phase, using the TAR Intake Form in ADAMS or located on the internal TAR SharePoint site: https://usnrc.sharepoint.com/teams/NRR-Technical-Assistance-Request

2. TAR Screening and Evaluation Authorization Email Template (non-public ADAMS Accession No. ML19282A001)

   For moving an issue to TAR Screening and Evaluation, as described in Section 4.8.3 of this OI, the requesting office division management should submit an e-mail to the DORL division management using this NRC Screening and Evaluation Authorization E-mail template.

3. TAR Screening and Evaluation Results Memorandum Template (non-public ADAMS Accession No. ML19282A002)

   As described in Section 4.9.3, in the Screening and Evaluation phase of TAR, the IT will document the results, using this template to inform the requesting organization of the results and recommendations.

4. TAR Safety Significance Determination- Quick Reference Guide, Background, and Basis (ADAMS Accession No. ML19302F391)

   This document guides the risk analyst and topical area subject matter expert in performing a safety significance assessment, as part of the screening and evaluation effort. The assessment includes issue description, assessing the associated change in risk, assessing safety margins and defense-In-Depth, addressing opportunities for feedback, and assimilating the information to form the basis of the recommendation to the IT. For each element, several different options are provided based on existing regulatory guidance. The background and basis portion address more detailed aspects of implementing the approach, including addressing specific items that have arisen during the development and early implementation of the approach.

5. TAR Safety Significance Determination Template (ADAMS Accession No. ML19302F568)

   This document provides a template that can be used by the risk analyst and topical area subject matter expert in documenting the safety significance assessment as part of the screening and evaluation effort. The completed template can then be attached to the screening and evaluation results memorandum as the basis for safety significance determination or uploaded to non-public ADAMS separately.

6.   <u>TAR In-Depth Review Response Memorandum Template</u> (non-public ADAMS Accession No. ML19282A003)

The results of the In-Depth review will be documented using this memorandum template. The TAR response will consist of a short concise summary of the review results and, if possible, consist of a "Yes" or "No" type response to the questions posed or issues identified. A summary of the issue of concern need not be repeated, as this information is documented by the requesting office on the TAR Intake form. The draft response should state the facts reviewed, brief issue statement, and the conclusion with the facts supporting the answer. The response should include supporting information as attachments including the screening and evaluation results. The supporting information should identify meetings or conference calls held for the TAR issues with the licensee and relevant information used in the conclusions.

Appendix D

Office Instruction COM-106

Operating Reactor TAR – Summary of Action Steps

No.	Action	Action-taker
General (Gen) Program Actions:		
Gen1	Maintain a log of completed and active TARs on SharePoint	TAR Coordinator
Gen2	Perform periodic NRR Executive Team briefing on active TARs	TAR Coordinator
Gen3	Submit status report for monthly NRR workload meetings	TAR Coordinator
Intake (Int) Phase: (≤ 8 hours level of effort)		
Int1	Initiate a TAR via email to the TAR Coordinator, using a partially-populated *TAR Intake form*	RO Staff/BC
Int2	Assign a TAR # to the incoming, add to TAR log, and notify DORL BC and management of the incoming and identify schedule priorities	TAR Coordinator
Int3	Review *TAR Intake form*, and discuss pre-screening applicability criteria including acceptance (Section 4.2 – 4.5) with RO (as necessary)	TAR Coordinator
Int4	If a decision has been reached to close the TAR, proceed to closure at the bottom of this table (Closure Outcome 1 or 2)	TAR Coordinator
Int5	Complete *TAR Intake form* with all supporting documents and factual information from all relevant sources[18] (put package in non-public ADAMS)	TAR Coordinator and RO
Int6	Obtain RO management authorization to proceed to Screening and Evaluation if acceptance criteria are met	TAR Coordinator and RO
Int7	Grant authorization to proceed to S&E and request to DORL management to move issue to next phase (S&E initiation)	RO Division Management
Screening and Evaluation (S&E) Phase: (≤ 30 days from S&E Integrated Team (IT) Kickoff Meeting)[19]		
S&E1	Identify and engage the SES Chairperson for the IT with DORL management support	TAR Coordinator
S&E2	Obtain an EPID through RPS (non-fee-billable charge code), including establishment of milestones	TAR Coordinator
S&E3	Stand up the IT[20] (within 7 working days of S&E initiation)	TAR Coordinator
S&E4	Work with the RO and/or plant PM (when relevant) to hold a conference call (typically non-public) with the licensee regarding the start of a new TAR	TAR Coordinator
S&E5	Lead the IT Kickoff Meeting	Chairperson and TAR Coordinator
S&E6	Hold meetings or calls as necessary to expeditiously scope the request and iterate and frame appropriate unresolved TAR questions	TAR Coordinator and IT members
S&E7	Engage licensee, if relevant (e.g., if there are disputed facts). 5 days or as agreed to voluntarily submit any new information with respect to the Intake form[21]	TAR Coordinator, IT, and licensee
S&E8	Assess the issue's significance using *the TAR Safety Significance Determination Instructions* and associated *Template*	Risk analyst and Topical SME

---

[18] Assumes licensee information collected prior to entering intake

[19] Days are calendar days unless specifically mentioned otherwise

[20] Integrated Team: Lead Chairperson (typically an SES executive), TAR Coordinator, DORL plant PM, RO staff, NRR topical SME, SME (backfit, generic concerns etc.), OGC, OE (if required), and NRR risk analyst(s)

[21] Additional voluntary information from the licensee may be submitted by e-mail.

No.	Action	Action-taker
S&E9	Perform screening for referral to other processes or evaluate for early resolution if easily achievable, including review of LB standing with the gathered facts	IT
S&E10	IT holds interim meeting to discuss ongoing assessment and refine understanding of issue, as needed, and holds a meeting to align on the path forward with the Chairperson as the decision-maker. IT will document the results and conclusion in the Screening and Evaluation Results Memorandum[22] to the RO	IT and Chairperson
S&E11	If the IT concludes the TAR should be closed, proceed to closure at the bottom of this table (Closure Outcome 1, 2 or 3) using the *Screening and Evaluation Results Memorandum Template,* including licensee notification through the RO and/or plant PM	TAR Coordinator
S&E12	If an exception to the entrance criteria for In-Depth review is being pursued, take associated actions of seeking higher authorization at office director level from both NRR and RO organizations	TAR Coordinator
S&E13	If the issue should proceed to an In-Depth review, the Screening and Evaluation Results Memorandum should document the acceptable questions for the In-Depth review and notify RO Division management (In-Depth review initiation)	TAR Coordinator
S&E14	Distribute Screening and Evaluation Results Memorandum to RO and others (non-public in ADAMS)	TAR Coordinator
S&E15	Elevate to resolve disagreements on TAR conclusions, with RO if any according to Section 4.14.	Chairperson, TAR Coordinator, Office management

In-Depth Review (IDR) Phase: (≤ 80 days from IDR Initiation)

No.	Action	Action-taker
IDR1	In-Depth Review Phase initiation and status the EPID for continuation of TAR	TAR Coordinator
IDR2	Identify the TAR review team[23]	TAR Coordinator
IDR3	Facilitate a kick-off meeting or call (non-public typically) with the requestor and the licensee, and TAR review team, share relevant information and TAR questions	TAR Coordinator
IDR4	Licensee additional information 7 days or as agreed upon	Licensee
IDR5	During evaluation of the issue, facilitate follow-ups with RO and OGC, as needed	TAR Coordinator
IDR6	Compile draft TAR response and transmit to RO for 7-day comment period[24]	TAR Coordinator
IDR7	Transmit comments on draft TAR response to TAR Coordinator	RO
IDR8	Schedule and facilitate an NRR Executive Team alignment brief	TAR Coordinator
IDR9	Schedule and facilitate a de-brief with the RO and review team	TAR Coordinator
IDR10	Schedule a call with the licensee and share conclusion and facts of the draft TAR response with NRR technical staff in attendance	TAR Coordinator
IDR11	Record the In-Depth review result and conclusion using the In-Depth Response Memorandum Template. Route the TAR response for concurrence, including NRR, OGC (NLO), and OE (as needed)	TAR Coordinator
IDR12	Sign final TAR response addressed to RO Division management	DORL Management
IDR13	Distribute the IDR TAR response to RO and others (non-public ADAMS)	TAR Coordinator

---

[22] IT concurs on the Screening and Evaluation Results memorandum
[23] TAR Review team (In-Depth review): TAR Coordinator, DORL plant PM, NRR technical staff, OGC, OE (if required)
[24] RO does not concur on IDR TAR response

No.	Action	Action-taker
IDR14	Proceed to closure below (Outcome 1 or 2)	TAR Coordinator
IDR15	RO staff or DORL plant PM notifies licensee (if relevant) of closure of the TAR	RO staff or DORL plant PM

Closure (Clo):		
Clo1	Close the TAR in the log with one of the three possible outcomes: 1. Issue is resolved including response to the requesting office 2. A recommended referral is made to another process 3. The issue is recommended for no further action based on safety significance and licensing basis standing	

DORL = NRR's Division of Operating Reactor Licensing
IT = Integrated Team
RO = Requesting Office
SME = Subject Matter Expert
TAR = Technical Assistance Request
TAR Coordinator = Technical Assistance Request Program Point of Contact and Coordinator