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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
CLEN ELLYN, ILLINOIS 60137

FEB 25 1983

MEMORANDUM TO: J. M. Taylor, Director, Division of Quality Assurance,
Safeguards, and Inspection Programs

FROM: James G. Keppler, Regional Administrator

SUBJECT: REAFFIRMATION OF LICENSEE QUALITY ASSURANCE PROGRAMS AND
THE DESIGNATED REPRESENTATIVE PROGRAM (AI F03005683)

We have completed our review of SECY-83-26. Our comments, as follows, address both the Reaffirmation Program and the Designated Representative Program individually.

Reaffirmation Program

It is our understanding that the proposed reaffirmation program is intended to be a means by which the capabilities, readiness and implementation of the quality assurance program can be readily assessed at selected points during construction. In effect, the program is intended to provide both prospective and retrospective views of the licensee's quality assurance program through the implementation of Hold, Review and Acceptance Points.

Region III has always been a strong proponent of the need to gain prospective, as well as retrospective assurance of a licensee's capabilities. We necessarily take exception to the premise that the NRC inspection program only provides assurance of compliance through the absence of significant items of noncompliance. Inherent to every NRC inspection procedure is the implicit requirement to assess, from all perspectives, the capabilities and readiness of the licensee. An inspection is not complete if it is conducted without the benefit of this type of assessment. The implementation of the presently defined NRC routine inspection program, when accomplished in a timely manner by qualified inspection personnel, will result in an excellent ongoing retrospective and prospective assessment. We feel that the more rigorous and complete implementation of our current program will achieve identical results to those which would be achieved by the proposed Reaffirmation Program.

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With regard to the Hold Point concept, we offer the following comments. The proposed addition of five new hold points during construction is not practical. The construction milestones which have been identified as hold points represent an oversimplified view of the construction process. For example, there is seldom an abrupt major change in the mix of QA personnel at a construction site. Just as the shift from civil construction activities to mechanical activities occurs in a fluid and ever changing process, so does the mix of QA personnel who are auditing those activities. The task of identifying the criteria to be evaluated at each hold point and the details of what constitutes acceptance are insurmountable barriers to the success of this program.

Conversely, the concept of utilizing a modified SALP program as an annual Review Point has substantial merit. To some degree, Region III already uses SALP to gain both retrospective and prospective evaluations of a licensee's performance. In our opinion, one of the shortcomings in the present SALP program is that it is not properly integrated with the routine inspection program. This integration would ensure a more meaningful and useful appraisal of a licensee's performance or ability to perform. The formal modification of NRC Manual Chapter 0516 to more clearly state the new objectives and to include QA as a unique Functional Area to be assessed should be considered.

Regarding Acceptance Points, their use to provide increased confidence in the quality of construction is conceptually a sound proposal. However, it is when the practicality of implementing such a system is considered that the likely success of the program is drastically diminished. We feel that the pitfalls in managing this type of program in such a way to ensure its effectiveness is virtually impossible with Region III's present staffing limitations. In effect, the proposed acceptance point program is simply an expanded version of the present NRC routine inspection program. The question which should be asked is, "How much inspection is enough?" We feel that a properly implemented routine inspection program, when embellished with the Construction Appraisal Team efforts, Integrated Design Inspections, a modified SALP program, and the new measures at NTOL Facilities will provide excellent confidence of QA program effectiveness for the design and construction of nuclear power reactors.

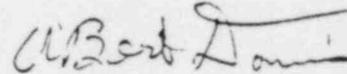
In addition to our present program, we feel that one other method to ensure complete implementation of the licensee's QA program exists. This would involve a modification to 10 CFR 50.57 to require that the construction and preoperational test programs (including the evaluation of test results) be complete before issuance of the low-power operating license. This policy would provide the necessary incentive to ensure the complete and timely implementation of the licensee's many faceted QA program and would be applicable to present facilities under construction.

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Designated Representative Program

As discussed earlier, we feel the use of designated representatives to achieve the Acceptance Point program is conceptually a sound proposal. We question, however, the practicality and manageability of the program. Of foremost importance, we feel that the Designated Representative Program will place an additional demand for qualified inspection personnel on the nuclear industry. The reserves from which these personnel must be taken are already precariously depleted. Additionally, we foresee inevitable conflicts developing between the licensee and the designated representative. In our opinion, the independent oversight and periodic monitoring of the program will not ensure the objectivity of the designated representative. We also feel that any positive inspection assistance and assurance of quality which is gained through implementation of this program will be negated by the public's adverse perception of it.

Please contact R. L. Spessard (FTS 384-2552) of my staff if we can provide you further information. .



James G. Keppler
Regional Administrator

cc: W. Brach D/OIE
Regions I, II,
IV, V
C. E. Norelius, RIII