

(SP-99-021, March 1999, Program, Procedure SA-102)

DATED: MARCH 30, 1999; SIGNED BY: PAUL H. LOHAUS

ALL AGREEMENT STATES

MINNESOTA, OHIO, OKLAHOMA, PENNSYLVANIA, AND WISCONSIN

**PROGRAM MANAGEMENT INFORMATION: DRAFT OSP PROCEDURE SA-102,
“REVIEWING COMMON PERFORMANCE INDICATOR #2, TECHNICAL QUALITY OF
INSPECTIONS” (SP-99-021)**

Enclosed for your review and comment is the draft OSP Procedure SA-102, “Reviewing Common Performance Indicator #2, Technical Quality of Inspections.” This document has been drafted to incorporate procedures and guidance for the review conducted under the Integrated Materials Performance Evaluation Program. We would appreciate receiving your comments within one month of receipt of this letter.

This information request had been approved by OMB 3150-0029, expiration 04/30/01. The estimated burden per response to comply with this voluntary collection request is 6 hour(s). Forward any comments regarding the burden estimate to the Information and Records Management Branch (T-6F33), U.S. Nuclear Regulatory Commission, Washington DC 20555-0001, and to the Paperwork Reduction Project (3150-0029), Office of Management and Budget, Washington, DC 20503. If a document does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, a collection of information.

If you have any questions regarding this correspondence, please contact me or the individual named below:

POINT OF CONTACT: Lance J. Rakovan
TELEPHONE: (301) 415-2589

INTERNET: LJR2@NRC.GOV
FAX: (301) 415-3502

Paul H. Lohaus, Director
Office of State Programs

Enclosure:
As stated



OSP Procedure Approval

Reviewing Common Performance Indicator #2 Technical Quality of Inspections - SA-102

Issue Date:

Expiration Date:

Paul H. Lohaus
Director, OSP

Date:

Deputy Director, OSP

Date:

Kathleen N. Schneider
Procedure Contact, OSP

Date:

NOTE

The OSP Director's Secretary is responsible for the maintenance of this master copy document as part of the OSP Procedure Manual. Any changes to the procedure will be the responsibility of the OSP Procedure Contact. Copies of OSP procedures will be distributed for information.



Procedure Title:
***Reviewing Common Performance Indicator #2,
Technical Quality of Inspections***
Procedure Number: SA-102

Page: 1 of 6

Issue Date:

I. INTRODUCTION

This document describes the procedure for conducting reviews of NRC Regional Offices and Agreement States using Common Performance Indicator #2, Technical Quality of Inspections (NRC Management Directive (MD) 5.6, *Integrated Materials Performance Evaluation Program (IMPEP)*).

II. OBJECTIVES

- A. To ensure that inspection findings are well-founded and well-documented in reports describing the scope of each inspection, all violations and health and safety matters, the scope of each licensee's program, discussions with licensee management and each licensee's response.
- B. To verify that inspections are complete and reviewed promptly by supervisors or management.
- C. To determine that procedures are in place and used to help identify root causes and poor licensee performance.
- D. To confirm that follow-up inspections address previously identified open items and/or past violations.
- E. To verify that inspection findings lead to appropriate and prompt regulatory action.
- F. To confirm that supervisors conduct annual accompaniments of each inspector to assess performance and assure application of appropriate and consistent policies and guides.
- G. For Regions or States with separate licensing and inspection staffs, to verify that procedures are established and followed to provide feedback information to license reviewers.
- H. For States, to determine that inspection guides are consistent with NRC guidance, and that they are being used consistently by inspectors to assure uniform and complete inspection practices.

III. BACKGROUND

This performance indicator provides a qualitative balance to Common Performance Indicator #1, Status of Materials Inspection Program, which looks at the status of an inspection program on a quantitative basis. Review team members will accompany a sample of inspectors at different types of licensed facilities to evaluate the knowledge and capabilities of inspectors firsthand. Review team members will also conduct in-depth, onsite reviews of a cross section of completed inspection reports. These reviews will focus on the scope, completeness, and technical accuracy of completed inspections and related documentation.

IV. ROLES AND RESPONSIBILITIES

A. Team Leader.

The team leader for the Regional or State review will determine which team member(s) is assigned lead review responsibility for this performance indicator. The principal reviewer should meet the appropriate requirements specified in MD 5.10, *Formal Qualifications for IMPEP Team Members*.

B. Principal Reviewer.

The principal reviewer is responsible for selecting license files/inspection reports to be reviewed, reviewing relevant documentation, conducting staff discussions, and maintaining a reference summary of all those reviewed.

V. GUIDANCE

A. Scope.

1. This procedure applies only to the review (for adequacy, accuracy, completeness, clarity, specificity, and consistency) of the technical quality of completed materials inspection actions taken by the Region or Agreement State in the period since the last review. The principal reviewer for this indicator may, nonetheless, find it necessary to review earlier inspections to assure outstanding items have been addressed.
2. This procedure specifically excludes inspections of non-Atomic Energy Act materials or licensees, and inspections conducted by NRC Headquarters personnel.

B. Evaluation Procedures.

1. The principal reviewer should refer to Part III (Evaluation Criteria) of MD 5.6 for specific evaluation criteria. The Directive's Glossary defines the terms "Materials Inspection" and "Overdue Inspection."
2. All materials inspections conducted by Regions or Agreement States since the last performance review are potential candidates for review. Inspections of license terminations, bankruptcies, and complex decommissioning will be treated as a subset of this common performance indicator.
3. Depending upon the size of the Regional or State program under review, the principal reviewer should select 10-25 inspection casework examples for review, concentrating on core licenses (i.e., initial inspection or Priority 1-3 as described in NRC Manual Chapter 2800, *Materials Inspection Program*). The selected casework should represent a cross-section of the Region or State's workload, including as many different inspectors, license categories, and geographic locations as practical. A mix of medical and academic use (universities, community hospitals, brachytherapy licenses, teletherapy licenses, physicians, broad scope facilities, etc.) and industrial use (research and development, radiography, irradiators, well logging, etc.) licenses should be sought. Inspections of complex decommissioning activities should also be sought.
4. If the initial review indicates a systematic weakness on the part of one inspector, or problems with respect to one or more inspection procedures, additional similar inspection files should be obtained and reviewed, in order to determine the magnitude of the programmatic weakness.
5. If the evaluation of the 10-25 casework examples does not reveal any programmatic weaknesses, no additional casework needs to be reviewed.
6. For the Regions, no attempt should be made to evaluate performance on a state-by-state basis for this indicator.

C. Review Guidelines.

1. The response generated by the Region or State to relevant questions in the IMPEP questionnaire should be used to focus the review.
2. For the Regions, tallies of completed inspections can be obtained from the Licensing Management System (LMS). This information can be obtained prior to the Regional visit from the Office of Nuclear Material Safety and Safeguards' Division

of Industrial and Medical Nuclear Safety, Operations Branch. LMS has limited ability to sort these records, depending on the needs of the principal reviewer. Once the appropriate files are selected, a call to the Regional Office can be made to have the inspection files pulled, and ready for review at the time of the visit.

3. For the States, inspection reports are not normally submitted to the Office of State Programs. The principal reviewer should work with the IMPEP team leader in selecting the appropriate inspection files for review.

D. Review Details.

For the technical quality of inspections, the principal reviewer should evaluate the following:

1. For each compliance action selected, that the inspection report adequately documents (as appropriate):
 - a. the scope of the inspection and the licensed program;
 - b. the licensee organization and the persons contacted;
 - c. the licensee's administrative controls and procedures; facilities and equipment; radiation safety procedures for procurement, use, transfer and disposal; posting and labeling; personnel monitoring, gaseous and liquid effluents, surveys and bioassay, incidents and overexposures, and radioactive waste packaging and shipping;
 - d. operations observed;
 - e. interviews of workers;
 - f. independent measurements;
 - g. status of previous violations;
 - h. new violations noted;
 - i. the exit interview with management;
 - j. the substance of discussions with licensee management;
 - k. licensee's response to any violations.
2. Any information missing from the file, e.g., documents, letters, file notes, and telephone conversations.
3. Inspection reports are sufficiently detailed to show that each inspection was complete.
4. All violations and safety recommendations are substantiated.

5. Appropriate regulatory action was taken for violations.
6. The documentation of violations is written in appropriate regulatory language and dispatched in a timely manner.
7. Any unresolved items or misunderstandings by the licensee were pursued to a satisfactory conclusion.
8. The inspection report was reviewed by management.
9. Management notes report deficiencies (such as unsupported conclusions and opinions in the report, violations not properly substantiated, apparent violations not cited, etc.) and brings these deficiencies to the attention of the inspector.
10. The licensee's response was reviewed for adequacy and any subsequent action taken by management.
11. Instrumentation is adequate and functioning properly for surveying license operations (e.g., survey meters, air samples, lab counting equipment for smears, identification of isotopes, etc.).
12. The effectiveness of the Region's or State's internal program to evaluate its inspectors in the field. Regional or State supervisors should evaluate all inspectors on at least one inspection in the field per year.
13. Appendix A, "IMPEP Compliance File Review Guidance," was developed to assist in reviewing certain completed inspection reports. However, the principal reviewer should not feel compelled to address every item in the guidance.

E. Review Information Summary.

At a minimum, the summary maintained by the principal reviewer will include:

1. The licensee name, city, and state;
2. The license number;
3. The inspection priority;
4. The type of license operation (e.g., program code or license category);

5. The inspector's initials;
 6. The type of inspection (e.g., routine, reactive, closeout, announced, unannounced, team, other, etc.);
 7. The date of inspection;
 8. The date inspection findings were issued.
- F. Inspector Accompaniments/Field Evaluations.
1. In addition to performing a file review of the selected inspections, the principal reviewer for this indicator (or another qualified IMPEP team member, as appropriate), should complete an appropriate number of accompaniments of the Region's or State's inspectors to observe, on a first-hand basis, the inspectors' demonstration of proper inspection techniques, and areas of emphasis. Accompaniments should be performed prior to the IMPEP review at the Region or State. In accordance with the Region's or State's work schedules, the reviewer should observe a representative sample of inspectors and licensee types, concentrating on inspections of licensed facilities which have greater health and safety potential. One-day inspections are preferable for accompaniment so that the reviewer may observe the entire inspection process from entrance to exit.
 2. In most cases, the goal for a State review is to accompany one-half of the program's inspectors. For larger States and NRC Regions, the goal is to accompany four or five inspectors. Priority should be given to newly qualified inspectors and those that have not been accompanied during previous IMPEP reviews.
 3. IMPEP accompaniments are performance-based evaluations of inspector effectiveness. It is important that these accompaniments focus on health and safety type issues. It is not the role of the reviewer to help with the inspection effort, but rather to observe the inspector's work.
 4. Prior to the inspection, the reviewer and inspector should discuss:
 - a. the extent of the reviewer's participation in the inspection (observation not active participation);
 - b. the way the reviewer's presence will be explained to the licensee; and
 - c. the method that will be used in evaluating the inspector's performance.

5. The evaluation should be discussed with the inspector's supervisor within one week of the accompaniment.
6. Appendix B, "IMPEP Inspector Fieldwork Evaluation Reviewer Guidance," was developed to assist the reviewer in completing the inspection accompaniments. The reviewer should not feel compelled to address every item on the evaluation form. Accompaniment information should be summarized as discussed in Section E, above.

VI. APPENDICES

- A. IMPEP Compliance File Reviewer Guidance.
- B. IMPEP Inspector Fieldwork Evaluation Reviewer Guidance.

VII. REFERENCES

1. NRC Management Directive 5.6, *Integrated Materials Performance Evaluation Program*.
2. NRC Management Directive 5.10, *Formal Qualifications for IMPEP Team Members*.
3. NRC Inspection Manual Chapter 2800, *Materials Inspection Program*.

ITEM	O.K.	COMMENTS OR QUESTIONS
INSPECTION FINDINGS		
CONDUCTED IN SUFFICIENT DEPTH & SCOPE		
REPORT COMPLETE AND IN STANDARD FORMAT		
REPORT CLEARLY IDENTIFIED VIOLATIONS VS RECS		
EXIT MEETING AT APPROPRIATE MANAGEMENT LEVEL		
FINDINGS INDICATIVE OF NEED FOR LICENSE CHANGES RELAYED TO LICENSING STAFF (VERIFY IN FILE)		
ENFORCEMENT		
VIOLATIONS PROPERLY CITED		
REPEATED VIOLATIONS TAKEN INTO ACCOUNT		
LETTER CLEARLY IDENTIFIED VIOLATIONS VS RECS		
PROPER REGULATORY LANGUAGE IN LETTERS		
SUITABLE FOLLOW-UP TO LICENSEE'S RESPONSE		
COMPLIANCE FILE		
FILE ORDERLY AND COMPLETE		
INCIDENT & COMPLIANCE FILES CROSS-REFERENCED		
ADEQUATE SUPERVISORY REVIEW OF REPORTS, LETTERS AND LICENSEE RESPONSES		
SUPERVISORY REVIEW		
ALL DEFICIENCIES IDENTIFIED BY SUPERVISOR		

COMMENTS FOR DISCUSSION WITH STAFF

ITEM	O.K.	COMMENTS OR QUESTIONS
OPENING		
INTERVIEW CONDUCTED AT APPROPRIATE LEVEL		
EXPLANATION OF INSPECTION PURPOSE, SCOPE, METHOD		
INSPECTION		
USE OF APPROPRIATE FORM OR CHECKLIST		
"WALK THROUGH" AT BEGINNING OF INSPECTION		
OBSERVATION OF OPERATION AND HANDLING OF RAM		
FACILITIES CHECKED FOR PROPER POSTING, LABELING		
SECURITY VERIFIED		
WORKERS CHECKED FOR PERSONAL DOSIMETRY		
WORKER INTERVIEWS RAM USERS <input type="checkbox"/> ANCILLARY WORKERS <input type="checkbox"/>		
WIPES, SURVEYS, MEASUREMENTS TAKEN		
ADHERENCE TO ALARA EVALUATED		
REVIEW OF INCIDENTS, OVEREXPOSURES, ETC.		
RECORDS VERIFIED AGAINST ORAL STATEMENTS FOR: PROCUREMENT & INVENTORY <input type="checkbox"/> RECEIPT & TRANSFER OF MATERIAL <input type="checkbox"/> INTERNAL AUDITS <input type="checkbox"/> SURVEYS & MONITORING <input type="checkbox"/> PERSONNEL DOSIMETRY, BIOASSAY <input type="checkbox"/> QUALIFICATION AND TRAINING OF PERSONNEL <input type="checkbox"/> EMERGENCY PLAN & PROCEDURES <input type="checkbox"/> COMMITTEE MEETINGS, MINUTES <input type="checkbox"/> AUTHORIZED USERS <input type="checkbox"/> INSTRUMENT CALIBRATION <input type="checkbox"/> DOSE CALIBRATOR TESTS; UTILIZATION LOG <input type="checkbox"/> LEAK TESTS <input type="checkbox"/> GENERATOR - ASSAY, MOLY BREAKTHROUGH, LOGS <input type="checkbox"/> WASTE MANAGEMENT, DISPOSAL <input type="checkbox"/> RELEASE OF AIR & SEWER EFFLUENTS <input type="checkbox"/> QA & QC; MAINTENANCE <input type="checkbox"/>		
INSPECTION CONDUCTED IN SUFFICIENT SCOPE & DEPTH		
VERIFICATION OF CORRECTIONS TO PREVIOUS VIOLATIONS		
INSPECTOR'S PROFESSIONALISM		
USE OF PROPER HEALTH PHYSICS TECHNIQUES (SELF MONITORING, ETC.)		
ACCURATE EVALUATION OF RADIATION SAFETY		
KNOWLEDGE OF HEALTH PHYSICS & REGS		
APPROPRIATE APPEARANCE FOR LICENSE TYPE		
SKILL IN WORDING QUESTIONS		
SUITABLE RAPPORT WITH MANAGEMENT AND WORKERS		

