

January 22, 2010

SUMMARY OF COMMENTS ON SA-109, “ Reviewing the Non-Common Performance Indicator, Low-Level Radioactive Waste Disposal Program ”

I. Sent to the Agreement States for Comment: July 14, 2009 (FSME-09-051)

Comments/Dated: Organization of Agreement States (OAS) - 07/22/09 (letter)

Organization of Agreement States (OAS)

No comments.

Comments/Dated: State of Washington, Department of Health – 07/22/09 (letter)

STATE OF WASHINGTON (WA), DEPARTMENT OF HEALTH

No comments.

II. Sent to the NRC Offices for Comment: July 13, 2009

Comments/Dated: Region I-08/12/09 (e-mail)
Region III-07/30/09 (e-mail)
OGC–08/26/09 (e-mail mark-up)
DWMEP-08/13/09 (e-mail)

Region I:

No comments.

Region III

Comment 1:

Section V.C.This section has long lists of procedures which are difficult to read as written. We suggest that the procedures be listed as bullets.

Response:

We agree with this comment. The procedure will be revised accordingly.

Comment 2:

Section VI.7.“Reporting Materials Events” should be changed to “Reporting Material Events”

Response:

We agree with this comment. The procedure will be revised accordingly.

Comment 3:

Section VI.30.“Violation” should be changed to “Violations

Response:

We agree with this comment. The procedure will be revised accordingly.

Comment 4:

Section VI.38.,The NUREG-1200 reference is not numbered.

Response:

We agree with this comment. The procedure will be revised accordingly.

Comment 5:

Section VI.,the acronyms (IMC) and (IP) are defined repeatedly throughout this section.

Response:

We agree with this comment however, to be consistent with other FSME procedures, the procedure will not be revised.

Office of the General Counsel (OGC):

Comment 1:

OGC provides 5 edits and multiple formatting changes to the procedure.

Response:

We agree with four of the edits (except Section 3.e.) and all of the formatting changes. The procedure was revised accordingly to the agency's editorial style and consistent with the FSME procedures. Section 3.e. of the procedure describes the accompaniments of inspectors by their (State) managers, not the IMPEP team member, therefore this statement was not revised.

Division of Waste Management and Environmental Protection (DWMEP)

Comment 1:

In Section V.D.6, "IMPEP Review of LLRW Disposal Facility During Closure/Post-Closure Phase", in the 1st paragraph on lines 6-7, please delete the phrase "except for SNM disposal".

Response:

We agree with this comment. The procedure has been revised accordingly.

Comment 2:

In Section V.D.6., in the 3rd paragraph on line 3, in item (c), please add the phrase, "and follow-up, as appropriate based on trend analysis;" after the word "records".

Response:

We agree with this comment. The procedure has been revised accordingly.

Comment 3:

In Section V.D.6, in the 4th paragraph on line 2, please add the word "Inspection" before the phrase "Manual Chapter".

Response:

We agree with this comment. The procedure has been revised accordingly.

Comment 4:

In Section V.D.6. in the 4th paragraph on line 4, please add the phrase, "and generic procedures identified in Inspection Manual Chapter 2401, as appropriate." after the word "IP-88050".

Response:

We agree with this comment. The procedure has been revised accordingly.