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To: barbaraoneal@embarqmail.com
Cc: [Ramsey, Kevin](#); [Johnson, Robert](#)
Subject: NRC/NFS Meeting On January 31, 2012
Date: Tuesday, February 21, 2012 2:37:00 PM

February 21,
2012

Ms. O'Neal:

I am writing to reply to your e-mail to me dated February 8, 2012 regarding the Closed Meeting between NFS and the NRC on January 31, 2012, (Ref. 1). As stated in the meeting notice, the purpose of the meeting was to discuss the licensee's assessment (Ref. 2) of the Corrective Action Program (CAP) as it relates to Item 4.f of the Order (Ref. 3), the NQA-1 standard (Ref. 4), and the NFS amendment request (Ref. 5), so that the NRC staff can make a finding about compliance with the Order. NFS completed an assessment of the CAP and applied for a license amendment (Ref. 5) as required by the Order (Ref. 3). Currently, the NRC staff is evaluating the amendment application to confirm that the CAP, along with additional enhancements from the assessment, are both incorporated into the license as required by the Order. Discussions about the above mentioned documents allowed the NRC staff to refine requests for additional information (RAIs).

Often there is a need to discuss RAIs to ensure that the licensee understands what information is needed to satisfies regulatory requirements. Internal NRC guidance in Management Directive 3.5, "Attendance at NRC Staff Sponsored Meetings," (Ref. 6) states that meetings to discuss requests for additional information may be closed if opening the meetings to the public would constitute an undue administrative burden. The NRC staff decided that the site visit to NFS should be closed because opening it to the public would constitute an undue administrative burden. The closed meeting allowed the NRC staff to openly discuss internal NFS procedures not available to the public. For an open meeting at a location outside the protected area, additional administrative and security staff would have been needed, and the discussion of internal procedures would have been constrained.

The NRC does not intend to have a public meeting to discuss the RAIs. The following information, used by the NRC to make a finding of compliance with the Order, will be on the public docket (minus proprietary information that will be so indicated):

- NFS assessment (Ref. 2)
- Summary of the January 31st meeting (being written as of February 21, 2012)
- RAIs from the NRC staff (Ref. 7)
- Replies to RAIs from NFS (due on at NRC on March 16, 2012)

The meeting summary, RAIs, and safety evaluation report (SER) will be on the docket and publically available.

Regards.

Chris Ryder

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References

1. Closed Meeting Notice, Nuclear Fuel Services, Inc., ADAMS Accession Number ML12025A104.
2. Letter from Mark P. Elliott, Nuclear Fuel Services, "Supplemental Information Supporting the Request to Amend SNM-124 Regarding Corrective Action Program to Fulfill Confirmatory Order", Section V, Paragraph 6 (EA-10-076). ADAMS Accession Number ML120460946.
3. Letter from V. McCree, NRC RII, to D. Amerine, NFS, "Confirmatory Order (Effective Immediately) [NRC Office Of Investigation Report No. 2-2010-001]", November 16, 2010. ADAMS Accession Number ML103210217.
4. The American Society of Mechanical Engineers, "Quality Assurance Requirement for Nuclear Facility Applications," ASME NQA-1-2008. March 14, 2008.
5. Letter from Mark P. Elliott, NFS, "Request to Amend SNM-124 Regarding Corrective Action Program to Fulfill Confirmatory Order, Section V, Paragraph 6 (EA-10-076)", August 5, 2011. ADAMS Accession Number ML11228A082.
6. Management Directive 3.5, "Attendance At NRC Staff-Sponsored Meetings", dated December 23, 2011. ADAMS Accession Number ML041270381.
7. Letter from C. Ryder, NRC, to M. Elliott, NFS, "Request For Additional Information Regarding Corrective Action Program To Fulfill Confirmatory Order, Section V, Paragraph 6 (EA-10-076) (TAC NO. L33172), February 16, 2012. ADAMS Accession Number ML113640123.