

Rocky Flats Environmental Technology Site

PRO-528-NSP-450

VERSION 1

Preparation of Justifications for Continued Operation

Responsible Organization: K-H Nuclear Safety & Licensing Effective Date: 10/26/04

Approved By: Program Manager, Nuclear Safety and Licensing 10/25/04
Title of Responsible Manager/Title of Organization Date :

J. A. Geis / /s/
Print Name of Responsible Manager Responsible Manager Signature

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By: J. A. Geis U/NU
Date: 10-25-04

VERSION CHANGE SUMMARY

This is a major change.

In Section 6.5 added the change in scope requires DOE approval.

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1.0 PURPOSE

The purpose of this procedure is to establish the processes and responsibilities for the preparation, review, and approval of Justifications for Continued Operation (JCOs), consistent with 10 CFR Part 830.203, *Unreviewed Safety Question Process* and the Rocky Flats Environmental Technology Site (Site) *Nuclear Safety Manual*.

2.0 SCOPE

This procedure applies to all Site Nuclear Hazard Category 2 and 3 Facilities and non-Facility nuclear activities (e.g., Site Transportation, Site utilities) as defined in the *Site Safety Analysis Report*, which operate under an Authorization Basis (AB) requiring Department of Energy (DOE) approval. This procedure addresses the following topics: preparation of a JCO or JCO Revision, review and approval of a JCO, and implementation of a JCO.

JCOs are developed to address non-compliance with Safety Analysis Reports (SARs), Basis for Interim Operations (BIOs), Technical Safety Requirements (TSRs), or other DOE approved nuclear safety Authorization Basis (AB) documents that describe the safety analysis and controls for the nuclear facility or activity.

This revision Supersedes 1-R26-NSM-04.06, Revision 0.

3.0 OVERVIEW

The JCO process provides a means for a contractor to obtain Department of Energy, Rocky Flats Project Office (DOE) approval for operation of a facility on a temporary basis when the current technical or operational requirements cannot be fully met. In effect, a JCO is a request for approval to operate temporarily outside the current nuclear safety AB, with appropriate compensatory controls to maintain an acceptable level of risk.

DOE approved JCOs are considered an integral and explicit part of the overall nuclear safety AB for the associated facility. JCOs specify activities or operations that are allowed while TSRs out-of-tolerance exist, identify the consequence thresholds if different from the nuclear safety AB criteria, and specify required controls to minimize risk.

4.0 DEFINITIONS

Refer to the *Definitions And Acronyms Manual* (MAN-130-MDA), the *Nuclear Safety Manual* (1-MAN-018-NSM) and/or the *Nuclear Safety Program Unreviewed Safety Question Process* (PRO-664-NSP-USQP) for applicable definitions and acronyms.

5.0 RESPONSIBILITIES

Responsibilities are provided below in accordance with the *Site Documents Requirements Manual* (SDRM). This listing of responsibilities is specified at a summary level and is not intended to delineate each individual task or procedural step.

5.1 PREPARER

- Develop new and revised JCOs.

5.2 TECHNICAL REVIEWER

- Perform independent technical review of new and revised JCOs.

5.3 MANAGER, ENGINEERING, SAFETY, HEALTH AND QUALITY (ESH&Q), OR DESIGNEE

NOTE: *Either the JCO Preparer or the Reviewer must be a Qualified Evaluator per PRO-531-NSPP-521.*

- Assign Preparer and Technical Reviewer for Project/Facility specific JCOs.
- Inform Site Nuclear Safety & Licensing and the DOE of the need for the JCO prior to submittal to the DOE for approval.

5.4 INDEPENDENT SAFETY REVIEW COMMITTEE (ISRC)

Project/Facility ISRC

- Review and approve Project/Facility specific JCOs.

Site ISRC

- Review and approve multiple Project/Facility JCOs.

5.5 FACILITY PROJECT MANAGER OR DESIGNEE

- Approve Project/Facility specific JCOs and multiple Project/Facility JCOs that affect assigned Project/Facility.
- Facility Project Manager or Designee should submit ISRC approved JCO and transmittal letter to the Manager, Kaiser-Hill (K-H) Nuclear Safety and Licensing for review and concurrence.
- Submit Project/Facility specific JCO to DOE for approval.
- Perform Implementation Validation Review (IVR) to confirm readiness for implementation.
- Implement JCOs approved by DOE.
- Track JCO compensatory measures, corrective actions, and JCO use duration.

5.6 MANAGER, K-H NUCLEAR SAFETY & LICENSING OR DESIGNEE

- Assign Preparer and Technical Reviewer for multiple Project /Facility JCOs.
- Provide assistance, as requested, for Project/Facility JCOs and transmittal letters.
- Submit multiple Project/Facility JCO(s) to DOE for approval.
- Review submitted Project/Facility specific JCOs and transmittal letters, and provide concurrence prior to transmittal to DOE.
- Add DOE approved JCOs to the Authorization Basis Document List (ABDL).

6.0 JCO DEVELOPMENT AND REVISION PROCESS

NOTE: A JCO is normally written as a stand-alone document, and in sufficient detail such that a person technically qualified in the subject can review and understand the analysis and verify the adequacy of the results without recourse to the originator. A JCO will include the minimum information necessary to describe the scope of the JCO, specific AB requirements that cannot be met, any associated compensatory actions, technical justification, and basis for approval of the JCO. Assistance with preparation or submittal of the JCO can be requested from Nuclear Safety & Licensing, as necessary.

6.1 JCO PREPARATION

NOTE: Either the JCO Preparer or the Reviewer must be a Qualified Evaluator per PRO-531-NSPP-521.

Preparer

NOTE: JCOs require DOE approval and may be categorically excluded from the Safety Evaluation Screen (SES)/Unreviewed Safety Question Determination (USQD) process per Appendix 1 of PRO-664-NSP-USQP.

- [1] Obtain a JCO tracking number from the K-H Nuclear Safety web site, USQ safety evaluation database.
- [2] Prepare the JCO using the format of Appendix 1 and guidance in Appendix 2.
- [3] **IF** a USQD is not associated with the JCO, **THEN** ensure that the JCO clearly identifies any increase in risk beyond that currently accepted in the AB.
- [4] Sign and date the JCO Cover Sheet.

NOTE: For JCOs that affect multiple Projects/Facilities, a Technical Review from each affected Project/Facility must be obtained.

NOTE: *Classification review of JCOs is strongly recommended before conducting review onsite, whether transmitted by e-mail or in hardcopy. Note that review for classification/UCNI is required before a document may be sent offsite or outside K-H or its onsite subcontractors, and specific requirements must be met before UCNI may be transmitted. See 1-MAN-026, "Security Manual", Chapter 6 for more information.*

[5] Forward copy of the JCO to the Technical Reviewer(s).

Technical Reviewer(s)

[6] Perform an independent review of the JCO.

Preparer

[7] Disposition all review comments with the Technical Reviewer(s).

Technical Reviewer(s)

[8] Sign and date the JCO Cover Sheet after complete disposition of review comments with the Preparer.

Preparer

[9] Forward copies of the JCO to the following for review and concurrence:

- **For JCOs affecting only one Project/Facility:**
 - Facility Project Manager or Designee
 - Manager, ESH&Q, or Designee
 - Manager K-H Nuclear Safety and Licensing or Designee
- **For JCOs affecting multiple Projects/Facilities:**
 - Each Affected Facility Project Manager or Designee
 - Manager, ESH&Q, or Designee
 - Manager K-H Nuclear Safety and Licensing or Designee

[10] Disposition all review comments.

6.2 INDEPENDENT SAFETY REVIEW

Preparer

- [1] Request an ISRC review of the JCO consistent with PRO-569-ADM-02.01.
- [2] Present the JCO to the appropriate ISRC, if required.
- [3] **IF** the ISRC review did not result in changes,
OR changes were limited to editorial corrections,
THEN obtain ISRC Chairperson signature and date on the JCO Cover Sheet.
- [4] **IF** the ISRC review resulted in changes that were not editorial corrections,
THEN notify all reviewers of the changes, disposition any comments, make changes as necessary, and re-submit to ISRC Chairperson.
- [5] **IF** full ISRC review is assessed to be appropriate by the ISRC Chair,
THEN return to Step 6.2[2].

6.3 JCO APPROVAL

Preparer

- [1] Obtain Facility Project Manager (or designee) approval. For JCOs that affect multiple Projects/Facilities, obtain approval from the applicable Facility Project Managers/designees.
- [2] Submit the JCO package to an Authorized Classifier for security classification review.
- [3] Preparer should submit the JCO Package, including draft transmittal letter (if applicable), to the Manager, K-H Nuclear Safety and Licensing for concurrence, and resolve any final comments.

Facility Project Manager or Designee

- [4] For Project/Facility specific JCOs, submit the JCO package to DOE for approval.

Manager, K-H Nuclear Safety & Licensing or Designee

- [5] For multiple Project/Facility JCOs, submit the JCO package to DOE for approval.

Preparer

- [6] Resolve DOE comments on the proposed JCO, returning to Sections 6.1 through 6.3 of this Procedure for re-review, re-concurrence, and re-approval of the JCO, as necessary.

Facility Project Manager(s) or Designee(s)

NOTE: *If DOE provides Technical Direction in conjunction with approval of the JCO, the affected Facility Project Manager(s) must concur with such directions or resolve any comments prior to implementation*

- [7] **WHEN** the JCO is approved by DOE,

THEN implement the JCO in accordance with the IVR process described in the *Nuclear Safety Manual* (1-MAN-018-NSM) and PRO-ZZZ-NSP-IVR.

[8] Transmit the original JCO to the Nuclear Safety & Licensing SES/USQD Database Administrator for database update and Quality Record Retention.

[9] **IF** the JCO will be in effect for more than 30 days,
THEN transmit a copy of the JCO and a copy of the DOE approval to Document Control for distribution to all controlled copy holders of the affected AB, and any other supporting documentation required for distribution consistent with MAN-001-SDRM or implementing procedures.

NOTE: JCOs are effective for the duration specified in the JCO and accepted by DOE. Upon expiration of JCO duration, the JCO is considered closed unless an extension has been explicitly approved by DOE. The maximum duration of JCOs is typically 6-months from the time they are approved and implemented, unless otherwise approved by DOE.

[10] Implement JCO and operate in accordance with the JCO until such time as an AB change is approved and implemented, or the situation is corrected/resolved.

[11] For Project/Facility specific JCOs, transmit original JCO package and DOE approval letter to Manager, K-H Nuclear Safety & Licensing.

Manager, K-H Nuclear Safety & Licensing or Designee

[12] For multiple Project/Facility JCOs, transmit copy of approved JCO and DOE approval letter to all affected Facility Project Managers.

[13] Add the JCO to the ABDL after DOE approval in accordance with PRO-382-NSP-ABDM.

6.4 JCO COMMITMENT TRACKING

Facility Project Manager or Designee

[1] Track JCO compensatory measures, corrective actions, and JCO use duration. [See 1-MAN-018-NSM, Section 6.1.4.4.2]

6.5 JCO REVISIONS

Preparer

[1] Obtain copy of original JCO and prepare new Cover Sheet.

[2] Make changes as necessary using the requirements provided in the *Nuclear Safety Manual*, 1-MAN-018-NSM, Section 6.1.4.5. Record reason for changes on Cover Sheet.

[3] Determine if DOE approval of the JCO is required. Changes **may** be made to a JCO, without DOE approval using the USQD process per PRO-664-NSP-USQP, provided the following are met:

- It **SHALL** not involve any change in scope from that approved by DOE

- It **SHALL** not involve TSR out-of-tolerance conditions that are new or changed from the previously analyzed and approved JCO.
- It **SHALL** not require alteration of the Compensatory Measures or Required Actions previously approved in the JCO unless the out-of-tolerance condition has been cleared.
- It **SHALL** not involve extension of the previously approved JCO expiration date.

Otherwise, DOE approval **SHALL** be obtained for all JCO modifications, revisions, or changes that do not meet the above criteria. As a minimum, information copies of all alterations to approved JCOs **SHALL** be provided to DOE through K-H, even for revisions not determined to constitute an Unreviewed Safety Question.

[4] Obtain approvals in accordance with Sections 6.1 through 6.3.

7.0 RECORDS PROCESSING INSTRUCTIONS

This section describes the processing instructions and methods for the documents that are initiated, processed, or maintained as a result of this procedure.

Record Identification	Record Type Determination	Protection/Storage Methods	Processing Information
1. JCOs	QA Record	K-H NS&L Mgr. SHALL implement a reasonable level of protection to prevent loss or degradation of JCOs. Active JCO SHALL be stored in standard office filing equipment when not in use.	Transfer the prior year JCOs to Site Records Management in accordance with 1-V41-RM-001 for long term protection, on an annual basis.
2. JCO compensatory measure surveillance documentation.	QA Record	Facility Project Mgr. SHALL implement a reasonable level of protection to prevent loss or degradation of compensatory measure surveillance documentation. Active compensatory measure surveillance documentation SHALL be stored in standard office filing equipment when not in use.	Transfer the prior year compensatory measure surveillance documentation to Site Records Management in accordance with 1-V41-RM-001 for long term protection, on an annual basis.

8.0 REFERENCES

1. 10 CFR Part 830, *Nuclear Safety Management*
2. *Rocky Flats Environmental Technology Site Safety Analysis Report*
3. PRO-531-NSPP-521, *Training and Qualification of Personnel Performing USQ Process Evaluations*
4. PRO-664-NSP-USQP, *Nuclear Safety Program Unreviewed Safety Question Process.*
5. 1-V41-RM-001, *Records Management Guidance for Records Sources.*
6. 1-MAN-018-NSM, *Nuclear Safety Manual.*
7. PRO-ZZZ-NSP-IVR, *Nuclear Safety Program Implementation Validation Review Process*
8. PRO-569-ADM-02.01, *Independent Safety Review Requirements*
9. MAN-001-SDRM, *Site Document Requirements Manual*
10. MAN-066-COOP, *Site Conduct of Operations Manual*
11. RFP-5098, *Safety Analysis and Risk Assessment Handbook (SARAH)*
12. 1-MAN-026, *Security Manual*
13. MAN-130-MDA, *Definitions And Acronyms Manual*

APPENDIX 1
JCO FORMAT

Page 1 of 2

RFETS Justification for Continued Operation (JCO) Cover Sheet			
JCO No. _____	Revision No. _____	Building _____	Page 1 of ____
Title: _____			
Preparer	Prepared: _____ (Print Name)	_____ (Sign Name)	Date
Reviewer	Approved: _____ (Print Name)	_____ (Sign Name)	Date
Project Manager or Designee	Approved: _____ (Print Name)	_____ (Sign Name)	Date
DOE	Review: _____ (Print Name)	_____ (Sign Name)	Date
DOE	Review: _____ (Print Name)	_____ (Sign Name)	Date
DOE	Approved: _____ (Print Name)	_____ (Sign Name)	Date
REVISION DOCUMENTATION			
Reason for Revision			

**APPENDIX 1
JCO FORMAT**

Page 2 of 2

JCO Number: JCO-BBB-NN.NNNN-YYY

Title:

Purpose:

Scope and Condition Outside of the Approved AB:

Proposed Compensatory Measures:

Technical Justification and Basis for Approval:

EXAMPLE

APPENDIX 2 GUIDANCE FOR A JCO

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The specific purpose of a JCO is to document the bases for continuing to operate facilities on an interim basis before the ultimate resolution of a condition that is outside of the approved AB, or to permit resumption of activities that were suspended when the condition that is outside the approved AB was declared.

The JCO **SHALL** show the risk of continued operations, and provide operational restrictions, if deemed necessary, that minimize any potential increase in risk beyond that authorized by the AB.

The JCO **SHALL** provide justification for the manner in which the facility will be operated during the proposed continued operation. If necessary, compensatory measures (i.e., administrative, physical or procedural controls, etc.) credited within the JCO **SHALL** be explicitly described, along with the credited purpose for each measure. Credited JCO compensatory measures **SHALL** be documented by Facility Project Managers, verified initially, and confirmed on a continuing regular time interval (to be determined commensurate with its credited purpose) during the period the JCO is to be used. If compensatory measures are required, the controls **should** be written in the same format as Limiting Conditions for Operations (LCOs) or Administrative Controls (ACs), as appropriate for the type of control being imposed. This **should** include "Required Actions" that must be executed if a compensatory action cannot be met.

1. Purpose

This section is a brief description of the purpose of the JCO. It **should** contain a brief summary of the problem and the reason that the JCO is being written.

Specify the requested duration for the JCO. Unless justified by the schedule for corrective actions, a maximum duration time limit of six (6) months **should** be placed on the use of the JCO from the time they are approved and implemented.

2. Scope and Condition that is Outside the Approved AB

This section **should** define the bounds of applicability. It **should** define the Project/Facility or Projects/Facilities and any specific areas or operations contained therein that are covered under the scope of the subject JCO.

The JCO **SHALL** include, as necessary, a brief discussion of the safety impact of the nonconforming or degraded condition (e.g., out-of-tolerance compliance with TSR), or regulatory issue non-compliance, relative to the capability of the facility to be operated in accordance with the current nuclear safety AB.

3. Proposed Compensatory Measures

This section defines the allowed operating conditions, and the restrictions imposed as requirements of the JCO.

APPENDIX 2 GUIDANCE FOR A JCO

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The list of conditions and restrictions **SHALL** include:

- A list of terminated operations and/or specific criteria for identifying terminated operations. Include any prohibitions against the performance of concurrent activities.
- The scope of activities that will be allowed to continue under the control of the JCO.

Controls imposed by the JCO are in the form of Compensatory Measures. Compensatory Measures are tracked in accordance with the Site Conduct of Operations (COOP) program [See MAN-066-COOP.]. The JCO **should** also identify potential Conditions, Required Actions, Completion Times, and Surveillances that must be taken if a Compensatory Measure can not be met. Compensatory Measures and Required Actions are analogous to TSR LCOs and Remedial Actions, respectively.

If applicable, JCO controls are summarized in a matrix identifying the applicable LCO number, the LCO requirement, the AB issue, and the required Compensatory Measures and Required Actions for each issue. Compensatory Measures **should** be written in an "LCO" format. This **should** include a description of potential Conditions, Required Actions, Completion Times, and Surveillances as necessary. The source of each action is identified in the table, as applicable. The Bases for the Required Actions **should** be adequately discussed within the JCO.

4. Technical Justification and Basis for Approval

This section provides the technical justification and basis for approval of the risk for the allowed operations and controls imposed by this JCO. The JCO **SHALL** provide sufficient justification criteria as to how the facility will be maintained with acceptable margins of safety during the proposed continued operation. Any increase in risk **SHALL** be clearly identified. If a USQD is not associated with the JCO, then supporting analysis **SHALL** be provided to quantitatively or qualitatively identify the increase in risk that DOE is requested to approve. Use the USQD questions as guidance and provide discussion of those questions that would be answered "Yes." Risk discussions **should** be consistent with current authorization basis methodology.

The basis for approval shall discuss why approval of the JCO is necessary, and why the risk of the JCO is acceptable.

The conclusion of the analysis **SHALL** identify any special conditions or time constraints that pertain to the operation of the facility.

APPENDIX 3
EXAMPLE LETTER FOR DOCUMENTATION OF JCO SUBMITTAL
Page 1 of 1

January 31, 2004

04-RF-00000

Ron Bostic, Director
Nuclear Regulatory Division
DOE, RFPO

SUBMITTAL AND APPROVAL OF JUSTIFICATION FOR CONTINUED OPERATION (JCO) –
RFP-02.0001-XXX

This letter formally documents submittal and approval of JCO-RFP-02.0001-XXX. On January 31, 2002, JCO-RFP-02.0001-XXX was prepared and submitted to the Department of Energy (DOE) – Rocky Flats Project Office (RFPO), for approval. The DOE-RFPO approved the JCO on January 31, 2002.

If you have any questions, please contact XXXX at extension 0000.

J. A. Geis
Program Manager
Nuclear Safety & Licensing

XXX:pjh

Orig. and 1 cc – Ronald G. Bostic

cc: