
INSPECTION MANUAL CHAPTER 0610 APPENDIX G

SCREENING AND DOCUMENTATION OF VERY LOW SAFETY SIGNIFICANCE ISSUE RESOLUTION PROCESS

Effective Date: 07/01/2025

0610G-01 PURPOSE

Inspectors can use the Very Low Safety Significance Issue Resolution (VLSSIR) process to discontinue inspection of an issue involving an **open question that has ambiguity in the licensing basis, design basis, or applicability of regulatory requirements or licensee self-imposed standards** in which the resolution of the **issue would require** considerable staff effort and the issue¹ would be of no greater than severity level (SL) IV, if **resolved**. In these circumstances, the agency can choose not to expend further inspection effort to resolve the question.

0610G-02 OBJECTIVES

02.01 To provide the screening criteria for VLSSIR applicability.

02.02 To provide guidance related to documentation of licensing basis questions that the staff has determined to discontinue inspection.

0610G-03 APPLICABILITY

The VLSSIR process as described below is applicable to the Office of Nuclear Material Safety and Safeguards business lines.

The VLSSIR process cannot be used to disposition a known compliance issue or an issue where there is a clear indication that a non-compliance occurred, regardless of the significance.

Further, the VLSSIR process should not be applied to the import and export and discrimination activity areas, even when the issue is of no greater than SL-IV.

0610G-04 DEFINITIONS

VLSSIR Process: A process used to discontinue inspection of an issue involving ambiguity in the licensing basis, design basis, or applicability of regulatory requirements or licensee self-imposed standards in which: (1) the resolution of the issue would require considerable staff effort; and (2) the agency has chosen to not expend further effort to resolve the question

¹ Although the definition for VLSSIR refers to "safety significance," the VLSSIR process applies to a broad range of regulated areas related to safety, including security, emergency planning and preparedness, documentation control, and reporting.

because the issue would be no greater than Green under the reactor oversight process or SL-IV under the traditional enforcement process, if resolved.

0610G-05 RESPONSIBILITIES AND AUTHORITIES

- a. Inspector's supervisor may work with the inspector to determine if additional inspection to resolve the open question is warranted consistent with the VLSSIR screening process.
- b. Inspector has the ability to use VLSSIR process to discontinue inspection of an issue involving an open question.
- c. The management team and inspection staff have a shared responsibility to continually balance the resources applied to an inspection activity relative to the potential safety significance of the activity to ensure inspection resources are prioritized commensurate with the issue's safety significance. The VLSSIR process should be considered as a tool to help achieve an appropriate balance.

Ensure that VLSSIR is considered when appropriate and prior to expending excess resources on unresolved inspection issues involving ambiguity in the design basis, licensing basis, or applicability of regulatory requirements or licensee self-imposed standards. This includes a weekly review with division management of unresolved inspection issues for consideration of the VLSSIR process once direct inspection has concluded.

- d. The cognizant program management team should review the use of the VLSSIR process to identify areas where NRC regulations, policies, and inspection procedures can be enhanced.

0610G-06 REQUIREMENTS

There are no new requirements introduced within this IMC.

0610G-07 GUIDANCE

In some cases, an inspector may identify an issue involving an open question that has ambiguity in the licensing basis, design basis, or applicability of regulatory requirements. In these cases, the inspector should consider the significance of the concern using the screening criteria provided in Figure 1.

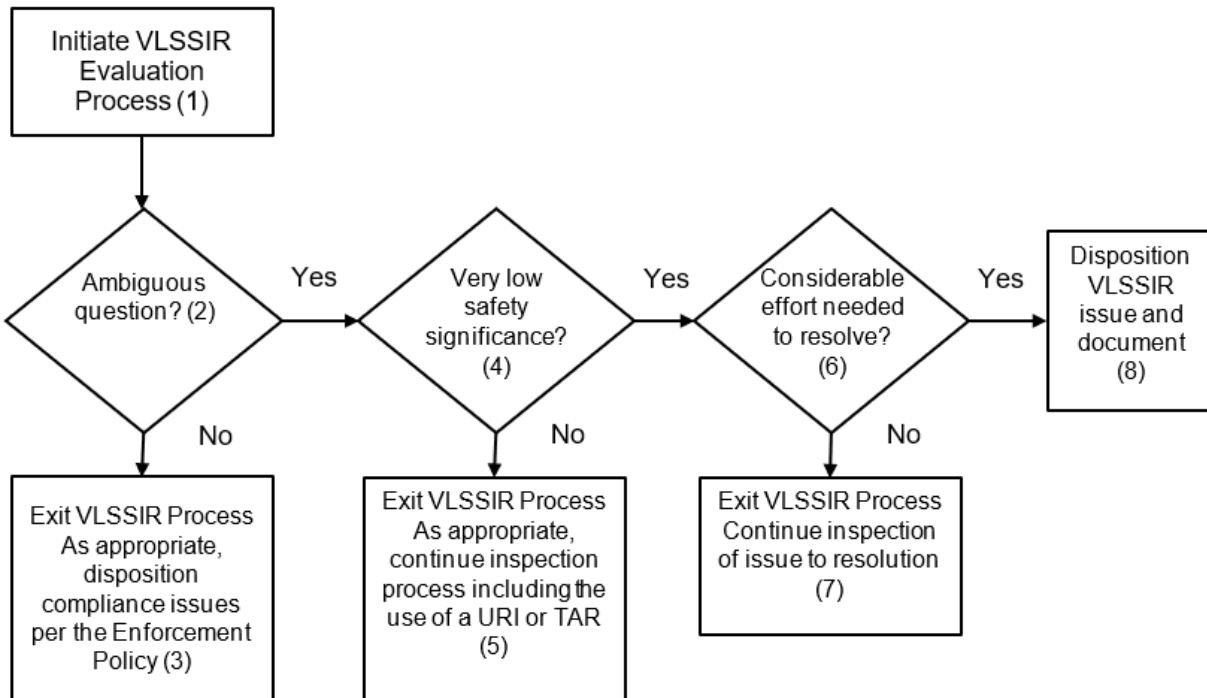


Figure 1, VLSSIR Process Diagram

PROCESS: STEPS – See Figure 1

To determine whether further evaluation of an issue can be discontinued using the VLSSIR process, the following steps should be followed:

Block (1) Initiate VLSSIR Evaluation Process:

Consideration of VLSSIR shall occur any time an issue of concern involving ambiguity in the licensing basis, design basis, or applicability of regulatory requirements or licensee self-imposed standards is not efficiently resolved and would not be more than SL-IV if resolved. Staff should also consider VLSSIR when it becomes apparent that timeliness goals may not be met for resolving issues not greater than very low safety or security significance or SL-IV. Consideration of VLSSIR should occur during an inspection as well as after, as issues that meet the criteria for VLSSIR consideration may arise during an inspection, and excessive effort could be expended during the inspection absent timely resource considerations. Inspectors shall ensure their branch chief is aware of the status of questions and issues during an inspection involving ambiguity that may not be easily resolved and consider VLSSIR when appropriate. Following the completion of pre-scheduled direct inspection effort, the dispositioning of any open inspection issues that meet the intent of VLSSIR should be evaluated with the branch chief and division management weekly to determine whether continued dispositioning, VLSSIR, or some other outcome, such as ceasing effort on the issue, is in the best interest of the Agency and the application of its resources.

The consideration of whether to use VLSSIR should include, though is not limited to, whether the issue of concern is close to being resolved, whether there is some Agency interest in

continuing to pursue the issue of concern, and how Agency resources have been used to date in attempting to resolve the issue. VLSSIR is not intended to be used to disposition an issue of concern in which the NRC and licensee simply do not agree, absent some level of ambiguity in NRC's view of the issue. It is important to listen to and consider licensee perspectives and this guidance is not intended to undermine that. When determining whether to use VLSSIR, cease further effort on the issue, or continue dispositioning based on resources expended, focus on agency resources expended seeking to understand the issue as opposed to effort expended evaluating and responding to licensee perspectives.

Block (2) Determine if an open question with ambiguity exists: Before concluding that an open question with ambiguity exists, an appropriate level of inspection effort should be expended to resolve the issue (e.g., consideration should be given to the resources assigned for the inspection activity and the time expended on the inspection to exercise due diligence in attempting to resolve the issue). However, there is no specific predetermined level of effort that must be expended before considering use of VLSSIR. If an inspector is unsure of the appropriate level of effort to expend in attempting to resolve the licensing basis question, they should consult with their direct supervisor. Together they should weigh the issue characterization, available licensing basis information, and risk insights to determine if additional inspection and evaluation to resolve the issue of concern is warranted. In addition, the inspector should consider any licensee provided supporting information related to the issue of concern and the associated regulatory basis. Additional information on the regulatory basis may be found in Statements of Consideration, searches for similar violations as precedent, the safety evaluation report, interim staff guidance, enforcement guidance memoranda, etc. If, after expending a reasonable inspection effort, it is determined that an open question with ambiguity in the licensing basis, design basis, or applicability of regulatory requirements exists, the safety significance of the issue is evaluated under Block (4). Issues where the licensing basis question is clear should be dispositioned outside the VLSSIR process (see Block (3)). For issues where there is a clear indication that a noncompliance occurred but certain details concerning the issue have not been finalized (e.g., specific date, time, location), use of the VLSSIR process is not appropriate. In this case, the inspector should evaluate if additional inspection is warranted using normal inspection guidance to disposition any compliance issue using the NRC Enforcement Policy.

Block (3) Exit the VLSSIR process if there is not an open question with ambiguity: If the licensing basis question is resolved (either by determining that a violation exists, that there is clear indication that a non-compliance occurred, or that the issue is not associated with an applicability of regulatory requirements), the inspector should exit the VLSSIR process and appropriately disposition the issue. Compliance issues shall be dispositioned consistent with the NRC Enforcement Policy.

Block (4) Determine if the issue is greater than SL IV: The issue of concern should be of no greater than SL IV to use the VLSSIR process. In analyzing whether an issue falls within this threshold, the inspector should consider whether the issue, if it were determined to be a compliance issue, would not have the potential to be of greater severity than SL IV violation examples as described in the NRC Enforcement Policy as applicable. Staff should consult with their direct supervisor in determining whether it may be appropriate to continue to expend efforts to resolve an issue that otherwise satisfies the VLSSIR screening criteria based on the unique circumstances of the issue.

Block (5) Exit the VLSSIR process if the issue is greater than SL IV: If safety significance of the open question would be greater than SL IV, if resolved, the VLSSIR process cannot be used.

Consideration should be given to use of the Unresolved Item (URI) and/or Technical Assistance Request (TAR) processes to resolve the licensing basis question.

Block (6) Determine if considerable effort is required to resolve issue: The objective of this step is to assess the effort required to resolve an issue that is no greater than SL IV, and whether resolution of the issue would effectively and efficiently serve the agency's mission. When assessing this criterion, consideration should be given to the time already expended on the inspection, the estimated effort and resources needed to resolve the licensing basis question, and the uncertainties associated with the issue. In assessing if the additional resources needed to resolve the issue would be "considerable," the inspector should consult with **their direct supervisor**. Together they should weigh the issue characterization to determine if resolution of an issue that is not greater than SL IV is an effective and efficient use of agency resources.

A predetermined level of effort need not be expended prior to consideration of VLSSIR and a recommendation to use VLSSIR may be made both sooner and at a lower level than specified. The weekly review of open inspection issues should be seen as a backstop to ensure excessive effort is not spent before an informed decision on resource application is made. **A backstop 16-hour threshold for branch chief or division director engagement is established, including headquarters support of inspection questions. Some inspections are allocated a small level of effort, on the order of 1 or 2 hours of direct inspection. For small samples like this, the threshold in the respective inspection programs and the weekly review may be seen as disproportionate to the level of inspection effort, and it may be more appropriate for VLSSIR consideration sooner.**

Block (7) Exit the VLSSIR process if considerable effort is not needed to resolve the issue: In this case, the inspector should continue the inspection to resolve the issue. If a reasonable amount of additional inspection effort does not resolve the issue, the level of effort needed to resolve the issue can be reassessed and Block (6) revisited.

Block (8) Discontinue inspection and evaluation of the issue using the VLSSIR process and document appropriately: If the staff determines that the issue is appropriate for the VLSSIR process and meets the screening process, inspection effort on the issue can be discontinued. When the VLSSIR process is used to terminate further inspection on an **open question that has ambiguity in the licensing basis, design basis, or applicability of regulatory requirements**, the staff should refrain from spending additional inspection resources on the issue. All issues dispositioned using the VLSSIR process should be documented in the inspection report or **appropriate inspection documentation**. Documentation of VLSSIR issue closure provides several benefits, including the following:

- Documentation provides the bases for discontinuing inspection/evaluation and when applicable, the closure basis for a previously documented unresolved issue/item (e.g., a URI).
- Documentation would alert future inspectors/licensee to the existence of the unresolved **question that has ambiguity in the licensing basis, design basis, or applicability of regulatory requirements** and avoid re-inspection of the issue without new information.
- Documentation provides transparency with external stakeholders on the use of the VLSSIR process.

However, documenting the discontinuation of issue evaluation using the VLSSIR process should not create a staff position (e.g., the forward fit or backfit outside of the appropriate processes). In fact, the staff is making a deliberate decision not to expend additional agency resources to make a determination on the unresolved question. It should be noted that VLSSIR issues documented in inspection reports **or appropriate inspection documentation** should never indicate that the licensee is in compliance or that their actions are acceptable, but rather the **documents** should state that inspectors made a determination that the VLSSIR process was appropriate, so the agency made a decision to discontinue inspection efforts to evaluate the issue.

If the evaluation of any unresolved question is discontinued using the VLSSIR process, documentation of this decision is provided within the inspection report in the Observations and Violations or equivalent section. The level of documentation should provide a knowledgeable and informed reader with an appropriate understanding of the issue, explain the basis for discontinuing further inspection effort on the issue, support knowledge management and provide transparency. It is expected that most VLSSIR issues could be appropriately documented with no more than several paragraphs and generally less than the level of documentation normally associated with similar significance issues (e.g., SL IV enforcement issue).

The following information should be used to describe the issue:

- A brief description of the circumstances associated with the issue and any relevant information on the **question that has ambiguity in the licensing basis, design basis, or applicability of regulatory requirements** developed during the inspection process.
- A brief description of the significance of the issue in terms of the VLSSIR screening criteria.
- Any licensee provided information related to the licensing basis question.
- A reference to a URI and/or TAR, if applicable.
- If the issue was considered using NMSS Policy and Procedure 7-05, "NMSS Processing of Technical Assistance Requests," or NRR's COM-106, "Technical Assistance Request (TAR) Process," briefly summarize how the results of that process led to the issue being documented in accordance with the VLSSIR process.

The discontinuation of issue evaluation using the VLSSIR process should conclude with the following sentences.

"This issue is an unresolved question **that has ambiguity in the licensing basis, design basis, or applicability of regulatory requirements** which is determined to be no greater than SL IV, **if resolved**. Inspection and evaluation effort is being discontinued using the Very Low Safety Significance Issue Resolution (VLSSIR) process. No further staff evaluation is required."

0610G-08 REFERENCES

1. "NRC Enforcement Policy," (<https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>)

2. NMSS Policy and Procedure 70-09, "Procedures for Processing of Technical Assistance Requests" (formally P&P 7-05) (internal document)
3. NRR Office Instruction COM-106, "Technical Assistance Request (TAR) Process" (internal document)

END

Attachment 1: Revision History for IMC 0610 Appendix G

Commitment Tracking Number	Accession Number Issue Date Change Notice	Description of Change	Description of Training Required and Completion Date	Comment Resolution and Closed Feedback Form Accession Number (Pre-Decisional Non-Public Information)
	ML23291A357 04/23/24 CN 24-013	Initial issuance of the appendix to formalize interim staff guidance for NMSS implementation of the Very Low Safety Significance Issue Resolution Process. See Memo from John W. Lubinski, "Office of Nuclear Material Safety and Safeguards Implementation of Very Low Safety Significance Issue Resolution Process," dated July 3, 2023 (ADAMS Accession No. ML22353A596).	None.	
	ML25101A154 06/27/25 CN 25-023	Revision 1 to VLSSIR modifies the definition to expand the applicability of the VLSSIR process to include questions that have ambiguity in the licensing basis, design basis, or applicability of regulatory requirements and aligns expectations for use of VLSSIR across the Agency.	N/A	ML25101A155