

Status Update on 10 CFR Part 21 Rulemaking and Guidance Activities



SABRINA ATTACK
JUNE 13, 2012

Purpose



- Provide an update on the status of Part 21 activities
- Discuss opportunities for public feedback

Part 21 Activity Status: Rulemaking



- Rulemaking

- Staff plans for rulemaking described in SECY-11-0135, issued September 29, 2011 (ML112430138)
- Staff is currently finalizing the draft regulatory basis describing potential changes to the rule
- Staff plans to make the draft regulatory basis available to the public during June 28 Part 21 presentation at the NRO Vendor Workshop in Baltimore (For more information, see: <http://www.nrc.gov/reactors/new-reactors/oversight/quality-assurance/vendor-oversight.html>)

Part 21 Activity Status: Rulemaking



- Opportunities for Public Comment
 - Public feedback will be welcomed after release of the draft regulatory basis
 - A series of public meetings will occur beginning in late Summer to discuss and revise the regulatory basis
- Completion of the regulatory basis (including comment incorporation) is tentatively planned for December 2012.
- Target date for completion of rulemaking is September 2014.

Part 21 Activity Status: Rulemaking



- Highlights of draft Regulatory Basis
 - Potential modifications to definitions applicable to nonreactor facilities:
 - ✦ critical characteristics
 - ✦ dedicating entity
 - ✦ dedication
 - ✦ commercial grade item
 - ✦ basic component
 - Acceptable forms of written notification under 10 CFR 21.21(d)(2)
 - Administrative change to make definitions applicable to Part 76 facilities

Part 21 Activity Status: Rulemaking



- Potential approach for implementation of rule changes
 - Apply in full to new applicants
 - Where changes are being considered that may require existing licensees to enhance current programs and practices, a period of 12 months is proposed to allow licensees to achieve effective implementation
 - Where potential rule changes could affect procurement-related activities (such as modifications to basic component and dedication definitions), the staff is considering the option that existing facilities and activities only be required to apply revised definitions to the purchase and/or dedication of new and replacement items.

Part 21 Activity Status: Regulatory Issue Summary



- Staff is considering issuance of a RIS to provide generic guidance on Part 21 for NMSS and FSME applicants, licensees, and vendors
 - Staff priority is currently focused on Part 21 rulemaking
 - ✦ Two regulatory guides will be issued concurrent with the rulemaking, which may eliminate the need for further guidance
 - Should staff proceed with issuance of a RIS, the primary scope will focus on evaluation and reporting and an opportunity for public comment will be provided

Questions

