



# 10 CFR PART 21 RULEMAKING UPDATE

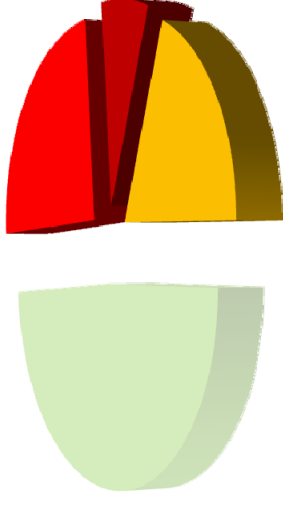
Victor Hall, Office of New Reactors



# Part 21 Rulemaking – What is it?

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- NRC staff's proposal to clarify 10 CFR Part 21
  - ▣ Simplify rule language when possible
  - ▣ Provide Updated Regulatory Guidance
- Developed 25 Areas for Improvement in 3 categories:
  - ▣ Evaluating & Reporting
  - ▣ Commercial Grade Dedication
  - ▣ Administrative Changes
- Use stakeholder input to improve the Part 21 process
  - ▣ Additional areas for improvement identified at public meetings

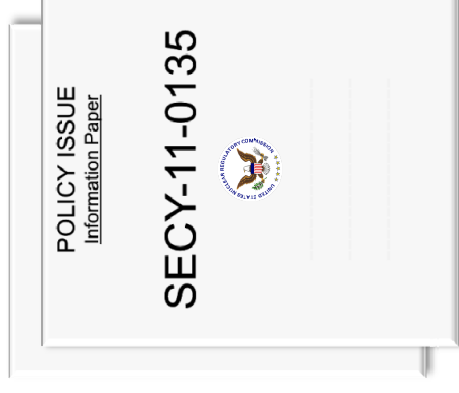




# Quick History

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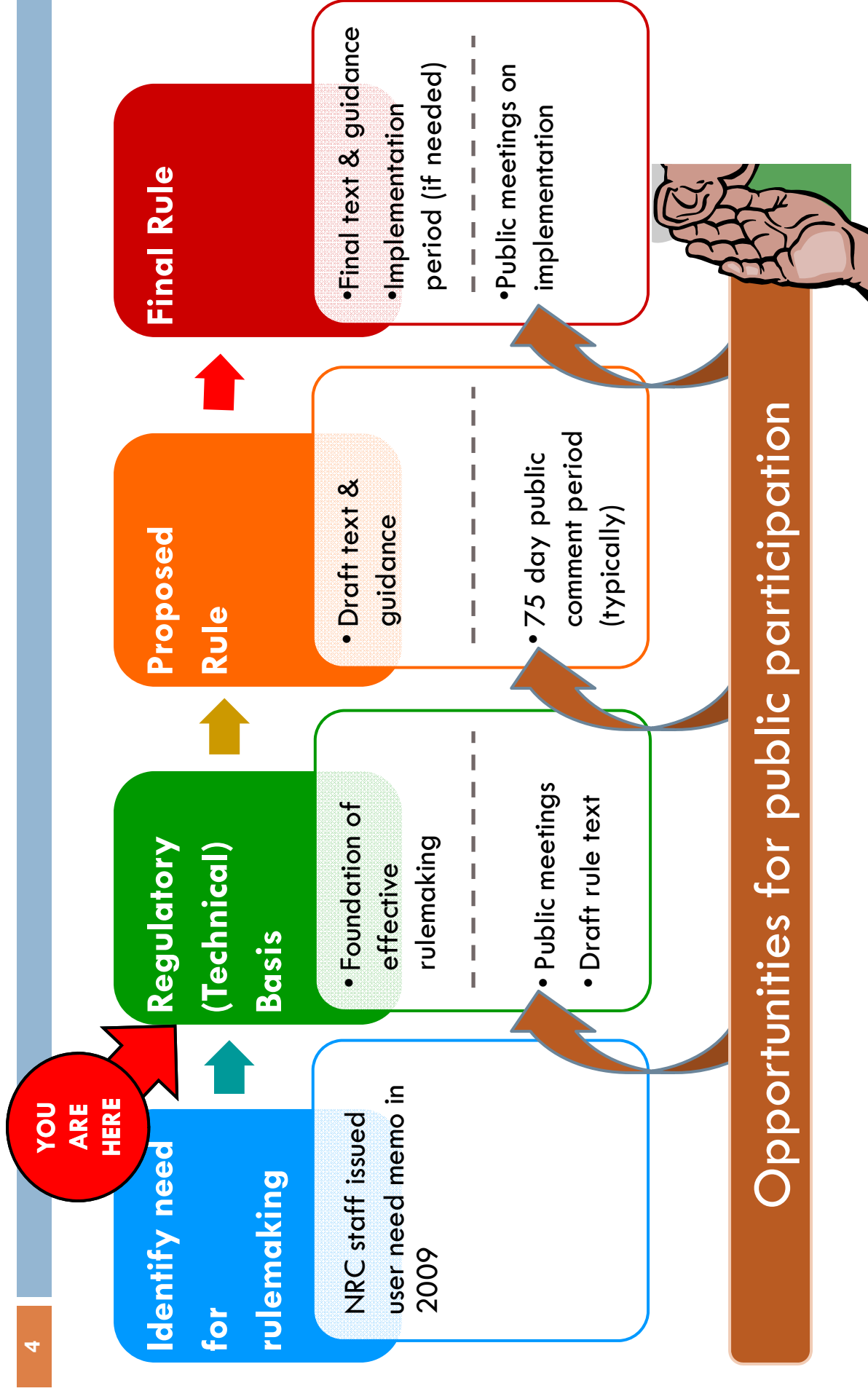
- Commission Paper: SECY-11-0135
  - Informed the Commission of staff's plan to develop Regulatory Basis to clarify Part 21
- Outreach Activities
  - Public Meetings (August 1<sup>st</sup> 2011, and January 26<sup>th</sup>, 2012)
  - Presentations at industry meetings (NUPIC, EPRI JUTG...)





# Rulemaking Timeline

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# Draft Regulatory Basis

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- Existing Regulatory Framework
- Definition of Regulatory Problem
- Options to Resolve Regulatory Problem
  - Proposed Changes to NRC Regulations
  - Guidance development
  - Generic Communications
  - Use Voluntary Programs
  - Take No Action





# Draft Regulatory Basis (cont'd)

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## ***EXAMPLE: Evaluating & Reporting***

### 1. Lack of Regulatory Guidance

- Framework: No formal NRC guidance exists
- Problem: Not enough detail in regulations for many scenarios
- Options to Resolve Regulatory Problem:
  - No proposed changes to regulations
  - Develop Regulatory Guidance
  - Generic communications not a holistic solution
  - Voluntary programs not a viable solution
  - No action results in continued findings





# Draft Regulatory Basis (cont'd)

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## **EXAMPLE: Dedication**

### G. Sampling Requirements

- Framework: No formal NRC sampling guidance
- Problem: Sampling being incorrectly performed
- Options to Resolve Regulatory Problem:
  - No proposed changes to regulations
  - Endorse industry standard through Regulatory Guide
  - Generic communications not as effective as Regulatory Guidance
  - Voluntary programs: Industry willing to revise guidance
  - No action results in continued findings







# Regulatory Guidance

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- Regulatory Guidance development will be integral part of rulemaking process
  - Benefit from over 33 years of experience
  - Opportunity to consolidate existing guidance
- DG-1 291, Evaluating Deviations and Reporting Defects and Noncompliance
- DG-1 292, Dedication of Commercial Grade Items





# Early Areas for Potential Input

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- Will seek stakeholder feedback on impacts and best approaches

- Effects on non-reactor facilities
- Dedication: Separate section or new regulation?
- Requirements for dedication plans
- 50.55e Redundancy: Applicability to vendors
- ...




- Stakeholder identified issues (e.g. Applicability to Part 52)




# How to Get Involved

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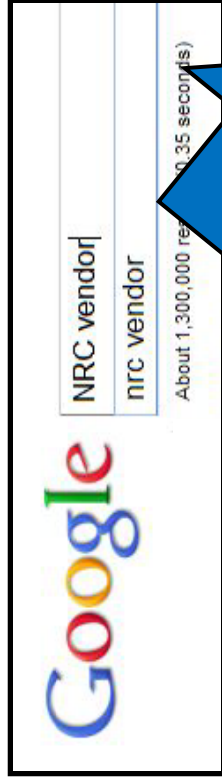
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# How to Get Involved (cont'd)

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