



OFFICE OF THE
CHIEF FINANCIAL
OFFICER

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 6, 2016

Mr. Charles Withers
Assistant Executive Director, Technical
The National Board of Boiler and
Pressure Vessel Inspectors
1055 Crupper Avenue
Columbus, OH 43229

Dear Mr. Withers:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated October 11, 2016, requesting a fee waiver under Title 10 of the *Code of Federal Regulations* (10 CFR) 170.11(a)(1)(ii) for NRC review of "Recognition of NR and NR-VR National Board Accreditation Program," for final NRC endorsement.

The NRC has established regulations for the granting of fee exemptions under 10 CFR 170.11, "Exemptions," for which licensees may apply in accordance with 10 CFR 170.5, "Communications." The NRC staff has reviewed your request based on the following regulation, 10 CFR 170.11(a)(1)(ii):

10 CFR 170.11(a) No application fees, license fees, renewal fee, inspection fees, or special project fees shall be required for: (1) A special project that is a request/report submitted to the NRC—(ii) When the NRC, at the time the request/report is submitted, plans to use the information in response to an NRC request from the Office Director level or above to resolve an identified safety, safeguards, or environmental issue, or to assist the NRC in generic regulatory improvements or efforts (e.g., rules, regulatory guides, regulations, policy statements, generic letters, or bulletins).

In this case, the request from the National Board of Boiler and Pressure Vessel Inspectors (National Board) satisfies the requirements of this regulation in that it assists the NRC in generic regulatory improvements. Your letter states that the NR Accreditation program provides requirements for performing repair/replacement activities to nuclear components and systems. Your letter further states that the NR Accreditation program follows the same requirements as the American Society of Mechanical Engineers (ASME) Accreditation Program for N Stamp Holders described in ASME Section III, Subsection NCA, which is recognized by the NRC as supported by the issuance of Information Notice No. 86-21, "Recognition of American Society of Mechanical Engineers Accreditation Program for N Stamp Holders," and required by 10 CFR 50.55(a).

The NRC plans to use the information provided in the National Board NR and NR-VR Accreditation programs to address a regulatory gap in the 10 CFR Part 52 regulation for repairs and replacement of ASME Code Section III components that have been delivered to the

construction sites. Currently, the ASME Code Section XI or the owner's repair program can only be utilized for repair or replacement activities after fuel load.

The NR accreditation program can be used for performing post-construction activities (repairs/replacement) to nuclear components and systems, along with the NR-VR scope extension for repairs to pressure relief devices in nuclear service. Further, these activities can be performed either before fuel loading or during subsequent nuclear plant operations, and satisfy both 10 CFR Part 50 and 10 CFR Part 52 regulatory licensing provisions. Finally, formal recognition of the National Board NR and NR-VR accreditation programs can ensure that the quality assurance program requirements of Appendix B to 10 CFR Part 50 are met as specified in 10 CFR Part 52 as well as the ASME Code Section III mandated quality assurance program requirements of NQA-1.

Thus, the NRC staff concludes the review of the NR and NR-VR National Board Accreditation Program, would provide a generic regulatory improvement.

(a)(13) All fee exemption requests must be submitted in writing to the Chief Financial Officer in accordance with 10 CFR 170.5, and the Chief Financial Officer will grant or deny this request in writing. The 10 CFR 170.5 states, "All communications concerning the regulations in this part should be addressed to the NRC's Chief Financial Officer, either by mail to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; by hand delivery to the NRC's offices at 11555 Rockville Pike, Rockville, Maryland; or, where practicable, by electronic submission, for example, via Electronic Information Exchange, or CD-ROM.

The fee exemption request for "Recognition of NR and NR-VR National Board Accreditation Program," was submitted in writing by the National Board; therefore, the National Board's request meets this regulation.

The NRC staff concludes that NRC review of "Recognition of NR and NR-VR National Board Accreditation Program," for final NRC endorsement meets all criteria under 10 CFR 170.11(a)(1)(ii); therefore, the fee waiver request is approved. If you have any technical questions regarding this matter, please contact, Ms. Carolyn Lauron at 301-415-2736. Please contact Ms. Jo Simpson, of my staff, at 301-415-8388, for any fee-related questions.

Sincerely,

/RA/

Maureen E. Wylie
Chief Financial Officer

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/RA/

Maureen E. Wylie
Chief Financial Officer

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