

Reference 1182

JAN 12 1989

PDR;
per.
R. ENRIT

MEMORANDUM FOR: Victor Stello Jr., Executive Director for Operations
FROM: Eric S. Beckjord, Director, Office of Nuclear Regulatory Research
SUBJECT: RESOLUTION OF GENERIC ISSUE 1.F.1, "EXPAND QA LIST"

The purpose of this memorandum is to recommend that Generic Issue 1.F.1, "Expand QA List," be closed out. Our proposed resolution of 1.F.1 is documented below. In summary, the actions which were expected to result in an expanded QA list have been completed without the need for additional action via this Generic Issue. The following paragraphs provide the background and basis for this conclusion.

This issue was identified in NUREG-0660, "NRC Action Plan Developed as a result of the TMI-2 Accident" (The Action Plan) which was published in 1980. The overall objective of Task 1.F of the Action Plan, "Quality Assurance" is to: "Improve the quality assurance program for design, construction, and operations to provide greater assurance that plant design, construction, and operational activities are conducted in a manner commensurate with their importance to safety." Item 1.F.1 is titled "Expand QA List." The stated objective for this task is:

"NRC will develop guidance for licensees to expand their QA lists to cover equipment important to safety and rank the equipment in order of its importance to safety. The results of the Interim Reliability Evaluation Program (IREP) and the systems interaction tasks will be used to establish the importance of equipment as it relates to safety. Experience in use of the revised NRR review procedure for developing QA lists for individual operating license applicants will also be factored into the generic guidance to be developed and when determining backfit requirements."

The original intent of 1.F.1 was to identify those systems, structures and components beyond those labeled "Safety Related" to prioritize their importance to safety and to prepare a generic QA list. This was reflected in 10 CFR Part 50.34 (f)(3)(ii) which states:

"Ensure that the Quality Assurance (QA) List required by Criteria II App. B, 10 CFR Part 50 includes all structures, systems and components important to safety (1.F.1)."

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However, the IREP (Reference 1) failed to identify either the need for a QA list for structures, systems and components important to safety (ITS), or the basis for a generic list even if one should be needed. References 2-5 are reports of the first four IREPs performed at nuclear plants and the close out of the IREP is discussed in Reference 6.

Several systems interactions issues were combined into GSI A-17. While the issue has not yet been closed, the IREP work has been completed. The only interaction determined to merit further review was that associated with water intrusion during flooding and no new structures, systems and components important to safety were identified (Ref. 7).

Generic Letter 84-01 was issued on January 5, 1984 (Ref. 8) to clarify NRC use of the terms, "Important to Safety" and "Safety Related." This Generic Letter summarized NRC's intention to pursue QA requirements for important to safety equipment on a case by case basis as follows:

"While previous staff licensing reviews are not specifically directed towards determining whether, in fact, permittees or licensees have developed quality assurance programs which adequately address all structures, systems and components important to safety, this was not because of any concern over the lack of regulatory requirements for this class of equipment. Rather, our practice was based upon the staff view that normal industry practice is generally acceptable for most equipment not covered by Appendix B within this class. Nevertheless, in specific situations in the past where we have found that quality assurance requirements beyond normal industry practice were needed for equipment important to safety, we have not hesitated in imposing additional requirements commensurate with the importance to safety of the equipment involved. We intend to continue that practice."

Further clarification was provided when, on June 6, 1984, the Commission indicated (in Ref. 9).

"The Commission understands current precedent to hold that the term 'important to safety' applies to a larger class of equipment than the term 'safety-related.' However, this does not mean that there is a pre-defined class of equipment at every plant whose functions have been determined by rule to be important to safety although the equipment is not safety-related. Rather, whether any piece of equipment has a function important to safety is to be determined on the basis of a particularized showing of clearly identified safety concerns for the specific equipment, and the requirements of General Design Criterion 1 (GDC-1) must be tailored to the identified safety concerns."

The supplementary information in the Federal Register notice accompanying the first proposed rule on ITS (SECY-85-119 Ref. 10) provided the most detailed explanation of the NRC position as follows:

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"Specific equipment can be identified for specialized treatment in excess of normal industry requirements. This specialized treatment can flow from applicant statements in the application documents, from agreements between an applicant and the NRC staff during the licensing process, from generic requirements applied to a class of licensees or permittees in NRC regulations, and from plant-specific commitments. Examples of documents containing plant-specific commitments are Final Safety Analysis Reports (FSARs), facility license conditions (e.g., orders, technical specifications), and licensee response to staff positions contained in such documents as Standard Review Plans, Branch Technical Positions, Regulatory Guides, Generic Letters, IE Bulletins, Notices of Violations, and inspection reports. The changes proposed in this document do not supplement these plant-specific commitments.

Specific quality assurance requirements beyond normal industry practice for equipment that is important to safety are limited to those requirements applicable to a particular facility as a result of licensing review and approval and to specific, generic requirements contained in NRC's body of regulations and requirements. Therefore, equipment which is important to safety, and associated quality assurance requirements, have been and will continue to be determined for each plant based both upon generic and plant-specific considerations."

While the proposed rule was disapproved, the Commission's, 12/31/85 memorandum (Ref. 10) notifying Mr. Dircks of the disapproval, noted that:

"A specific listing of ITS equipment is not required to be maintained."

Thus the issue of an expansion of the QA list to cover ITS equipment was considered closed and the issue was not addressed in the second staff submittal on the ITS rule (SECY 86-164 Ref. 12).

Accordingly, based on the current Commission guidance that QA requirements for ITS equipment should be determined on a plant specific case by case basis, the staff recommends that Generic Issue I.F.1 "Expand QA List" be closed out.

ORIGINAL SIGNED BY

Eric S. Beckjord, Director
Office of Nuclear Regulatory Research

Enclosure:
List of References

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* See previous concurrence

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REFERENCES

- Ref. 1 NUREG/CR-2728 "Interim Reliability Evaluation Program Procedures Guide," U. S. Nuclear Regulatory Commission, March 1983.
- Ref. 2 NUREG/CR-2787, "Interim Reliability Evaluation Program: Analysis of the Arkansas Nuclear One-Unit One Nuclear Power Plant," U. S. Nuclear Regulatory Commission, June 1982.
- Ref. 3 NUREG/CR-2802, "Interim Reliability Evaluation Program: Analysis of the Browns Ferry Unit 1 Nuclear Power Plant," U. S. Nuclear Regulatory Commission, July 1982.
- Ref. 4 NUREG/CR-3085, "Interim Reliability Evaluation Program: Analysis of the Millstone Unit 1 Nuclear Power Plant," U. S. Nuclear Commission, (Vol. 1) April 1983, (Vol. 2) August 1983, (Vol. 3) July 1983, (Vol. 4) July 1983.
- Ref. 5 NUREG/CR-3511, "Interim Reliability Evaluation Program: Analysis of the Calvert Cliffs Unit 1 Nuclear Power Plant," U. S. Nuclear Regulatory Commission, (Vol. 1) May 1984, (Vol. 2) October 1984.
- Ref. 6 NUREG-0933 "A Prioritization of Generic Safety Issues," Rev. 1, Nuclear Regulatory Commission, December 1985.
- Ref. 7 Meeting between D. F. Thatcher, Project Manager for GSI A-17, RES/EIB and D. P. Gormley, RES/ARGIB, July 20, 1988.
- Ref. 8 Letter to All Holders of Operating Licenses, Applicants for Operating Licenses and Holders of Construction Permits for Power Reactors from W. Dircks, "NRC use of the terms 'Important-to-Safety' and 'Safety Related' (Generic Letter 84-01)," January 5, 1984.
- Ref. 9 Memorandum and Order CLI-84-9, In the Matter of Long Island Lighting Co. (Shoreham Nuclear Power Station Unit 1), June 6, 1984.
- Ref. 10 Memorandum for the Commissioners from W. J. Dircks, "Issuance of Proposed Rule on the Important-to-Safety Issue," SECY 85-119, April 5, 1985.
- Ref. 11 Memorandum for W. J. Dircks from S. J. Chilk, "Staff Requirements," SECY-85-119, "Issuance of Proposed Rule on the Important-to-Safety Issue," December 31, 1985.
- Ref. 12 Memorandum for the Commissioners from V. Stello, Jr., "Proposed Rule on the Important-to-Safety Issue," May 29, 1986.