

United States Nuclear Regulatory Commission
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NRC AMENDS QUALITY ASSURANCE REGULATIONS
FOR NUCLEAR POWER PLANT LICENSEES

The Nuclear Regulatory Commission is amending its regulations to allow nuclear power plant licensees to make certain changes to their quality assurance programs without obtaining advance NRC review and approval.

This action partially grants a petition from the Nuclear Energy Institute (NEI).

The revisions to the regulations will be effective 60 days after publication of a Federal Register notice on this subject, unless significant adverse comments are received within 30 days of the Federal Register notice. If significant adverse comments are received, the revised regulations will be withdrawn, and the proposal will be reviewed further.

The changes that a nuclear power plant licensee will be able to make under the revised regulations are considered administrative or routine in nature and should not adversely affect the effectiveness of the licensee's quality assurance (QA) program.

"Quality assurance" refers to actions necessary to provide adequate confidence that a structure, system or component will perform satisfactorily in service.

The current regulations permit a licensee to make changes to its NRC-accepted QA program description without prior NRC review and approval only if the change does not reduce the commitments made in the program description.

NEI stated in its petition that this criterion is sometimes interpreted by the NRC as requiring agency approval for any change in the QA program, regardless of its safety significance. As a result, NEI said, there are often prolonged and sometimes unnecessary regulatory interactions about the correct interpretation of the term "reduce the commitments."

NEI contends the acceptability of changes to a licensee's QA program without NRC approval should be governed by the effect of the change on safety, and not by whether the change represents a reduction in commitment. NEI suggested an approach similar to that used in NRC's regulations for determining when changes to other aspects of a nuclear power plant may be made without prior NRC approval.

NRC published a Federal Register notice on September 14, 1995, announcing receipt of the NEI petition and providing an opportunity for public comment.

NRC agrees with the NEI proposal to broaden the scope of permitted QA program changes and is sympathetic to NEI's objection to the continued use of the current criterion.

However, it does not believe that the approach suggested by NEI would ensure acceptable QA programs.

In lieu of NEI's suggested approach, the revised regulations will permit a licensee to make the following types of changes to its QA program without prior NRC approval:

(1) Use of a QA standard approved by the NRC that is more recent than the standard in the licensee's current QA program;

(2) Incorporation of a QA alternative or exception previously approved by an NRC safety evaluation, provided that the bases of the NRC approval are applicable to the licensee's facility;

(3) Use of generic organizational and position titles, rather than specific titles;

(4) Use of generic organizational charts to indicate functional relationships and responsibilities;

(5) Elimination of descriptive QA program material that duplicates other licensee commitments and

(6) Organizational changes that do not affect the independence of the QA function.

Persons who wish to submit comments should direct them to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, Attention: Rulemaking and Adjudications Staff, within 30 days after publication of the Federal Register notice. Comments may also be submitted electronically via the NRC's interactive rulemaking web site at <http://ruleforum.llnl.gov>.

This action constitutes the first stage of NRC's partial granting of the NEI petition. The second stage will be consideration of an additional change to the regulations that would permit further changes to QA programs without prior NRC review and approval, provided applicable regulations are met and licensees take steps to demonstrate the continued effectiveness of their QA programs.

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