

U.S. NUCLEAR REGULATORY COMMISSION MANAGEMENT DIRECTIVE (MD)

MD 3.52	AVAILABILITY AND RETENTION OF VOLUNTARY CONSENSUS STANDARDS	DT-17-15
<i>Volume 3, Part 2:</i>	Information Management Records Management	
<i>Approved By:</i>	Dave Nelson Chief Information Officer	
<i>Date Approved:</i>	October 23, 2017	
<i>Cert. Date:</i>	N/A, for the latest version of any NRC directive or handbook, see the online MD Catalog .	
<i>Issuing Office:</i>	Office of the Chief Information Officer Governance and Enterprise Management Services Division	
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EXECUTIVE SUMMARY		
<p>Management Directive (MD) 3.52, “Availability and Retention of Voluntary Consensus Standards,” is recertified as accurate and up-to-date and is being republished as part of the NRC Plan to Update Management Directives. The revision reflects organizations changes and minor editorial changes.</p> <p>Also, the name of the program and the MD is being retitled from “Availability and Retention of Codes and Standards” to “Availability and Retention of Voluntary Consensus Standards.”</p>		

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I. POLICY

- A.** It is the policy of the U.S. Nuclear Regulatory Commission to make available and retain the national, international, military, and trade society codes and standards which are—
1. Incorporated by reference into Chapter I of Title 10 of the *Code of Federal Regulations* (10 CFR) as requirements;
 2. Cited in NRC regulatory guides as an acceptable way of meeting regulatory requirements;
 3. Used by NRC in published safety evaluation reports in support of licensing actions and topical reports;
 4. Referenced in a substantive manner in NRC documents (for example, inspection/investigation reports, branch technical positions, Standard Review Plans, and NUREGs included in NRC orders); or
 5. International standards and codes that have been recently developed or are under development to enhance global safety regimes/systems, particularly those used in international reviews (e.g., International Atomic Energy Agency (IAEA)'s, Integrated Regulatory Review Service) and conventions (e.g., IAEA's Joint Convention and Convention on Nuclear Safety).
- B.** These voluntary consensus standards may include not only the current published version but also one or more draft versions and one or more superseded versions. Any of the versions may be retained in the NRC Technical Library as a printed and/or electronic version for access and use by the agency staff. The printed editions are also available to the public. Voluntary consensus standards incorporated by reference into 10 CFR must be permanently retained.

II. OBJECTIVES

- Provide for systematic identification of the voluntary consensus standards which are used in a substantive manner during the regulatory process.
- Procure these voluntary consensus standards for retention by NRC.
- Catalog these voluntary consensus standards.
- File voluntary consensus standards at a physical location within NRC, which is available to the public, that is, the NRC Technical Library.
- Continue to make referenced voluntary consensus standards available to the NRC staff and to the public through the Technical Library (see Section III.F.1 of this directive).

III. ORGANIZATIONAL RESPONSIBILITIES AND DELEGATIONS OF AUTHORITY

A. Chief Information Officer (CIO)

Administers the required procurement, cataloguing, storage, and use of voluntary consensus standards cited in regulatory and licensing documents.

B. Director, Office of Nuclear Material Safety and Safeguards (NMSS)

1. Responsible for identifying voluntary consensus standards cited in licenses for the following:
 - (a) Possession and use of radioactive materials and byproducts,
 - (b) The associated facilities equipment, and
 - (c) Radioactive material transportation packages.
2. Responsible for identifying voluntary consensus standards in other staff documents pertinent to the regulatory and licensing process.

C. Directors of Office of Nuclear Reactor Regulation (NRR) and Office of New Reactors (NRO)

1. Responsible for identifying in safety evaluation reports, Standard Review Plans, branch technical positions, and NRC orders, those voluntary consensus standards used in supporting Office of Nuclear Reactor Regulation and Office of New Reactors regulatory and licensing actions for nuclear reactors.

2. Responsible for identifying voluntary consensus standards cited in inspection reports which are integral to regulatory and licensing criteria.

D. Director, Office of Nuclear Regulatory Research (RES)

Responsible for identifying voluntary consensus standards cited in NRC regulatory guides.

E. Office Directors and Regional Administrators

1. Various offices, as listed in Exhibit 1 of Handbook 3.52, are responsible for developing and administering procedures to identify referenced voluntary consensus standards within the scope of this program.
2. If the reference is to a draft standard, the office is further responsible for supplying the draft to the User Services Team (UST), Information Services Branch (ISB), Governance and Enterprise Management Services Division (GEMS), Office of the Chief Information Officer (OCIO).

**F. Director, Governance and Enterprise Management Services Division (GEMS),
Office of the Chief Information Officer (OCIO)**

1. Through delegation to the UST—
 - (a) Procures each identified, published industrial voluntary consensus standard, and
 - (b) Maintains for staff reference any draft standards identified in accordance with Section III.E.1 and supplied in accordance with Sections III.A through III.D of this directive.
2. The UST will identify, collate, catalog, file, and maintain for reference, a copy of all voluntary consensus standards procured or supplied. These documents must be readily available to the staff and print editions, to the public. The UST will supplement NRC staff access to the information by assisting in negotiating license agreements for electronic editions of the voluntary consensus standards.

IV. APPLICABILITY

The policy and guidance in this directive and handbook apply to all NRC employees.

V. DEFINITION

Voluntary consensus standards

Standards developed or used by voluntary consensus standards bodies, both domestic and international, and are made available in a manner which includes provisions requiring that owners of relevant intellectual property have agreed to make that intellectual property available on a non-discriminatory, royalty-free or reasonable royalty basis to all interested parties. A "Voluntary consensus standard" may also be known in common usage as a "voluntary standard," a "consensus standard," or a "consensus technical standard."

VI. DIRECTIVE HANDBOOK

Directive Handbook 3.52 contains procedures for retaining voluntary consensus standards.

VII. REFERENCES

Code of Federal Regulations

10 CFR, Chapter I, "Nuclear Regulatory Commission Regulations."

Nuclear Regulatory Commission Documents

Memorandum from Chilk to Gossick, "Codes and Standards, Retention and Availability," January 25, 1980.

NRC SECY-79-553, "Codes and Standards, Retention and Availability," September 27, 1979.

NRC SECY-79-553A, "Codes and Standards, Retention and Availability," December 31, 1979.

OMB Circular

OMB Circular A-119, "Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities," Revision January 27, 2016, available at https://www.whitehouse.gov/omb/inforeg_infopoltech (for definition of Voluntary Consensus Standards).

United States Code

National Technology Transfer and Advancement Act of 1995, March 1996, Pub. L. 104-113, available at <https://www.gpo.gov/fdsys/pkg/PLAW-104publ113/pdf/PLAW-104publ113.pdf>.

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EXHIBIT

Exhibit 1 List of NRC Offices Responsible for Voluntary Consensus Standards5

**I. PROCEDURES APPLICABLE TO THE RETENTION OF VOLUNTARY
CONSENSUS STANDARDS**

A. Procedures for Identifying Industry Voluntary Consensus Standards

1. NRC staff-produced documents, which endorse industry voluntary consensus standards, or which use such voluntary consensus standards to support the staff position provided in the document, must include those voluntary consensus standards as appropriate references.
2. Staff documents include all documents used in support of regulatory and licensing actions; for example, safety evaluation reports, environmental statements, Standard Review Plans, branch technical positions, NRC orders, regulatory guides, rules and regulations (Title 10 of the *Code of Federal Regulations* (10 CFR)), and inspection reports.
3. Exhibit 1 contains a list of the NRC offices responsible for voluntary consensus standards referenced in 10 CFR.

B. References to Voluntary Consensus Standards

1. Each reference to a voluntary consensus standard must include the following information:
 - (a) The name of the originating organization if it is other than the American National Standard Institute;
 - (b) The identification number of the voluntary consensus standard;
 - (c) The title of the voluntary consensus standard;
 - (d) The date of issue if the date is not given as part of the identifying number; and
 - (e) An availability statement if the voluntary consensus standard is still in draft form, that is, available in the NRC Technical Library for inspection.

2. Examples:

- (a) American National Standards Institute/American Nuclear Society, ANSI/ANS 8.23-2007, "Nuclear Criticality Accident Emergency Planning and Response," ANS, LaGrange Park, Illinois.
- (b) Institute of Electrical and Electronics Engineers (IEEE), IEEE Standard 308-2001, "IEEE Standard Criteria for Class 1E Power Systems for Nuclear Power Generating Stations," New York, New York.

3. For references to the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, include the section, division, subarticle, and addendum in which the subarticle appeared. For example—

American Society of Mechanical Engineers, Boiler and Pressure Vessel Code, 1986 edition, Section III, Subsection NCA, "General Requirements for Division 1 and Division 2," 1988 addenda, New York.

C. Availability Statement

The preface note to the section of the staff document presenting the references or the bibliography must include the following statement:

Copies of industry voluntary consensus standards used in a substantive manner in the NRC regulatory process are maintained at the NRC Technical Library, 11545 Rockville Pike, Rockville, Maryland, and are available there for reference by the public. Voluntary consensus standards are usually copyrighted and may be purchased from the originating organization or, if they are American National Standards, from the American National Standards Institute, 25 West 43rd Street, 4th Floor, New York, NY 10036.

D. Procurement of Codes and Standards

- 1. The User Services Team (UST), Information Services Branch (ISB), Governance and Enterprise Services Division (GEMSD), Office of the Chief Information Officer (OCIO), will procure a copy of each identified voluntary consensus standard.
- 2. In the case of voluntary consensus standards incorporated by reference into Title 10 of the *Code of Federal Regulations*, the User Services Team will procure a copy for filing with the Office of the Federal Register upon written request from the Rules, Announcements, and Directives Branch, Division of Administrative Services, Office of Administration.

E. Cataloging and Storing of Voluntary Consensus Standards in the Library

1. The UST will bibliographically catalog and store in a non-circulating reference file all voluntary consensus standards procured under this program. The Technical Library's online public catalog will provide access to the library collection of voluntary consensus standards to agency staff.
2. The cataloging and storage system must be designed so that—
 - (a) Only one copy of a specific version of each voluntary consensus standard is required.
 - (b) It can be determined whether a specific voluntary consensus standard is included in the system.
 - (c) Voluntary consensus standards identified but not yet included can be listed.
 - (d) Databases of electronic editions of voluntary consensus standards, procured by the UST and available to NRC staff, are also included in the indexing and storage system.

EXHIBIT

Exhibit 1 List of NRC Offices Responsible for Voluntary Consensus Standards

The office responsible for voluntary consensus standards referenced in 10 CFR are as follows:

CFR Part	Activities and Functions	Responsible Office*
1	Statement of Organization and General Information	NMSS
2	Agency Rules of Practice and Procedure	OGC
4	Nondiscrimination in Federally Assisted Programs or Activities Receiving Federal Financial Assistance from the Commission	SBCR, OGC
5	Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance	SBCR
7	Advisory Committees	OGC
8	Interpretations	OGC
9	Public Records	OCIO, OGC
10	Criteria and Procedures for Determining Eligibility for Access to Restricted Data or National Security Information or an Employment Clearance	ADM/DFS/PSB
11	Criteria and Procedures for Determining Eligibility for Access to or Control Over Special Nuclear Material	ADM/DFS/PSB, NMSS
12	Implementation of the Equal Access to Justice Act in Agency Proceedings	OGC
13	Program Fraud Civil Remedies	OGC
14	Administrative Claims Under Federal Tort Claims Act	OGC
15	Debt Collection Procedures	OCFO
16	Salary Offset Procedures for Collecting Debts Owed by Federal Employees to the Federal Government	OCFO

CFR Part	Activities and Functions	Responsible Office*
19	Notices, Instructions and Reports to Workers: Inspection and Investigations	NMSS, NRO, NRR
20	Standards for Protection Against Radiation	NRO, NRR, NMSS
21	Reporting of Defects and Noncompliance	NMSS, NRO, NRR
25	Access Authorization	ADM/DFS/PSB
26	Fitness for Duty Programs	NRR, NSIR
30	Rules of General Applicability to Domestic Licensing of Byproduct Material	NMSS
31	General Domestic Licenses for Byproduct Material	NMSS
32	Specific Domestic Licenses to Manufacture or Transfer Certain Items Containing Byproduct Material	NMSS
33	Specific Domestic Licenses of Broad Scope for Byproduct Material	NMSS
34	Licenses for Industrial Radiography and Radiation Safety Requirements for Industrial Radiographic Operations	NMSS
35	Medical Use of Byproduct Material	NMSS
36	Licenses and Radiation Safety Requirements for Irradiators	NMSS
37	Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material	NMSS
39	Licenses and Radiation Safety Requirements for Well Logging	NMSS
40	Domestic Licensing of Source Material	NMSS
50	Domestic Licensing of Production and Utilization Facilities	NRO, NRR
51	Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions	NMSS, NRO, NRR
52	Licenses, Certifications, and Approvals for Nuclear Power Plants	NRO, NRR

CFR Part	Activities and Functions	Responsible Office*
54	Requirements for Renewal of Operating Licenses for Nuclear Power Plants	NRR
55	Operators' Licenses	NRO, NRR
60	Disposal of High-Level Radioactive Wastes in Geologic Repositories	NMSS
61	Licensing Requirements for Land Disposal of Radioactive Waste	NMSS
62	Criteria and Procedures for Emergency Access to Non-Federal and Regional Low-Level Waste Disposal Facilities	NMSS
63	Disposal of High-Level Radioactive Wastes in a Geological Repository at Yucca Mountain, Nevada	NMSS
70	Domestic Licensing of Special Nuclear Material	NMSS
71	Packaging and Transportation of Radioactive Material	NMSS
72	Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater Than Class C Waste	NMSS
73	Physical Protection of Plants and Materials	NSIR
74	Material Control and Accounting of Special Nuclear Material	NMSS
75	Safeguards on Nuclear Material - Implementation of US/IAEA Agreement	RES, OIP, OGC, NMSS
76	Certification of Gaseous Diffusion Plants	NMSS
81	Standard Specifications for the Granting of Patent Licenses	OGC
95	Facility Security Clearance and Safeguarding of National Security Information and Restricted Data	NSIR
100	Reactor Site Criteria	NRO, NRR
110	Export and Import of Nuclear Equipment and Material	OIP, NMSS, NSIR
140	Financial Protection Requirements and Indemnity Agreements	NRR, OGC

CFR Part	Activities and Functions	Responsible Office*
150	Exemptions and Continued Regulatory Authority in Agreement States and in Offshore Waters Under Section 274	NMSS
160	Trespassing on Commission Property	ADM/DFS/FSB
170	Fees for Facilities, Materials, Import and Export Licenses, and Other Regulatory Services Under the Atomic Energy Act of 1954, as Amended	OCFO
171	Annual Fee for Reactor Licenses, and Fuel Cycle Licenses and Materials Licenses, Including Holders of Certificates of Compliance, Registrations, and Quality Assurance Program Approvals and Government Agencies Licensed by NRC	OCFO
* ADM/DFS/PSB - Personnel Security Branch, Division of Facilities and Security, ADM ADM/DFS/FSB - Facilities Security Branch, Division of Facilities and Security, ADM		