



The Future of 10 CFR Part 21

EPRI JUTG Procurement Forum

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Past and Present of Part 21

- NRC recognizes the need to clarify 10 CFR Part 21
 - Many issues despite generic communications and outreach efforts
- NRO began preliminary rulemaking activities in December 2009
- Recent audits by the Office of the Inspector General reiterated issues
 - Vendor inspection programs (September 2010)
 - Implementation of 10 CFR Part 21 (early 2011)

“Even as the final rule was published on June 6, 1977, the Commission recognized that future experience and further information might warrant clarifying or other changes to the rule.” (NUREG-0302)

Short Term Milestones

- Ongoing internal discussions on holistic solution to fix Part 21
 - Interim solutions as needed (Generic Communications)
- Presentation at the Regulatory Information Conference (RIC): *March 8 – 10, 2011*
- Commission paper (SECY) to recommend options to clarify the requirements of Part 21: *September 30, 2011*
 - Address need and priority for rulemaking, guidance, and outreach efforts.

Vision for Part 21

- Extensive public involvement once rulemaking begins
- Stay true to Section 206 of the Energy Reorganization Act
- Fix problem areas
 - Clarify licensee and vendor responsibilities
 - Revisit definitions (i.e. Discovery)
 - Find a proper place for commercial-grade dedication
- Issue Guidance (i.e. Regulatory Guides)
 - Provide detailed expectations for a Part 21 program
 - Offer contemporary dedication guidance
 - Consider endorsing industry guidance (i.e. EPRI TR-017218 for Sampling)
- Stakeholder and public interaction throughout the process

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