

POTENTIALLY GENERIC ITEMS IDENTIFIED BY REGIONAL OFFICES

0970-01 PURPOSE

This chapter provides NRR guidance for processing potentially generic safety questions and potentially generic construction deficiency reports after they have been identified by the Regional Offices.

0970-02 POLICY

The NRC has established a policy of informing holders of operating licenses and construction permits, other NRC licensees, and the public of substantial safety questions that may affect NRC licensed facilities or activities. NRC professional staff members are expected to identify these safety questions as part of their normal assignments.

The Division of Regulatory Improvement Programs (DRIP) in the Office of Nuclear Reactor Regulation (NRR) routinely reviews operational safety data that are submitted by licensees, construction permit holders, vendors, and other NRC offices to determine their safety significance and generic applicability. Operational safety data includes licensee telephonic notifications to the NRC Operations Center (10 CFR 50.72 notifications), licensee event reports (LERs) (10 CFR 50.73), 10 CFR Part 21 notifications, regional daily reports, potentially generic safety questions, and potentially generic 10 CFR 50.55(e) reports that are forwarded to DRIP by the regional offices. Additional information on NRR's procedures for handling operational safety data are detailed in:

- (1) NRR Office Letter No. 1300, Revision 2, "Procedures for Handling 10 CFR Part 21 and 10 CFR 50.55(e) Notifications of Deviations, Defects, and Failures to Comply Associated with Substantial Safety Hazards at Nuclear Power Reactors and Their Vendors"
- (2) NRR Office Letter No. 1301, "Analysis and Feedback of Operational Safety Data"

The Events Assessment, Generic Communications and Non-Power Reactors Branch (REXB) in DRIP is specifically responsible for coordinating and ensuring the review and closeout of 10 CFR Part 21 notifications, potentially generic safety questions, and potentially generic 10 CFR 50.55(e) reports. The regional offices provide a supporting role to this effort by ensuring that the information received by REXB is accurate and timely. The regional offices should be alert to two general categories of information that should be brought to the attention of REXB. One is licensee and vendor reports which when first received do not appear to be of generic applicability, but as more information becomes available results in a change of opinion. The other is where a series of similar or related events occur, that when reviewed independently may not appear significant; however, when reviewed together they become a potentially generic safety question. In addition, regional personnel should forward to REXB those 10 CFR 50.55(e) reports that appear to be potentially generic. REXB should also be informed of new or additional information that may alter the significance or applicability of a particular review. Regional personnel are encouraged to discuss

potentially generic safety questions and potentially generic 10 CFR 50.55(e) reports with REXB before formally forwarding them for review.

0970-03 RESPONSIBILITIES AND AUTHORITIES

03.01 Regional Administrator or Designee

- a. Identifies potentially generic safety questions to REXB and provides any available information that supports the determination that the issue has substantial safety significance and may be generic.
- b. Identifies to REXB potentially generic 10 CFR 50.55(e) reports submitted by construction permit holders within the cognizance of their regional office and provides any available information that supports the determination that the issue has substantial safety significance and may be generic.
- c. Forwards potentially generic safety questions and potentially generic 10 CFR 50.55(e) reports and any available supporting information to REXB for review.
- d. Provides supplementary information as requested by REXB staff.

03.02 Chief, Events Assessment, Generic Communications and Non-Power Reactors Branch or Designee

- a. Evaluates potentially generic safety questions and potentially generic 10 CFR 50.55(e) reports forwarded by the regional offices.
- b. Determines the significance, generic applicability, and priority of the potentially generic safety questions and 10 CFR 50.55(e) reports.
- c. Determines whether actions are needed or refers issues to other organizational units in NRR that are better suited to perform the review. REXB actions may include one or more of the following: issuing an information notice, regulatory issue summary, bulletin, or generic letter; recommending changes to the inspection procedures; referring issues to other organizational units in NRR for follow up; providing input to activities of the Office of Nuclear Regulatory Research, or forwarding issues to NRR's Division of Licensing Project Management or the Office of Nuclear Material Safety and Safeguards (NMSS) for possible licensing action.
- d. Informs the regional offices that submitted the potentially generic safety questions and potentially generic 10 CFR 50.55(e) reports of their final disposition.

0970-04 BASIC REQUIREMENTS

04.01 Information on potentially generic safety questions is most frequently derived either from direct inspection efforts, or from the review of reports or other documents. Information derived from inspection or investigations in response to allegations should also be reviewed to identify any potentially generic safety questions; however, unsubstantiated allegations should not be classified as potentially generic safety questions.

The regional offices should screen all 10 CFR 50.55(e) reports that are submitted by construction permit holders within their respective region. Potentially generic 10 CFR 50.55(e) reports should be identified during the normal review of these reports.

It is not intended that referrals be automatic for any one class of reports.

04.02 Potentially generic safety questions or 10 CFR 50.55(e) reports that identify substantial safety questions and that address deficiencies in components, maintenance practices, or procedures that may be in use at other NRC licensed facilities should be forwarded to REXB.

10 CFR Part 21 notifications are screened, reviewed, and tracked by REXB. It is not necessary for the regional offices to submit these notifications as potentially generic safety questions. REXB should be contacted if a 10 CFR Part 21 or 10 CFR 50.55(e) notification is addressed solely to the regional office. Written versions of these notifications should be sent to the Document Control Desk, U.S. Nuclear Regulatory Commission, Washington DC 20555-0001. If a regional staff member obtains additional information that may affect an REXB review of a 10 CFR Part 21 notification, that information should also be forwarded to REXB.

04.03 When the regional staff has determined that a potentially generic safety question or a 10 CFR 50.55(e) report addresses a significant safety issue and is potentially generic, the following information, to the extent known at that time, should be transmitted by memorandum indicating that it is a potentially generic safety question or a potentially generic 10 CFR 50.55(e) report to the Chief, Events Assessment, Generic Communications and Non-Power Reactors Branch:

- a. A clear and explicit description of the question or concern.
- b. The information known and used by the regional staff in determining that the issue is safety related, significant, and likely to apply to other NRC licensed facilities or vendors involved in the nuclear industry.
- c. Any available information describing how the problem was identified; in the case of component failures, an explicit description of the component make, identification number(s), etcetera and of the apparent cause of the failure; whether the component was faulty, improperly maintained, or improperly installed; why improper installation or maintenance is believed to be potentially generic (for example, the installation or maintenance instructions were at fault); actions taken by the regional staff to determine whether other licensees under the cognizance of the region have experienced similar problems.
- d. In addition, in the case of equipment failures, the regional office should determine, if possible, whether the vendor notified the licensee of the problem and whether the licensee has been following the vendor's or manufacturer's recommendations for maintenance, surveillance, parts replacement, and post maintenance testing. It is not intended that specific inspection or review time be dedicated to obtaining this information, or the information in (b) or (c) above; rather, regional personnel should try to obtain this information through normal event follow up and conversations with the licensee.
- e. The regional office should identify an NRC regional staff member knowledgeable about the issue in order to establish a clear communication link between the regional office and the REXB staff member assigned to evaluate the potentially generic safety question or potentially generic 10 CFR 50.55(e) report.

04.04 REXB is responsible for ensuring the review and closeout of potentially generic safety questions and potentially generic 10 CFR 50.55(e) reports. The assigned REXB staff member will notify the regional office staff contact of the assignment and obtain any additional information needed to perform the evaluation. In certain instances the potentially generic potentially generic safety question or 10 CFR 50.55(e) report may be forwarded to another NRR branch that is better suited to perform the review. REXB would remain the point of contact and inform the regional office of this transfer.

The REXB or other assigned NRR member will make a recommendation for appropriate action, including the preparation of the appropriate correspondence or generic communication. All planned generic action will be coordinated with the regional staff contact. If no action is recommended, a memorandum will be sent to the regional office that includes the reason(s) for the recommendation.

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