

September 7, 2001

MEMORANDUM TO: Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

Martin J. Virgilio, Director
Office of Nuclear Material Safety and Safeguards

FROM: Ashok C. Thadani, Director **/RA/ R. Zimmerman**
Office of Nuclear Regulatory Research

SUBJECT: OFFICE INPUT FOR OMB CIRCULAR A-119 FY 2001 ANNUAL REPORT ON
STANDARDS

The Office of Management and Budget (OMB) Circular A-119, "Federal Participation in the Development and Use of Voluntary Standards and in Conformity Assessment Activities," (February 19, 1998), requires that the head of each Federal agency submit an annual report on the status of agency interactions with voluntary standards bodies. The Circular further requires each agency to provide in the annual report specific information required by Public Law 104-113, "National Technology Transfer and Advancement Act of 1995." This information is to identify and explain all instances of the agency's use of new "government-unique standards" (i.e., a technical standard developed by the government for its own use) in lieu of voluntary consensus standards. The National Institute of Standards and Technology (NIST) is responsible for compiling the annual reports from individual Federal agencies and issuing a composite annual report to OMB. I am requesting input from your office for the FY 2001 NRC annual report on standards.

Attachment 1 identifies information that is needed to prepare the annual report. Item 1 in Attachment 1 applies to Public Law 104-113 and Items 2 through 4 apply to OMB Circular A-119. The NRC standards website contains a list of the staff participating in the development of standards and the respective committees [updated July 2001]:

<http://nrcweb.nrc.gov/NRC/REFERENCE/STANDARDS/>.

Attachment 2 is a copy of NRC's FY 2000 report. Please provide the information identified in Attachment 1 for your office for the period October 1, 2000, through September 30, 2001. A blank form, Attachment 3, has been provided to facilitate submission of the information. This information will provide RES with the basis for preparing the NRC FY 2001 annual report on standards. The organizational charts in Attachment 4 have been provided to assist office reviews relative to participation on standards development committees.

NIST has requested that each agency submit their report by November 30, 2001. The input from your office is requested by October 2, 2001. If your staff needs more information, please have them contact Michael Mayfield, NRC Standards Executive, at 415-5678 or Wallace Norris, at 415-6796.

Attachments: As stated

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Attachment 1

Office Input to OMB Circular A-119 Annual Report Period Covered: October 1, 2000 - September 30, 2001

Item No.	Information Request	Office Input Supporting Information
1	Identify all instances where a government-unique standard was used in a final rule in lieu of an existing consensus standard.	For each identified instance, explain why use of the existing consensus standard would be inconsistent with applicable law or otherwise impractical (e.g., issuance of generic letter).
2	Number of consensus standards adopted final by the office.	Identify standard and method of adoption, and whether staff participated in development of standard (e.g., rules, regulatory guides, NUREGs, SRPs). For rulemakings, identify those instances where, consistent with interim guidance ¹ , requests were made in proposed rulemaking for public comment on the use of consensus standards or information was provided in final rulemaking regarding public comment on the use of consensus standards.
3	Identify consensus standards that have been used to replace government-unique standards.	Identify associated government-unique and consensus standards, and method of adoption.
4	An evaluation of the effectiveness of OMB Circular A-119 policy and recommendations for any changes.	Office considerations relevant to implementation of the Circular.

¹ Memorandum to Chairman Jackson, et al, from L. Joseph Callan, Executive Director for Operations, Subject: "Interim Guidance on the Use of Government-Unique Standards," dated July 31, 1998.

**U.S. Nuclear Regulatory Commission
Annual Report for
Implementation of P.L. 104-113 and OMB Circular A-119
October 1, 1998 - September 30, 2000**

The Nuclear Regulatory Commission (NRC) has been an active participant in the development and use of consensus standards since its establishment in 1975. The Commission's Strategic Assessment and Rebaselining Initiative in 1996 further increased NRC's focus on the use of standards. For nuclear reactor and nuclear materials safety, the strategy is to increase the involvement of licensees and others in the NRC regulatory process consistent with Public Law 104-113, "National Technology Transfer and Advancement Act of 1995" (Pub. L. 104-113). To do this, NRC will continue to encourage industry to develop codes, standards, and guides that NRC can endorse and the industry can carry out.

In FY 2000, NRC took several actions to increase the effectiveness and efficiency of our process for implementing Pub. L. 104-113 and OMB Circular A-119, "Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities." The NRC staff used information gained from the stakeholder meeting it held in Chicago in September 1998 to prepare a recommendation² to the Commission to develop guidance for staff use when participating in the development and utilization of consensus standards. The Commission supported the staff recommendation.³ In May 2000, the NRC held a follow-up to the Chicago meeting to focus on communications with standards developing organizations (SDOs). This meeting demonstrated the value of bringing representatives from different SDOs and the NRC staff together to discuss the current needs, priorities, and constraints of each organization. Based on the success of this meeting, future meetings will be held periodically. The next meeting is scheduled for December 2000.

During the period for this annual report, the NRC staff prepared a management directive⁴ to provide direction for staff to support the NRC standards strategy. The management directive defines NRC organizational responsibilities for standards activities and provides direction for staff participation in the development and use of consensus standards. Specifically, the management directive provides direction for identifying and prioritizing needed new and revised technical standards, selecting and nominating staff as authorized agency representatives on SDO committees, and coordinating standards activities with SDOs and other stakeholders. It provides direction for identifying and prioritizing standards for timely endorsement, annual reporting, taking exception to using a consensus standard, and monitoring and assessing the NRC standards program. The management directive requires periodic training of staff involved with standards activities to provide updates on Federal requirements for standards development and to discuss lessons learned.

The NRC response to the reporting provisions of OMB Circular A-119 is as follows.

- 1) Identification of all instances when the agency used government-unique standards in lieu of voluntary consensus standards (for each instance include agency rationale for such use, as well as the specific government-unique standard used).

No government-unique standards were used by NRC in lieu of existing voluntary consensus

²SECY-99-029, "NRC Participation in the Development and Use of Consensus Standards," January 28, 2000.

³Staff Requirements, SECY-99-029, February 17, 2000.

⁴Management Directive 6.5, "NRC Participation in the Development and Use of Consensus Standards," issued November 2000.

standards.

- 2) The number of voluntary standards the agency has used since October 1, 1998, based on the procedures set forth in sections 11 and 12 of the Circular.

During this reporting period, seven consensus standards were “incorporated by reference” into NRC regulations. Six ASME standards were incorporated by reference into 10 CFR 50.55a, “Codes and Standards” (see table below for a list of the standards). During proposed rulemaking, the proposed uses of the ASME standards were identified, and in some instances NRC defined exceptions or supplemental requirements. The public comment period provided the opportunity for stakeholders to comment, which resulted in a revision to some of the NRC defined exceptions and supplemental requirements. In all instances, the six consensus standards provide the basis for the NRC regulation. In addition, one IEEE standard was incorporated by reference into 10 CFR 50.55a(h), “Protection Systems,” to supplement the existing reference (see table).

The NRC also endorsed 30 standards in three final regulatory guides⁵ and two standards in one final NUREG⁶ (see table for identification of these standards with the specific method of endorsement).

Final direction⁷ to address rulemaking (section 11 of the Circular) and procurement (section 12) activities was developed during this reporting period. Proposed rulemakings that have incorporated previous interim guidance to implement section 11 procedures have not completed final rulemaking.

- 3) Identification of voluntary consensus standards that have been substituted for government-unique standards as a result of an agency review under section 15(b)(7) of the Circular.

Generic Letter 90-05, “Guidance for Performing Temporary Non-Code Repair of ASME Code Class 1, 2, and 3 Piping,” December 1994, provides guidance that NRC staff consider in evaluating relief requests submitted by licensees for temporary non-Code repairs of Code Class 1, 2, and 3 piping. ASME Section XI Code Cases N-513, “Evaluation Criteria for Temporary Acceptance of Flaws in Class 3 Piping,” and N-523-1, “Mechanical Clamping Devices for Class 2 and 3 Piping,” have been incorporated by reference into 10 CFR 50.55a to allow licensees to substitute applicable related provisions for temporary non-Code repairs in these Code cases for the guidance in Generic Letter 90-05.

- 4) The number of voluntary consensus standards bodies in which there is agency participation, as well as the number of agency employees participating.

During FY 2000, 141 NRC staff participated on 18 SDOs on a total of 267 standards writing, consensus, and board-level committees.

- 5) An evaluation of the effectiveness of Circular A-119 policy and recommendations for any

⁵NRC regulatory guides provide methods acceptable to the NRC staff for meeting NRC regulations.

⁶NUREG-1556, which provides consolidated guidance for material licensees.

⁷See Footnote 3.

changes.

The policy guidelines provided in OMB Circular A-119 for participating in voluntary consensus standards bodies and using voluntary consensus standards are generally consistent with longstanding NRC practices. The staff believes that these guidelines provide appropriate direction and encouragement for Federal agencies to develop internal agency-wide guidelines to implement Pub. L. 104-113 and OMB Circular A-119. These guidelines also provide sufficient and reasonable flexibility for each agency to make an independent case-by-case determination as to the usability of a particular standard within that agency's scope and responsibility.

**Standards Endorsed by NRC
October 1, 1998 - September 30, 2000**

SDO¹	Standard Identifier	Year	Title	Method of Endorsement²
ASME	Boiler & Pressure Vessel Code Section III	1992, 1995 Editions; 1989 - 1996 annual addenda	Rule for Construction of Nuclear Power Plant Components	10 CFR 50.55a
ASME	Boiler & Pressure Vessel Code Section XI	1992, 1995 Editions; 1989 - 1996 annual addenda	Rules for Inservice Inspection of Nuclear Power Plant Components	10 CFR 50.55a
ASME	O&M Code	1995 Edition with 1996 Addenda	Operation and Maintenance of Nuclear Power Plants	10 CFR 50.55a
ASME	Code Case N-513	1996	Evaluation Criteria for Temporary Acceptance of Flaws in Class 3 Piping	10 CFR 50.55a
ASME	Code Case N-523-1	1996	Mechanical Clamping Devices for Class 2 and 3 Piping	10 CFR 50.55a
ASME	Code Case OMN-1	1996	Alternative Rules for Preservice and Inservice Testing of Certain Electric Motor-Operated Valve Assemblies in Light-Water-Reactor Power Plants	10 CFR 50.55a
IEEE	603	1991	Criteria for Safety Systems for Nuclear Power Generating Stations	10 CFR 50.55a(h)
ASME	N60-5	1994	Material for Core Support Structures (Section III, Division 1)	R.G. 1.85
ASME	Code Case N-62-7	1994	Internal and External Valve Items, Class 1, 2, and 3 (Section III, Division 1)	R.G. 1.84
ASME	Code Case N71-16	1993	Additional Materials for Subsection NF, Class 1, 2, 3 and MC Component Supports Fabricated by Welding (Section III, Division 1)	R.G. 1.85
ASME	Code Case N-122-2	1994	Procedure for Evaluation of the Design of Rectangular Cross Section Attachments on Class 1 Piping (Section III, Division 1)	R.G. 1.84
ASME	Code Case N249-13	1994	Additional Material for Subsection NF, Classes 1, 2, 3 and MC Component Supports Fabricated Without Welding (Section III, Division 1)	R.G. 1.85

SDO¹	Standard Identifier	Year	Title	Method of Endorsement²
ASME	Code Case N-318-5	1994	Procedure for Evaluation of the Design of Rectangular Cross-Section Attachments on Class 2 or 3 Piping (Section III, Division 1)	R.G. 1.84
ASME	Code Case N-389-1	1993	Alternative Rules for Repairs, Replacements, or Modifications (Section XI, Division 1)	R.G. 1.147
ASME	Code Case N-392-2	1992	Procedure for Evaluation of the Design of Hollow Circular Cross-Section Welded Attachments on Classes 2 and 3 Piping (Section III, Division 1)	R.G. 1.84
ASME	Code Case N-408-3	1993	Alternative Rules for Examination of Class 2 Piping (Section XI, Division 1)	R.G. 1.147
ASME	Code Case N-409-3	1993	Procedure and Personnel Qualification Requirements for Ultrasonic Detection and Sizing of Flaws in Piping Welds (Section XI, Division 1)	R.G. 1.147
ASME	Code Case N-416-1	1994	Alternative Pressure Test Requirements for Welded Repairs or Installation of Replacement Items by Welding, Class 1, 2, and 3 (Section XI, Division 1)	R.G. 1.147
ASME	Code Case N-441-1	1992	Use of 20Cr-18Ni-6Mo (Alloy UNS S31254) Fittings, Class 2 and 3 Construction (Section III, Division 1)	R.G. 1.85
ASME	Code Case N-474-2	1993	Design Stress Intensities and Yield Strength Values for UNS N06690 With a Minimum Specified Yield Strength of 35 ksi, Class 1 Components (Section III, Division 1)	R.G. 1.85
ASME	Code Case N-492-1	1994	Grade 9 Titanium Alloy, Class 1, 2, and 3 (Section III, Division 1)	R.G. 1.85
ASME	Code Case N-497-1	1993	Use of Fe-Ni-Cr-Mo-N (CN-3MN) Cast Materials, Class 2 and 3 Construction (Section III, Division 1)	R.G. 1.85
ASME	N-505	1992	Alternative Rules for the Examination of Butt Welds Used as Closure Welds for Electrical Penetration Assemblies in Containment Structures (Section III, Division 1)	R.G. 1.84
ASME	N-509	1992	Alternative Rules for the Selection and Examination of Class 1, 2, and 3 Integrally Welded Attachments (Section XI, Division 1)	R.G. 1.147
ASME	N-510	1993	Borated Stainless Steel for Class CS Core Support Structures and Class 1 Components (Section III, Division 1)	R.G. 1.85
ASME	N-511	1993	Design Temperature for Atmospheric and 0 - 15 PSI Storage Tanks (Section III, Division 1)	R.G. 1.84

SDO¹	Standard Identifier	Year	Title	Method of Endorsement²
ASME	N-512	1993	Assessment of Reactor Vessels With Low Upper Shelf Charpy Impact Energy Levels	R.G. 1.147
ASME	N-514	1993	Low Temperature Overpressure Protection (Section XI, Division 1)	R.G. 1.147
ASME	N-515	1993	Class 1 Mechanical Joint Pressure Test (Section XI, Division 1)	R.G. 1.147
ASME	N-516	1993	Underwater Welding (Section XI, Division 1)	R.G. 1.147
ASME	N-520	1993	Alternative Rules for Renewal of N-Type Certificates for Plants Not in Active Construction (Section III, Division 1)	R.G. 1.84
ASME	N-521	1993	Alternative Rules for Deferral of Inspections of Nozzle-to-Vessel Welds, Inside Radius Sections, and Nozzle-to-Safe End Welds of a Pressurized Water Reactor (PWR) Vessel (Section XI, Division 1)	R.G. 1.147
ASME	N-522	1993	Pressure Testing of Containment Penetration Piping (Section XI, Division 1)	R.G. 1.147
ASME	N-524	1993	Alternative Examination Requirements for Longitudinal Welds in Class 1 and 2 Piping (Section XI, Division 1)	R.G. 1.147
ASME	N-525	1993	Design Stress Intensities and Yield Strength Values for UNS N06690 with a Minimum Specified Yield Strength of 30 ksi, Class 1 Components (Section III, Division 1)	R.G. 1.85
ASME	N-537	1995	Location of Ultrasonic Depth-Sizing Flaws (Section XI, Division 1)	R.G. 1.147
ASME	N-541	1995	Alternative Requirements for Performance Demonstration in Accordance with Appendix VIII, Supplements 4 and 6 (Section XI, Division 1)	R.G. 1.147
HPS	N13.30	1996	Performance Criteria for Radiobioassay	NUREG-1556, Volume 11
IAEA	Safety Series 1	1973	Radionuclides Classified According to Relative Toxicity (Excerpted from IAEA Safety Standard "Safe Handling of Radionuclides")	NUREG-1556, Volume 11

1. SDO: Standards Developing Organization
ASME: American Society of Mechanical Engineers
HPS: Health Physics Society
IEEE: Institute of Electrical and Electronics Engineers
IAEA: International Atomic Energy Agency

- 2. 10 CFR 50.55a, "Codes and Standards," September 2000
- 10 CFR 50.55a(h), "Protection Systems," January 2000
- R.G. 1.84: Regulatory Guide 1.84, "Design and Fabrication Code Case Acceptability, ASME Section III, Division 1," Revision 31, May 2000
- R.G. 1.85: Regulatory Guide 1.85, "Materials Code Case Acceptability, ASME Section XI, Division 1," Revision 31, May 2000
- R.G. 1.147: Regulatory Guide 1.147, "Inservice Inspection Code Case Acceptability, ASME Section XI, Division 1," Revision 12, May 2000
- NUREG-1556: Consolidated Guidance About Materials Licensees (Program-specific guidance in 18 volumes), Volume 11, April 2000

**NRR, NMSS, Input to
OMB Circular A-119 Annual Report
Period Covered: October 1, 2000 - September 30, 2001**

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