

August 11, 1995

Mr. Patrick W. Cooke
Executive Secretary
Interagency Committee on Standards
Policy
United States Department of Commerce
National Institutes of Standards
and Technology
Gaithersburg, MD 20899-0001

Dear Mr. Cooke:

In response to your letter of July 12, 1995, I am submitting the Nuclear Regulatory Commission's input for the annual report to OMB on the implementation of OMB Circular A-119, "Federal Participation in the Development and Use of Voluntary Standards," covering the period October 1, 1994 through September 30, 1995.

If you have any further questions, please call me at (301)415-6982.

Sincerely,

Original signed by

John W. Craig
Standards Executive
U.S. Nuclear Regulatory Commission
Mail Stop T-10-D20
Washington, DC 20555

Attachment: As stated

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NUCLEAR REGULATORY COMMISSION (NRC)

The U.S. Nuclear Regulatory Commission (NRC) uses voluntary standards as an integral part of its regulatory process. The NRC specifies certain voluntary standards requirements in its regulations through the method of "incorporation by reference," and recognizes other voluntary standard through, for example, its regulatory guide series as providing acceptable methods for satisfying general provisions of the regulations. NRC recognizes the value of the broad expertise and perspectives that are drawn on in the development of a voluntary standard, and in general, would prefer to adopt an existing voluntary standard or promote the development of a new standard rather than to unilaterally establish its own criteria. To this end, the NRC staff participates actively on over 360 voluntary standards writing committees.

Following is the NRC response to the reporting provisions of OMB Circular A-119.

- 1) The nature and extent of agency participation in the development and utilization of voluntary standards:
 - a) The number of agency employees participating in at least one standards development group: 170
 - b) The number of voluntary standards the agency has adopted since October 1, 1994, which resulted from agency participation in a standards development group: 3
 - ANSI Z88.2-1992, "American National Standard for Respiratory Protection."
 - ANSI Z88.6-1984, "American National Standard for Respiratory Protection - Respirator Use - Physical Qualifications for Personal."
 - IEEE 338-1987, "Criteria for the Periodic Surveillance Testing of Nuclear Power Generating Station Safety Systems."

The following ongoing activities at NRC will result in a significant number of additional new and revised standards being incorporated into the regulatory process during subsequent reporting cycles for OMB Circular A-119:

- i) Periodic Update of ASME Boiler and Pressure Vessel Code References in NRC Regulations: The NRC incorporates by reference into its regulation (i.e., 10 CFR 50.55a, Codes and Standards) the nuclear portion of the ASME Boiler and Pressure Vessel (B&PV) Code. Rather than promulgate separate NRC regulations, incorporation makes that portion of the Code, which covers construction, and inservice inspection and testing of certain components used in nuclear power plants, an NRC requirement. Addenda to the ASME B&PV Code are issued on an annual basis and new editions are issued every three years. The NRC staff participates actively on many of the committees that develop the

ASME B&PV Code. Routinely the staff reviews the later edition and addenda for acceptability, and as appropriate updates the regulations to incorporate the latest revisions with any necessary limitations and modifications. The NRC staff is presently preparing a proposed rule that would address the 1989 through 1995 Addenda of the ASME B&PV Code, Section III, "Rules for Construction of Nuclear Power Plant Components," and Section XI, "Rules for Inservice Inspection of Nuclear Power Plant Components." The proposed rule would also address the 1990 through 1995 Addenda of the ASME OM Code, "Code for Operation and Maintenance of Nuclear Power Plants." In addition, a final rule that would, for the first time, incorporate by reference into 10 CFR 50.55a ASME Section XI Subsections IWE and IWL is scheduled to be published in the Federal Register during the next reporting cycle for the Circular.

ii) NRC Adoption of ASME Code Cases: As noted above, the ASME B&PV Code is, in part, incorporated by reference into the NRC regulations to serve as regulatory requirements for certain aspects of the construction and operation of components used in nuclear power plants. Annually, the ASME issues Code Cases, which provide ASME approved alternatives to the ASME B&PV Code. The NRC staff reviews these Code Cases and makes a determination as to whether, with respect to other applicable regulatory criteria, they represent acceptable alternatives to the existing ASME B&PV Code incorporated by reference into the regulations. The acceptability of these Code Cases is specified in three regulatory guides, i.e., Regulatory Guide (RG) 1.84, (Design), RG 1.85 (Materials), and RG 1.147 (Inservice inspection and testing). Revisions to these regulatory guides were issued in October 1994. These revisions resulted in 11 new or revised codes cases being incorporated into the NRC regulatory process.

iii) Update of References to Codes and Standards in NRC Regulatory Documents: Voluntary codes and standards are incorporated into many NRC regulatory documents. This includes NRC Regulations, Bulletins, Information Notices, Generic Letters, Regulatory Guides, and the Standard Review Plan. During the last reporting period, a program was being developed to systematically identify all references to voluntary codes and standards in NRC regulatory documents to permit an evaluation of the need to update the existing references. The first phase of identifying all references to voluntary codes and standards was completed during this reporting period, and the results were published in NUREG/CR-5972, Rev. 1, "Codes and Standards and Other Guidance Cited in Regulatory Documents." The second phase of this effort, an evaluation of the need to update the existing references, has begun and will be an ongoing process. Organizations whose standards are referenced in NRC documents include:

- American Concrete Institute
- American Nuclear Society
- American National Standards Institute
- American Petroleum Institute

- Acoustical Society of America
- American Society of Civil Engineers
- American Society of Mechanical Engineers
- American Society for Nondestructive Testing
- American Society for Testing and Materials
- American Welding Society
- American Water Works Association
- Crane Manufacturers Association of America
- Diesel Engine Manufacturers Association
- Health Physics Society
- Institute of Electrical and Electronics Engineers
- Instrument Society of America
- Manufacturers Standards Society
- National Concrete and Masonry Association
- National Council on Radiation Protection
- National Electrical Manufacturers Association
- National Electrical Testing Association
- National Institute for Occupational Health and Safety
- National Fire Protection Association
- National Rifle Association

c) The number of standards the agency has replaced with appropriate voluntary standards as a result of reviewing existing standards per the five year review cycle specified in paragraph 8b.(3) of the Circular: None. [Note: NRC's use of voluntary standards in its regulatory process is a longstanding part of its regulatory activities. While additional standards are occasionally added to the process, it is more common to update references to incorporate the latest versions of referenced standards; see Item (b), above].

2) Identification of any voluntary standards that have been adopted for the purpose of promoting environmentally sound and energy efficient materials, systems, services or practices:

The NRC Division of Facilities and Property Management (DFPM) develops and implements programs to meet energy reduction goals as prescribed in the Energy Policy Act of 1992. State-of-the-art technology is used at the NRC two building complex to maximize energy efficiency for the heating, ventilation, and air conditioning (HVAC) system. Both buildings are equipped with computerized energy management systems that monitor and operate the systems in accordance with American Society of Heating, Refrigeration, Air Conditioning Engineers (ASHRAE) energy efficiency standards. The NRC is implementing programs that promote use of Potomac Electric Power Co.'s (PEPCO) Power Watchers and Green Lights guidelines, and Washington Suburban Sanitary Commissions' (WSSC) Water Conservation Program.

3) In addition, each agency should address its current or planned implementation of the provisions of the revised Circular. In particular, this should include name, title, address and telephone no. of the agency Standards Executive and steps taken (or to be taken) as to how the executive's agency-wide responsibilities are to be carried out:

a) The Standards Executive for the NRC is:

John W. Craig
Deputy Director, Division of Engineering
Office of Nuclear Regulatory Research
Mail Stop T-10-D20
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Telephone: (301)415-6982
Internet: jwcl@nrc.gov

b) Establishing agency views on standards issues and decisions:

In general, views on standards and revisions of standards are developed in a two part process. The first part involves NRC staff participation in standards organizations. This part applies to a significant portion of the standards activities in which the NRC staff is engaged. It involves development of ballot positions by NRC staff committee members through a process that includes discussing the issue with other cognizant NRC Headquarters and Regional staff. This coordination of views continues as the revision is elevated through the committee review process, and is final balloted by the standards development organization's lead (e.g., consensus) committee. The positions established in this manner by the staff participants on the various committees do not represent formal agency positions. They represent the positions of the staff members on each committee, and reflects the views and comments of other knowledgeable NRC staff members.

The second part of the process establishes a formal NRC position. This occurs when a standard is incorporated by reference into a regulation, regulatory guide, technical position, or other generic regulatory document. The implementing regulatory document and appropriate supporting regulatory analysis, which addresses cost-benefit aspects of using the standard as a requirement or as an alternative to an existing requirement, are prepared for formal NRC review and approval. Following public comment period and resolution of comments, the item is resubmitted for NRC review and approval for final issuance and for use of the standard in the regulatory process.

Additional details of this two-step process are provided in the response to Item (c), below.

c) Coordinating participation within the agency and with others.

The two-part process noted above for establishing staff positions on standards have various mechanisms for coordinating participation within the agency and with the public and the nuclear industry. For example, staff positions for committee ballot actions are coordinated by a meeting of the cognizant NRC staff, which is held prior to meetings of codes and standards committees. The purpose of this coordination meeting is to exchange views and backgrounds information on proposed revisions for the purpose of providing the staff committee member with a basis for establishing a ballot position. Further, a record is provided in trip reports of individual staff ballot actions as items move through the standards development process to successively higher standards writing committees. Information gained at each level is factored into the staff committee member for subsequent ballot action:

The formal NRC position on the standard is established when the published standard is incorporated into an NRC regulation, regulatory guide, or other generic regulatory document. The public comment process provides interested members of the public and the nuclear industry with an opportunity to express their views. Assurance that a specific standard is incorporated into the regulatory process consistent with related standards and other criteria used by the NRC is one of the responsibilities of the NRC Committee for Review of Generic Requirements (CRGR). The CRGR, which is comprised of NRC senior managers, is responsible for ensuring that an adequate basis exists for imposing a specific standard as a requirement, and for ensuring that standards that are proposed as acceptable alternatives to existing requirements do not permit an unacceptable relaxation. Additionally, the NRC process includes the Advisory Committee for Reactor Safety (ACRS). ACRS also reviews new or proposed changes to formal NRC regulations including the incorporation of industry standards.

In order to coordinate the assignment of NRC staff on voluntary standards committees, all appointments to and resignations from voluntary standards committees are approved and issued by the Director of the Office of Nuclear Regulatory Research. This follows concurrence by the NRC Standards Executive and other senior level managers.

d) Meeting reporting requirements:

The NRC Standards Executive has assigned specific staff to coordinate the gathering and compiling of NRC-wide information necessary to satisfy OMB Circular A-119 reporting requirements.

e) Establishing a procedure to ensure a 5-year standards review cycle, when applicable:

NRC staff are continually alert to the need to identify voluntary standards whose references need to be updated in regulatory documents, and to incorporate new standards in lieu of staff developed criteria where acceptable or no standards previously existed. This is an ongoing process, which is consistent with the extensive participation of NRC staff on voluntary standards committees. For this reason, the NRC has not implemented a specific 5-year review program. A summary of the results of the ongoing process as it affects the NRC use of voluntary standards will be reported on an annual basis.