



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555 - 0001**

January 20, 2004

James A. Longenberger
5313 President Drive
Toledo, OH 43611

SUBJECT: CONTRACT FOR AUTHORIZED INSPECTION AGENCIES

Dear Mr. Longenberger:

This letter refers to the email you sent to the U.S. Nuclear Regulatory Commission (NRC) on December 12, 2003. You had questions regarding NRC requirements for Authorized Nuclear Inservice Inspectors (ANII).

The American Society of Mechanical Engineers Boiler & Pressure Vessel Code (ASME Code), Section XI, IWA-2110 specifies the duties of the ANII. Subarticle IWA-2110 indicates, in summary, that the Inspector verify, in a report submitted to the facility Owner, that any examinations, pressure testing, visual inspections, and repair/replacement activities specified in Section XI have been performed in accordance with the ASME Code, and with the Owner's Repair/Replacement Program.

The NRC incorporates Section XI of the ASME Code by reference in Title 10 of the Code of Federal Regulations, Part 50.55a (10 CFR 50.55a), which requires nuclear power plant licensees (Owners) to meet the ASME Code provisions. However, neither 10 CFR 50.55a nor other NRC regulations specify the methodology to be implemented by licensees to ensure compliance with ASME Code provisions. The ASME Code defines the duties of the ANII, and the NRC regulations do not place modifications or limitations on the functions of the ANII (such as full time or part time status). Furthermore, the NRC does not have regulations which prescribe the amount of time which should be devoted to specific ANII inspection services.

Typically, the ANII is employed and qualified by Authorized Inspection Agencies licensed to write boiler and pressure vessel insurance. The Authorized Inspection Agencies are accredited by the ASME in accordance with ASME guidelines. The extent of the ANII services provided to a nuclear plant Owner is dependent upon contractual arrangements between the Owner and the Authorized Inspection Agency, and is not prescribed by NRC regulation. The NRC does expect, however, that the ANII would be allowed sufficient time for inspections necessary to ensure compliance with ASME Code requirements.

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Mr. J. Longenberger

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Thank you for your feedback. I hope this letter has been responsive to your concern. Should you have any questions or comments regarding this matter, please contact Victor Hall or Gregory Cwalina toll-free at 1-800-368-5642 or by facsimile at (301) 415-3325.

Sincerely,

Original signed by

Theodore R. Quay, Chief
Emergency Preparedness & Plant Support Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

Mr. J. Longenberger

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