

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
OFFICE OF NEW REACTORS
WASHINGTON, DC 20555-0001

September 26, 2011

NRC INFORMATION NOTICE 2011-19: LICENSEE EVENT REPORTS CONTAINING
INFORMATION PERTAINING TO DEFECTS IN
BASIC COMPONENTS

ADDRESSEES

All holders of an operating license or construction permit for a nuclear power reactor under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities," except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

All holders of or applicants for an early site permit, standard design certification, standard design approval, manufacturing license, or combined license under 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants."

All individuals, corporations, partnerships, or other entities for which the regulations of 10 CFR Part 21, "Reporting of Defects and Noncompliance," apply (see 10 CFR 21.2, "Scope").

PURPOSE

The U.S. Nuclear Regulatory Commission (NRC) is issuing this information notice (IN) to inform addressees of recent events that were reported under 10 CFR 50.73, "Licensee Event Report [LER] System," that discussed defects¹ to basic components² and the new NRC practice of posting such LERs to the 10 CFR Part 21 report page of the NRC public website. Although there is no explicit NRC requirement for licensees to do so, the NRC encourages licensees reporting 10 CFR Part 21 defects under 10 CFR 50.73 to note 10 CFR Part 21 applicability on the LER form (NRC Form 366) and within the text of the LER. The NRC expects that recipients will review the information for applicability to their facilities and consider actions, as appropriate, to avoid similar problems. Suggestions contained in this IN are not NRC requirements; therefore, no specific action or written response is required.

¹ NRC regulations in 10 CFR 21.3, "Definitions," state that a *defect* is a deviation in a basic component delivered to a purchaser for use in a facility or an activity subject to the regulations in 10 CFR Part 21 if, on the basis of an evaluation, the deviation could create a substantial safety hazard.

² NRC regulations in 10 CFR 21.3 state that a *basic component* is a structure, system, or component that ensures the integrity of the reactor coolant pressure boundary, the capability to shut down the reactor and maintain it in a safe-shutdown condition, or the capability to prevent or mitigate the consequences of accidents. In all cases, a *basic component* includes safety-related design, analysis, inspection, testing, fabrication, replacement of parts, or consulting services that are associated with the component hardware, design certification, design approval, or information in support of an early site permit application under 10 CFR Part 52, whether these services are performed by the component supplier or others.

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BACKGROUND

The regulations in 10 CFR Part 21 establish procedures and requirements for the implementation of Section 206 of the Energy Reorganization Act of 1974. Section 206 requires any individual director or responsible officer of a firm constructing, owning, operating, or supplying the components of any facility or activity that is licensed or otherwise regulated pursuant to the Atomic Energy Act of 1954, as amended, or the Energy Reorganization Act of 1974, who obtains information reasonably indicating (1) that the facility, activity, or basic component supplied to such facility or activity fails to comply with the Atomic Energy Act of 1954, as amended, or any applicable rule, regulation, order, or license of the Commission relating to substantial safety hazards³, or (2) that the facility, activity, or basic component supplied to such facility or activity contains defects that could create a substantial safety hazard, to immediately notify the Commission of such failure to comply or such defect, unless he has actual knowledge that the Commission has been adequately informed of such defect or failure to comply.

Regulation 10 CFR 21.2 states that for persons licensed to operate a nuclear power plant under 10 CFR Part 50 or 10 CFR Part 52, evaluation of potential defects and appropriate reporting of defects under 10 CFR 50.72, "Immediate Notification Requirements for Operating Nuclear Power Reactors," 10 CFR 50.73, or 10 CFR 73.71, "Reporting of Safeguards Events," satisfy each person's evaluation, notification, and reporting obligation to report defects under 10 CFR Part 21.

DESCRIPTION OF CIRCUMSTANCES

The NRC reviews all LERs for safety significance and generic applicability. The NRC occasionally identifies LERs containing information related to defects in basic components (which satisfies the reporting obligation to report defects under 10 CFR Part 21) where the LER does not specifically mention 10 CFR Part 21. The following LER provides a specific example of this situation.

H.B. Robinson Steam Electric Plant, Unit 2

On February 22, 2010, the licensee at H.B. Robinson Unit 2 removed the "B" emergency diesel generator (EDG) from service for planned maintenance. During post-maintenance testing, the output breaker for the "B" EDG failed to close. The breaker's failure to close was unrelated to the maintenance activity. The licensee's analysis determined that the cause of the EDG output breaker failure was a vendor workmanship error related to a defective shunt trip attachment movable core in the breaker control circuit. The licensee determined that the "B" EDG had been inoperable for a period of 27 days and reported the condition under 10 CFR 50.73(a)(2)(i)(B) as any operation or condition that was prohibited by the plant's technical specifications. Additional

³ NRC regulations in 10 CFR 21.3 state that a *substantial safety hazard* means a loss of safety function to the extent that there is a major reduction in the degree of protection provided to public health and safety for any facility or activity licensed or otherwise approved or regulated by the NRC, other than for export, under 10 CFR Part 30, 40, 50, 52, 60, 61, 63, 70, 71, or 72.

information appears in H.B. Robinson Steam Electric Plant, Unit 2, LER 05000261/2010-001-01, "Emergency Diesel Generator Inoperable in Excess of Technical Specifications Completion Time due to Output Breaker Failure," dated June 1, 2010, on the NRC's public Web site in the Agencywide Documents Access and Management System, Accession No. [ML101590222](#).

DISCUSSION

Regulation 10 CFR 21.2 specifies that a nuclear power plant licensee's evaluation of potential defects and appropriate reporting of defects under 10 CFR 50.73 satisfies the evaluation, notification, and obligation to report defects under 10 CFR Part 21. Because of the potential generic nature of defects to basic components reported in some LERs, the NRC staff will now post all LERs containing information pertaining to defects to basic components to the Part 21 Reports page on the NRC public website. The intent of this effort is to raise licensee awareness of defects to basic components by rapidly disseminating this information to the industry via the NRC public website. Although there is no explicit NRC requirement for licensees to do so, the NRC encourages licensees reporting 10 CFR Part 21 defects under 10 CFR 50.73 to note 10 CFR Part 21 applicability on the LER form (NRC Form 366) and within the text of the LER.

CONTACT

This IN requires no specific action or written response. Please direct any questions about this matter to the technical contacts listed below or the appropriate Office of Nuclear Reactor Regulation (NRR) project manager.

/RA/

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Note: NRC generic communications may be found on the NRC public Web site, <http://www.nrc.gov>, under NRC Library.

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