



AREVA

forward-looking energy

70.72 The Opportunities & Challenges

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70.72 The Opportunities & Challenges



- ▶ **Background:** 10 CFR 70.72 provides the licensee with the criteria to change its facility with or without prior NRC pre-approval
- ▶ **Purpose:** To assure that changes in a facility are afforded deliberate review and assessment, maintaining safe/secure operation
- ▶ **Scope:** Just about everything - hardware, software, activities of personnel, procedures, etc.

Configuration Control

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► Opportunities

- ◆ Allows licensees to control/prosecute continuous improvement without necessary prior NRC approval
- ◆ Supports efficient resource allocation and consumption for both NRC and licensees
- ◆ Focuses both the licensee and the NRC on those changes that should be afforded greater scrutiny

So what is wrong with this picture?

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► Additional History

- ◆ 70.72 came with “New Part 70” (Sept. 29, 2000)
- ◆ 70.72 coupled with the ISA Subpart H called for clarification/guidance
- ◆ NRC & industry had a dedicated working group with was focused on 70.72
- ◆ Led to the development and issuance of Reg. Guide 3.74 in January 2012
- ◆ Other licenses, e.g. Part 50, Part 76, have similar rules/methods

Not New-But

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- ▶ **Challenges – Case in point – AREVA's Uranyl Nitrate Building**
 - ◆ AREVA Richland built a new storage facility to receive bulk uranyl nitrate
 - ◆ AREVA performed its 70.72 review for this facility change. Result - no prior NRC approval required
 - ◆ In interest of risk management, AREVA had an NRC 'drop-in' to present facility change and AREVA's 70.72 review conclusion
 - ◆ As requested by NRC, AREVA submitted 70.72 assessment basis on docket for NRC consideration - did not submit amendment request
 - ◆ NRC responded in writing supporting the AREVA conclusion with qualification that the licensee continues to be obligated to review all aspects of the change going forward

It all comes down to interpretation

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► Challenges – AREVA's case

- ◆ Routine inspections monitored AREVA's implementation. Led to a URI as all detailed NCS documents yet to be completed
- ◆ Follow-up inspection led to two Level IV violations not cited due to enforcement discretion
- ◆ Based on inspection feedback AREVA has five areas of concern
 - What constitutes a “new type of accident sequence”?
 - What constitutes a “new process”?
 - What constitutes “prior experience with a control or control system”?
 - Can process controls be designated as an IROFS or can an IROFS be given a new application without NRC prior approval?
 - What constitutes “adequate documentation” of a 70.72 review?

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► Remediation

- ◆ AREVA has submitted and received NRC approval for a license amendment with regard to the Uranyl Nitrate Building
- ◆ Further clarification appears needed to support assurance of compliance for AREVA's (industry's) process to meet 70.72 obligations
- ◆ AREVA and the industry are working via NEI to initiate a means to arrive at improved clarification with the NRC

70.72 and Reg. Guide 3.74 not broken