Bases for Withdrawal of Regulatory Guide (RG) 3.28,

"Welder Qualification for Welding in Areas of Limited Accessibility in Fuel Reprocessing Plants and in Plutonium Processing and Fuel Fabrication Plants"

(1)   What regulation(s) did the Regulatory Guide support?

RG 3.28 provides guidance on meeting the requirements of Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," and 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material."

(2)   What was the purpose of the Regulatory Guide?

RG 3.28 provided guidance to licensees and their vendors on a method acceptable to the NRC staff for meeting the Quality Assurance (QA) requirements with regard to the control of welding of nuclear components for fuel reprocessing plants and for plutonium processing and fuel fabrication plants. Specifically, it provided procedures that were acceptable to the NRC staff for qualifying welders for welding in areas of limited accessibility.

(3)   How was the Regulatory Guide used?

RG 3.28 was used to encourage the standardization of the qualifications of welders who performed work in areas of limited accessibility. RG 3.28 was published in March 1975 for the licensing and operation of fuel reprocessing facilities and plutonium processing and fuel fabrication plants, which ceased in the 1970's. This regulatory guide is not cited in NUREG-1718, "Standard Review Plan for the Review of an Application for a Mixed Oxide Fuel Fabrication Facility."

(4)   Why is the Regulatory Guide no longer needed?

RG 3.28 is no longer needed because its guidance and regulatory positions are contained in RG 1.71, Rev. 1, "Welder Qualification for Areas of Limited Accessibility," which was updated in March 2007.

(5)   What guidance is available once the Regulatory Guide is withdrawn?

The NRC staff regulatory guidance for the requirements for weld fabrication and repair for areas of limited accessibility is provided in revision 1 of RG 1.71, Rev. 1 and in the sections of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code that RG 1.71, Rev. 1 endorses.

(6)   Is the Regulatory Guide reference in other documents and what are the "ripple effects" on these documents if it is withdrawn?

There will be no "ripple effect" due to the withdrawal of Regulatory Guide 3.28 since its guidance is duplicated in RG 1.71, Rev.1. RG 3.28 is not referenced in a Standard Review Plan.

RG 3.28 does not contain a reference section. Therefore, ADAMS and internet searches were performed to identify potential documents that referenced the guide. No significant uses of this regulatory guide were identified.

(7)   What is the basis for believing that Regulatory Guide 3.28 will never be needed?

Although the guidance provide in RG 3.28 remains valid, that guiance has been incorporated into Revision 1 of RG 1.71. Any updates to this guidance would be evaluated as part of the staff's periodic review of RG 1.71, Rev. 1, particularly any changes to ASME Code Sections III and IX that warrant limitations or conditions.

(8)   Will generic guidance still be needed?

Guidance for complying with the regulations applicable to weld fabrication and repair is still needed and is provided in RG 1.71, Rev. 1.

(9)   What is the rationale for withdrawing Regulatory Guide 3.28 instead of revising it?

RG 3.28 contains guidance that is outdated. Updated guidance has been included in Revision 1 of RG 1.71, which was issued in March 2007.

(10)   Do other agencies rely upon Regulatory Guide 3.28, e.g., the Agreement States, National Aeronautical and Space Administration, Department of Energy?

The NRC staff is not aware of any agencies that rely on this regulatory guide. It is possible that other agencies may have used RG 3.28 to identify a subset of reporting requirements that may be related to their activities. The regulatory guide states that procedures for welding should be in accordance with the requirements of Section IX of the ASME Code, so any impacts would likely be small.