

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

June 5, 2015

**NRC REGULATORY ISSUE SUMMARY 2005-20, REV. 2,
REVISION TO NRC INSPECTION MANUAL PART 9900 TECHNICAL GUIDANCE,
“OPERABILITY DETERMINATIONS & FUNCTIONALITY ASSESSMENTS FOR
RESOLUTION OF DEGRADED OR NONCONFORMING CONDITIONS ADVERSE TO
QUALITY OR SAFETY”**

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,” including those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

All holders of and applicants for a power reactor early site permit, combined license, standard design approval, or manufacturing license under 10 CFR Part 52, “Licenses, Certifications, and Approvals for Nuclear Power Reactors.” All applicants for a standard design certification, including such applicants after initial issuance of a design certification rule.

INTENT

The U.S. Nuclear Regulatory Commission (NRC) is issuing this Regulatory Issue Summary (RIS) revision to inform licensees that NRC Inspection Manual Part 9900, Technical Guidance (TG 9900), “Operability Determinations & Functionality Assessments for Resolution of Degraded and Nonconforming Conditions Adverse to Quality or Safety” has been reissued as Inspection Manual Chapter (IMC) 0326, “Operability Determinations and Functionality Assessments for Conditions Adverse to Quality or Safety” dated January 31, 2014. This RIS requires no action or written response on the part of an addressee.

BACKGROUND INFORMATION

On April 16, 2008, the NRC issued RIS 2005-20, Revision 1 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML073440103) with NRC Inspection Manual TG 9900, “Operability Determinations & Functionality Assessments for Resolution of Degraded or Nonconforming Conditions Adverse to Quality or Safety” as an attachment to the RIS. The NRC issued NRC Inspection Manual Change Notice 14-004 (ADAMS Accession No. ML14029A456) on January 31, 2014, which announced IMC 0326 as a complete rewrite of TG 9900, “Operability Determinations and Functionality Assessments for Resolution of Degraded or Nonconforming Conditions Adverse to Quality or Safety.”

ML15106A484

SUMMARY OF ISSUE

This revised RIS is being issued to ensure that addressees are notified that IMC 0326 is the most current inspection manual reference and TG 9900, "Operability Determinations & Functionality Assessments for Resolution of Degraded or Nonconforming Conditions Adverse to Quality or Safety," has been superseded.

BACKFITTING AND ISSUE FINALITY DISCUSSION

This RIS requires no action or written response on the part of the addressees to whom the RIS is addressed. Inasmuch as this RIS does not require any action, it does not represent backfitting as defined in 10 CFR 50.109(a)(1), and is not otherwise inconsistent with any issue finality provision in 10 CFR Part 52. Therefore, the NRC did not prepare a backfit analysis for this RIS or further address the issue finality criteria in 10 CFR Part 52.

FEDERAL REGISTER NOTIFICATION

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because it pertains to an administrative aspect of the regulatory process.

CONGRESSIONAL REVIEW ACT

This RIS is not a rule as defined in the Congressional Review Act (5 U.S.C. §§ 801-808).

PAPERWORK REDUCTION ACT STATEMENT

This RIS does not contain any information collections and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). The information collection requirements referenced in Inspection Manual Part 9900 were approved by the Office of Management and Budget (OMB) approval number 3150-0011.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

CONTACT

Please direct any questions about this matter to the technical contacts listed below, or to the appropriate Office of Nuclear Reactor Regulation (NRR) project manager.

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Note: NRC generic communications may be found on the NRC public website,
<http://www.nrc.gov>, under Electronic Reading Room/Document Collections.

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