

A large, stylized graphic of an atomic symbol, consisting of a central sphere and three elliptical orbits, is positioned on the left side of the slide. The graphic is rendered in shades of blue and white, with the central sphere being a light blue and the orbits being white with blue outlines.

# 10 CFR Part 21, “Reporting of Defects and Noncompliance”

March 16, 2016

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# Rulemaking and Guidance Development Status

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- Final Regulatory Basis was issued in August 2015
- Three RGs planned to accompany proposed rule
  - DG-1291 (Evaluating and Reporting - Power Reactors)
  - DG-1292 (Commercial Grade Dedication - Power Reactors)
  - DG-3049 (Part 21 Implementation for Materials – fuel cycle facilities, non-power reactors, materials, storage and transportation, etc.)

# Rulemaking and Guidance Development Status

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- Re-baselining SECY under consideration by Commission.
- Potential termination of Part 21 rulemaking
- Path forward for guidance

# Draft Regulatory Guide

- Draft Reg Guide 3049; Reporting of Defects and Noncompliance for Fuel Cycle, Materials, Waste Disposal, Packaging and Transportation, Independent Storage, and Non-Power Reactor Licensees.
  - Still being drafted
  - Will be receptive of feedback collected
  - Public comment period TBD (potentially Fall 2016)

# Objectives

- Define the target audience
- To provide consolidated guidance for licensees that are not power reactors
- To update the guidelines for determining moderate exposure and a release of radioactive material in the determination of a Substantial Safety Hazard as described in NUREG 0302
- Provide examples of basic components
- Describe Commercial Grade Dedication for a wide range of licensees



# Target Audience of Reg Guide

- Fuel Cycle Facilities (operating and under construction)
- In-situ Recovery and Milling
- Sealed Source Devices
- Medical and Academic licensees
- Industrial Radiography
- Irradiation Facilities
- Well Logging
- Geologic Repositories for High-Level Radioactive Waste
- Packaging and Transportation of Radioactive Waste
- Independent Storage of Spent Nuclear Fuel
- Land Disposal of Low-Level Radioactive Waste
- Non-Power Production and Utilization Facilities (RTR and SHINE)
- Identify scope of exempted licensees

# To Provide Consolidated Guidance

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- Reviewed past Part 21 reports as reported by the fuel facilities and other non-reactor licensees.
- Provided a historical background; a short summary
  - Energy Reorganization Act of 1974, Section 206
  - Regulation issuances and associated Statement of Considerations
  - NUREG
  - Information Notices
  - NRC Generic Letters

- “Remarks Presented (Questions/ Answers Discussed) at Public Regional Meetings to Discuss Regulations (10 CFR Part 21) for Reporting of Defects and Noncompliance.”
- New Reg Guide will include important elements from the NUREG and will supersede the old guidance rather than update it.
- Substantial Safety Hazard definition
  - Updates for guidelines for determining a moderate exposure and release of radioactive material



# Basic Component Examples

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- Effort to gather examples of equipment or systems that could potentially be impacted by defects.
- Non-inclusive list

- Clarity
  - Objective of Reg Guide
  - Developed in the Final Regulatory Basis
  - Wide range of licensee types

# Questions?

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