

# REVISED

## MD 6.5, “NRC PARTICIPATION IN THE DEVELOPMENT AND USE OF CONSENSUS STANDARDS”

NRC Standards Forum  
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# Purpose of Management Directive (MD) 6.5

- Implements
  - National Technology Transfer and Advancement Act of 1995 (NTTAA) (Public Law 104-113)
  - Office of Management and Budget (OMB) Circular No. A-119, "Federal Participation in the Development and Use of Voluntary Standards and in Conformity Assessment Activities,"
- NRC Policy
  - Involve all interested stakeholders in the NRC's regulatory development processes,
  - Participate in the development of consensus standards that support the NRC's mission, and
  - Use standards developed by voluntary consensus standards bodies consistent NTTAA and OMB A-119

## MD 6.5 - History

- ▶ 1998 - Initially issued
- ▶ 2006 - Updated – no major revisions
- ▶ 2016 – Expected to be issued October 2016
  - ▶ Significant changes
    - ▶ Creates new roles and responsibilities
    - ▶ Clarifies the roles and responsibilities for NRC representatives on Standards Development Organization (SDO) committees.
    - ▶ References a new internal staff guidance document (day-to-day processes)
    - ▶ Assures compliance with OMB Circular No. A-119 (January 2016)

# Why Significant Revisions?

- NRC management desired a more proactive and strategic coordination of standards activities
- Needed to define:
  - Priority of SDO development activities to the NRC mission
  - Value of NRC staff participation on specific SDO committee activities
  - Additional roles and responsibilities for NRC management and staff
- Supports a Project Aim task to better focus staff resources for standards activities and travel

# Summary of Revisions

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- Revised MD 6.5 creates:
  - Standards Steering Committee
    - Prioritizes what SDO committee activities are important to the NRC mission
  - Technical Forum function
    - Forum for NRC staff to establish NRC positions
  - SDO Coordinator role
    - Single point contact for coordination of NRC staff activities on SDO activities
    - Working with NRC staff, to propose SDO committee activities that are important to the NRC mission
    - Coordinates a single NRC policy or technical position

## Summary of Revisions (continued)

- Annual reaffirmation of NRC staff participation on SDO committees
  - Reaffirmed by Division Directors
- Better guidance for NRC staff participating on SDO committees
  - Only NRC authorized representative is to vote on SDO committee actions
  - NRC alternate authorized representative may vote, if NRC authorized representative not present

# Methods for Citing and Endorsing Consensus Standard

- ▶ Standards citations occur in regulations, regulatory guides (RGs), NUREGs, Standard Review Plans, generic communications, safety evaluation reports (SERs), inspection manual chapters (IMCs), inspection procedures (IPs), etc.
- ▶ Standards citations may have differing contextual significance
- ▶ Endorsement - two methods;
  - ▶ Incorporation by reference (IBR) as part of rulemaking, in accordance with 1 CFR Part 51
    - ▶ Limited use by NRC
  - ▶ By citation in NRC documents
    - ▶ Citation may mean that it is a condition of satisfying the guidance
- ▶ Not all issued standards, new or revised, will be endorsed by the NRC
  - ▶ Only standards that help to meet a demonstrated need in support of regulatory activities will be endorsed

# Timeliness of Endorsement

- ▶ Endorsement of standards only occurs when it supports activities important to the NRC
  - ▶ The NRC Regulatory Guidance System (RGS) Database identifies the standards that are endorsed or cited in NRC documents
- ▶ Important to justifying why the standards activity is important to the NRC and the timing of the NRC needing the new or revised standard
  - ▶ Early in its processes, the SDO committee is encouraged to identify where the standard might be cited in a NRC rule or guidance document
  - ▶ SDO are encouraged to notify the NRC of new or revised standards and the basis for their endorsement

# Timeliness of Endorsement

(continued)

- Timing of a standard's possible endorsement controlled by other factors
  - IBR is controlled by the need for new or revised regulations
  - Endorsement by RG citation may be controlled by emerging needs to revise an existing RG or create a new RG.
  - Otherwise, controlled by the agency's process for periodic assessment of guidance documents
- When regulations or other NRC guidance are being created or revised
  - Staff considers endorsing the current version of the consensus standards

# NRC Conditions

- ▶ NRC reserves the right to apply conditions, limitations, or modifications to the use of consensus standards when:
  - ▶ Consensus standards do not adequately address a specific regulatory issue
  - ▶ Standard is not sufficiently supported by relevant technical basis (e.g., data),
  - ▶ Standard is inconsistent with current regulations or policy
- ▶ The NRC will try to avoid imposing conditions by:
  - ▶ Identifying concerns early to stakeholders early in the standards development process
  - ▶ Offer stakeholders and the public opportunities to provide comments on proposed conditions during public comment periods

# Rollout

- October 2016 – issue revised MD 6.5 - tentative
- 2017 - Rollout activities
  - Standup the NRC Steering Committee
  - Appoint SDO Coordinators
  - Train staff in their new roles
  - Adjust to the evolution of the new processes
  - Update the NRC public website on standards



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# Discussion and Questions