



THE NATIONAL BOARD

OF BOILER AND PRESSURE VESSEL INSPECTORS

September 28, 2016

Ms. Maureen E. Wylie
Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Fee Exemption Request for Recognition of NR and NR-VR National Board Accreditation Program

Dear Ms. Wylie:

The National Board is an organization, composed of chief inspectors for the states and cities of the United States and provinces of Canada, organized in 1919 for the purpose of promoting safety to life and property by maintaining **uniformity** in post-construction activities of pressure-retaining items.

On September 9, 2016, the National Board of Boiler and Pressure Vessel Inspectors submitted a request to have Nuclear Regulatory Commission (NRC) formally recognize and communicate to the Nuclear Industry the availability of the National Board NR Accreditation Program. This program provides requirements for performing repair/replacement activities to nuclear components and systems.

The NR Accreditation Program follows the same requirements as the American Society of Mechanical Engineers (ASME) Accreditation Program for N Stamp Holders described in ASME Section III, Subsection NCA which is recognized by the NRC as supported by the issuance of Information Notice No. 86-21, *Recognition of American Society of Mechanical Engineers Accreditation Program for N Stamp Holders*, and required by 10 CFR 50.55(a).

However, the scope of the ASME Accreditation Program for N stamp holders is limited to the construction of nuclear pressure equipment prior to installation and operation. The scope of the National Board NR Accreditation Program imposes the same quality program requirements after construction is completed (post-construction activities).

The National Board proposes the following for NRC consideration:

- 1) Recognize the National Board NR Accreditation Program for performing post-construction activities (repairs/replacement) to nuclear components and systems, along with the NR-VR scope extension for repairs to pressure relief devices in nuclear service. Program activities include inspecting, certifying, documenting and stamping repair or replacement activities in accordance with a written accredited quality assurance program, once new construction conformity assessment requirements are completed. Those activities can be performed either before fuel loading or during subsequent nuclear plant operations, and satisfy both Title 10 Code of Federal Regulations (CFR), Part 50 and Part 52 regulatory licensing provisions.
- 2) Support the use of the NR accreditation program as an acceptable quality assurance program for the nuclear industry to ensure conformity assessment of code and regulatory requirements as identified and required by 10 CFR Part 52.

The National Board requests that the NRC's review of the National Board NR Accreditation Program be granted a fee waiver pursuant to the provisions of 10 CFR 170.11, "Exemptions." In paragraph (a), this regulation states that no application fees, license fees, renewal fees, inspection fees, or special project fees shall be required for:

- (i) A special project that is a request/report submitted to the NRC –
- (iii) As a means of exchanging information between industry organizations and the NRC. To receive this fee exemption:



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(A) The report should be submitted for the specific purpose of supporting ongoing NRC generic regulatory improvements or efforts (e.g., rules, regulations, regulatory guides, and policy statements), and the agency, at the time the document is submitted, plans to use it for that purpose. The exemption applies even if ultimately the NRC does not use the document as planned;

(B) The NRC must be the primary beneficiary of the NRC's review and approval of these documents. This exemption does not apply to a topical report submitted for the purpose of obtaining NRC approval for future use of the report by the industry to address licensing or safety issues, even though the NRC may realize some benefits from its review and approval of the document; and

(C) The fee exemption is requested in writing to the Chief Financial Officer in accordance with 10 CFR 170.5, and the Chief Financial Officer grants this request in writing.

This fee exemption request meets the requirements of 10 CFR 170.11(a)(1)(iii), in that it is a means of exchanging information between industry organizations and the NRC for the specific purpose of supporting the NRC's generic regulatory improvements or efforts. In this case, the generic regulatory improvement ensures quality assurance and conformity assessment of code and regulatory requirements as identified and required by 10 CFR Part 50 and 52. Industry benefit from the National Board NR Accreditation Program can be realized without NRC endorsement; however, the NRC benefits from having endorsed guidance by the uniform application of a recognized accredited program by the National Board, an American National Standards Institute (ANSI) accredited Standards Developing Organization (SDO). The submittal of this request satisfies 10 CFR 170.11(s)(1)(iii)(C).

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Charles Withers
Assistant Executive Director, Technical