



OFFICE OF THE
COMMISSIONER

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

January 30, 1991

Taylor
Sniezek
Thompson
Blaha
Murley
Jordan
Bernero
Scinto
EDO 6068

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MEMORANDUM FOR:

Samuel J. Chilk
Secretary

FROM:

John R. Utin

SUBJECT:

RESOLUTION OF THE OFFICE OF
THE GENERAL REPORT RECOMMENDATIONS
COMMITTEE PART 21

Based upon a review of the record in this matter, I believe that the staff, as well as the Inspector General, have advanced sound policy reasons for requiring those organizations that identify potential defects in their products to complete Part 21 evaluations within a specified period of time.¹ I would therefore support a modification to Part 21 to establish a deadline for the completion of such evaluations² or, in the alternative, require the submission of a report to the NRC that the evaluation of the subject defect is underway.³ Such an approach would resolve the IG's recent concerns, as well as the concerns expressed earlier by the staff, about delays in evaluations under Part 21.

cc: Chairman Carr
Commissioner Rogers
Commissioner Remick
OGC
EDO
IG

¹ I would reserve judgment on the question of whether section 206 of the Energy Reorganization Act of 1974 requires the agency to establish specified time limits, as the Inspector General appears to suggest (see Report of the Inspector General, p. 8).

² In the interest of ensuring a uniform approach to reporting, I believe that we should specify a time period for completing such evaluations rather than allowing organizations to establish their own time limits.

³ A number of those who commented on our proposed Part 21 rule changes indicated that a 30-day limit might not allow sufficient time to conduct an adequate evaluation of potential defects. I would leave the question of precisely how much time to allow to the staff's discretion, taking into account the comments received on this issue.

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