



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

January 29, 2024

Leldon A. Blue  
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Chapin, SC 29036

SUBJECT: RESPONSE TO QUESTIONS REGARDING COMMERCIAL POWER REACTOR IMPLEMENTATION OF AMERICAN NATIONAL STANDARDS INSTITUTE/AMERICAN NUCLEAR SOCIETY (ANSI/ANS), "SELECTION, QUALIFICATION, AND TRAINING OF PERSONNEL FOR NUCLEAR POWER PLANTS," ANSI/ANS-3.1-2014

Dear Mr. Blue:

The U.S. Nuclear Regulatory Commission (NRC) is sending you this letter in response to your inquiries regarding the NRC's approach to approving commercial power reactor licensee implementation of the 2014 revision of ANSI/ANS-3.1, as endorsed through Revision 4 of Regulatory Guide 1.8, "Qualification and Training of Personnel for Nuclear Power Plants." Additionally, this letter serves as a follow-up to our recent web-meeting on the same topic.

On August 15, 2023, you emailed a member of Commissioner Wright's staff with the following questions:

1. Can a plant adopt ANSI 3.1-2014 for a single work group in the plant organization? Some licensees have stated the NRC requires the new standard to be adopted across the entire organization and cannot be applied to a single work group or discipline. However, there are many examples in the industry where specific exceptions to ANSI standards have been taken in the past. Why wouldn't this precedence still be applicable?
2. Is adoption of ANSI 3.1-2014 a reduction in commitment? If so, why is Title 10 of *Code of Federal Regulations* (CFR) 50.54(a)(3)(i) not applicable?

Your email to Commissioner Wright's staff was a follow-up to questions you asked during the 2023 Nuclear Energy Institute's Radiation Protection Forum, held in Knoxville, TN, from July 31 to August 2, 2023. During the NRC's presentation, you asked Commissioner Wright questions similar to those stated above. The NRC's presentation is publicly available in NRC's Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html>, under Accession Number (No.) ML23209A533.

Please note, the staff provides the following for informational purposes only. The NRC provides guidance on how to comply with its regulations through Regulatory Guides and information relevant to specific licensing processes can be obtained through the NRC's Project Management staff that are assigned to individual licensees. As we discussed during our meeting on December 20, 2023:

- A. Regarding Question 1 above: A plant can adopt ANSI 3.1-2014 in whole, or in part, (e.g., for a single work group in the plant organization) as long as either (1) the implementation has already been approved by the NRC through a safety evaluation and the bases of that safety evaluation applies to the plant, or (2) the licensee applies to the NRC to implement ANSI

3.1-2014 as a reduction in commitment to the quality assurance description accepted by the NRC per 10 CFR 50.54(a)(4) and the application is approved. As part of a licensee's request to implement a reduction in commitment in the quality assurance program description as accepted by the NRC under 10 CFR 50.54(a)(4), a licensee can propose a site-specific implementation of a consensus standard (e.g., application to a single work group), an alternative to the approach endorsed by the NRC, or an exception to the approach in whole, or in part. In each case, the NRC staff would review the licensee's proposal, as described in their application, and provide a safety evaluation report approving the proposal, or the staff can deny the request. Therefore, as it pertains to the specific case of ANSI/ANS 3.1-2014, a licensee can request to use the approaches described in that standard for a single work group. Provided the NRC's requirements continue to be met under the licensee's proposed approach, the NRC can approve the proposed approach.

Once the NRC has approved the use of a quality assurance alternative by a licensee through a safety evaluation (e.g., site-specific implementation of a consensus standard), the alternative is no longer considered a reduction in commitment and another licensee can implement the approved quality assurance alternative at their facility without prior NRC approval provided that the bases of the NRC's approval, as described in the applicable safety evaluation, are applicable to the other licensee's facility per 10 CFR 50.54(a)(3)(ii). When a licensee implements an approved quality assurance alternative per 50.54(a)(3)(ii), it is important that their internal change control process include an assessment demonstrating that the bases of the NRC's approval are applicable to their facility and that this assessment be included with the relevant 10 CFR 50.71(e) submittal in support of the conclusion that prior NRC approval was not required per 10 CFR 50.54(a)(3)(ii). The following NRC Safety Evaluations apply to this topic and may be considered by a licensee seeking to implement ANSI/ANS 3.1-2014, provided the bases for the approvals are applicable to the licensee's facility:

- a. ADAMS Accession No. ML22084A001 (TVA, dated April 5, 2022)
  - b. ADAMS Accession No. ML23117A217 (Entergy, dated May 1, 2023)
  - c. ADAMS Accession No. ML23261C385 (Callaway, dated September 25, 2023)
  - d. ADAMS Accession No. ML23230A050 (Dominion, dated October 2, 2023)
- B. Regarding Question 2 above: Reduction in commitment is a phrase used in 10 CFR 50.54(a)(3) and 10 CFR 50.54(a)(4) to describe a change in the program description accepted by the NRC. The term "reduction in commitment" is not to be interpreted as a judgement on the adequacy of the proposed change. Rather, reduction in commitment is terminology used in the regulations to describe all changes to quality assurance program descriptions that do not involve administrative improvement and clarifications, spelling errors, punctuation, editorial items, or the items described in 10 CFR 50.54(a)(3)(i) thru 10 CFR 50.54(a)(3)(vi). Additionally, ANSI/ANS 3.1 is not a "QA standard," as referenced in 10 CFR 50.54(a)(3)(i); rather it is a consensus standard that provides guidance for the selection, qualification, and training of personnel for nuclear power plants. Consequently, 50.54(a)(3)(i) does not apply in the case of ANSI/ANS 3.1-2014. Therefore, implementation of ANSI/ANS 3.1-2014 should follow the requirements of 10 CFR 50.54(a)(3) and (4) as stated in the response to Question 1 above.

Please note that per 10 CFR 50.3, except as specifically authorized by the Commission in writing, no interpretation of the meaning of the regulations 10 CFR Part 50 by any officer or employee of the Commission other than a written interpretation by the General Counsel will be recognized to be binding upon the Commission. The NRC staff has not received an exception to

the requirement of 10 CFR 50.3 in developing this response; therefore, this response is not binding upon the Commission.

If you have any further questions, please contact David Garmon via e-mail at [david.garmon@nrc.gov](mailto:david.garmon@nrc.gov) or via phone at (301) 415-3512.

We appreciate your interest in this matter and thank you for your questions.

Sincerely,

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*/RA/*

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