



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

August 27, 2026

Mr. Earl Mayhorn
NUPIC Chairman
One Ameren Plaza - Mail Code 470
1901 Chouteau Ave
St. Louis, MO 63103

SUBJECT: NRC Response to NUPIC June 2026 Letter

Dear Mr. Mayhorn,

This letter responds to your letter dated June 12, 2026 (Agencywide Documents Access and Management System Accession No. ML26194A099), that asks for clarification on the maintenance of commercial-grade survey reports as lifetime records. Your letter states that your questions were prompted by NRC findings related to utilities not maintaining commercial-grade survey reports as lifetime records. Furthermore, your letter states, in part, that these findings seem to disagree with Table 1, "Retention Times for Lifetime and Nonpermanent Records," from Regulatory Guide (RG) 1.28, "Quality Assurance Program Criteria (Design and Construction)." The table your letter refers to is from Revision 3 of RG 1.28, published in August 1985. Table 1 of RG 1.28 states, in part, that procurement records such as purchaser's pre-award quality assurance surveys and source surveillance data plans, audits, and surveillance reports are classified as nonpermanent records.

The first question in your letter states:

Can commercial grade survey reports, source surveillance data plans, audits, and surveillance reports be classified by licensees as non-permanent records in accordance with Regulatory Guide 1.28, If so, is three (3) years or a ten (10) year retention period acceptable.

Table 1 of RG 1.28, Rev. 3, states that source surveillance data plans, audit and surveillance reports can be maintained as non-permanent records with a three-year retention period. As such, licensees with document retention schedules that follow RG 1.28, Rev. 3, may dispose of source surveillance data plans, audit and surveillance reports after three years. The same is true for purchaser's pre-award quality assurance surveys. These documents are different from commercial-grade survey reports, however.

Table 1 of RG 1.28 doesn't specifically address the retention times for commercial-grade survey reports. Relevant retention requirements are found in Criterion VII, "Control of Purchased Material, Equipment, and Services" and Criterion XVII, "Quality Assurance Records," of Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities." The specific requirements are as follows:

Criterion VII of Appendix B to 10 CFR Part 50 states, in part: "These measures shall include provisions, as appropriate, for source evaluation and selection, objective evidence of quality furnished by the contractor or subcontractor.... Documentary

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evidence that material and equipment conform to the procurement requirements shall be available at the nuclear power plant.... This documentary evidence shall be retained at the nuclear power plant....and shall be sufficient to identify the specific requirements, such as codes, standards, or specifications, met by the purchased material and equipment.”

Criterion XVII of Appendix B to 10 CFR Part 50 states, in part, that “Sufficient records shall be maintained to furnish evidence of activities affecting quality.... Consistent with applicable regulatory requirements, the applicant shall establish requirements concerning record retention such as duration, location, and assigned responsibility.”

When going through the commercial-grade dedication process, licensees can comply with the requirements in Criterion VII of Appendix B in several ways. When a licensee chooses to comply with Criterion VII via objective evidence of quality furnished by the contractor or subcontractor, the licensee must maintain that objective evidence at the nuclear power plant consistent with the requirements of Criterion VII and Criterion XVII. In particular, Criterion VII specifically states that “[d]ocumentary evidence that material and equipment conform to the procurement requirements shall be available at the nuclear power plant” and that “[t]his documentary evidence shall be retained at the nuclear power plant.” Further, Criterion XVII requires licensees to establish “requirements concerning record retention such as duration, location, and assigned responsibility” that are “[c]onsistent with applicable regulatory requirements.” Thus, a licensee that uses commercial-grade survey reports as the objective evidence to comply with Criterion VII, must thus maintain those surveys as lifetime records.

The second question in your letter states:

Can maintaining records of the review and acceptance of a commercial grade survey be considered suffice.

Records of the review and acceptance of a commercial-grade survey are not objective evidence of quality furnished by the contractor or subcontractor. Therefore, a licensee that relies on objective evidence of quality furnished by the contractor or subcontractor to meet the requirements of Criterion VII that only maintained records of the review and acceptance of a commercial-grade survey reports, rather than the actual commercial-grade survey reports, would not meet the applicable regulatory requirements.

I hope that these responses provide the clarification you’re seeking. Please contact me, Douglas Bollock, at 301-415-6609 if further clarification is needed.

Sincerely,

Douglas Bollock Signed by Douglas Bollock on 08/27/26

Douglas R. Bollock, Chief
Vendor and Quality Assurance Branch
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Office of the Chief Nuclear Reactor Inspector

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