

NRC INSPECTION MANUAL

OGCB

INSPECTION PROCEDURE 36100

10 CFR PART 21 INSPECTION AT NUCLEAR POWER REACTORS

PROGRAM APPLICABILITY: 2515

SALP: SOSAQV-0

36100-01 INSPECTION OBJECTIVE

To provide assurance that holders of operating licenses for nuclear power reactors have established procedures and program activities to effectively implement the requirements of 10 CFR Part 21, "Reporting of Defects and Noncompliance."

36100-02 INSPECTION REQUIREMENTS

Procedure Review and Program Assessment. Determine whether licensees' procedures and program activities effectively implement the requirements of 10 CFR Part 21, "Reporting of Defects and Noncompliance."

02.01 Verify that the licensee has implemented the posting requirements of 10 CFR 21.6 by selecting at least one location for inspection.

02.02 Verify that the licensee has implemented the requirements of 10 CFR 21.31 regarding specifying in appropriate procurement documents the applicability of 10 CFR Part 21 by selecting at least five procurement documents for examination.

02.03 Verify that the licensee has effectively implemented the requirements of 10 CFR 21.21(a) regarding evaluating identified deviations by:

- a. Determining that the licensee has established procedures and/or controls to evaluate identified deviations.
- b. Determining the effectiveness of the licensee's established procedures and/or controls to evaluate identified deviations by selecting at least three records of an evaluated deviation that did not result in the identification of a defect or failure to comply and verifying that:

- (1) The item was identified for evaluation consistent with established procedures or by other means.
- (2) The information and data used in the evaluation appear to be factual and complete.

- (3) The finding of the evaluation that a substantial safety hazard or failure to comply does not exist is a logical conclusion of the evaluation.
- (4) Determining that the licensee's controls and/or procedures identify a specific director or responsible officer to notify of identified defects or failures to comply.

02.04 Verify that the licensee has implemented the requirements of 10 CFR 21.21 regarding directors or responsible officers notifying NRC of identified defects or failures to comply related to significant safety hazards by:

- a. Determining that the licensee's controls or procedures accurately reflect the provisions of 10 CFR 21.21 regarding timeframes for reporting identified defects or failures to comply.
- b. Selecting (if available) at least two records of instances in which the identified director or responsible officer notified the Commission of a defect or failure to comply and determining that the notification complies with the provisions of 10 CFR 21.21 regarding timeframes for reporting identified defects or failures to comply.
- c. Selecting (if available) at least two records of instances in which the identified director or responsible officer was notified of a defect or failure to comply but chose not to notify the Commission and verifying that this was an acceptable action.

02.05 Verify that the licensee has implemented the requirements of 10 CFR 21.51 regarding maintenance of records by determining that the licensee has appropriate controls and/or procedures to assure proper maintenance of records.

36100-03 INSPECTION GUIDANCE

General Guidance. Revisions to 10 CFR Part 21 and 10 CFR 50.55(e) published in the Federal Register (56FR 36081) on July 31, 1991, and effective October 29, 1991, eliminated unnecessary duplication of reporting by holders of construction permits for nuclear power reactors by shifting the focus for reporting identified defects or failures to comply to 10 CFR 50.55(e). Accordingly, this inspection procedure is not intended to be applied to holders of construction permits for nuclear power reactors. However, upon receipt of an operating license, the licensee's 10 CFR Part 21 program would be subject to the inspection guidance contained in this inspection procedure.

Inspection activities to assure that vendors' 10 CFR Part 21 programs are in conformance with 10 CFR Part 21 are performed by personnel of the Vendor Inspection Branch of NRR. Accordingly, this inspection procedure is not intended to be applied to vendors.

03.01 Specific Guidance. No specific guidance provided.

36100-04 INSPECTION RESOURCES

Inspection resources necessary to complete this inspection procedure are estimated to be 8 hours of inspection per reactor facility.

36100-05 REFERENCES

10 CFR Part 21, "Reporting of Defects and Noncompliances"

NUREG-0302, Rev. 1 "Remarks Presented (Questions/Answers Discussed) at Public Regional Meetings to Discuss Regulations (10 CFR Part 21) for Reporting of Defects and Noncompliance." (Accession #8307120714)

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