

10 CFR Part 830 Nuclear Safety Management Rule

PRESENTATION TO DNFSB
INTERFACE WORKSHOP

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What were the major milestones for 10 CFR Part 830?

- n ***Notice of Proposed Rulemaking*** issued 12/9/91
- n ***Quality Assurance Requirements*** issued 4/5/1994
- n ***Interim Final Rule***
 - issued 10/10/2000
 - effective 12/11/2000
- n ***Final Rule***
 - issued 1/10/2001
 - effective 4/10/2001
- n ***Interim Final Rule remains in effect until superseded by
the Final Rule on 4/10/2001***

What are the major topics addressed by the requirements in PART 830?

- n Subpart A: Quality Assurance (1994) -
 - *Quality Assurance Program (QAP)*
- n Subpart B: Safety Basis (2000) -
 - *Documented Safety Analysis (DSA)*
 - *Technical Safety Requirements (TSAs)*
 - *Unreviewed Safety Question (USQ) procedure*

What happened to the other nuclear safety topics?

- n *Maintenance, personnel training, conduct of operations, and fire protection*
 - 10 CFR 830.204 (b)(5) requires contractors to define safety management programs for these topics in the DSA.
- n *Criticality safety*
 - 10 CFR 830.204 (b)(6) provides requirements for a criticality safety program to be included in the DSA.
 - DNFSB Tech-28 (3/5/01) requires further guidance on relationship of criticality controls and DSA/TSRs.
- n *Occurrence reporting & defect identification*
 - Contracts will continue to require ORPS.

Who needs to meet the rule?

	Cat 1, 2, & 3	Rad. Facilities	Subs & Suppliers
QA	<i>Yes</i>	<i>Yes</i>	<i>Yes</i>
Safety Basis	<i>Yes</i>	<i>No</i>	<i>No</i>

How does a contractor determine if a nuclear facility is hazard category 1, 2, or 3?

- n 10 CFR 830.202 requires contractors to use DOE-STD-1027 to determine if a nuclear facility is hazard category 1, 2, or 3
- n Use of 1027 is a requirement, *not* a safe harbor

What types of facilities/activities have safe harbors for DSAs listed in Part 830?

- n Reactor
- n Nonreactor nuclear facility
- n Facilities with a limited operational life
- n Deactivation or transition surveillance and maintenance activities
- n Decommissioning activities
- n Environmental restoration activities
- n Nuclear explosive facilities
- n Hazard Category 3 nuclear facilities
- n Transportation activities

***What is the safe harbor for
hazard category 3 nuclear facilities?***

Simplified method to develop a safety basis
for hazard category 3 nuclear facilities

- basic description of the facility/activity and its operations
- qualitative hazards analysis
- hazard controls (consisting primarily of inventory limits and safety management programs) and their bases.

***What is the safe harbor for
environmental restoration activities?***

- n DOE-STD-1120-98 *and*
- n 29 CFR 1910.120 (or 29 CFR 1926.65
for construction activities)

What is the safe harbor for deactivation or transition surveillance and maintenance?

- n DOE-STD-3009 *or*
- n DOE-STD-3011

What is the safe harbor for decommissioning?

- n DOE-STD-1120-98,
- n 29 CFR 1910.120 (or 29 CFR 1926.65 for construction activities), *and*
- n Hazard controls based on
 - Safety and Health Programs
 - Work Plans
 - Health and Safety Plans
 - Emergency Response Plans.

***What is the safe harbor for
limited operational life facilities?***

- n DOE-STD-3009 *or*
- n DOE-STD-3011-94

What are the safe harbors for transportation activities?

- n Transportation activities
 - SARP per DOE-O-460.1A *and*
 - TSD per DOE-G-460.1-1
- n Transportation and onsite transfer of nuclear explosives, etc.
 - SARP per DOE-O-461.1 *and*
 - TSD per DOE-M-461.1-1

***What is the safe harbor for
nuclear explosives?***

- n DOE-STD-3009 *and*
- n DOE-STD-3016

May a contractor use a method other than a safe harbor for a DSA?

- n Methods other than safe harbors may be used with DOE approval.
- n Alternate methods must be approved by PSO with consultation of EH for NNSA activities & concurrence of EH for non-NNSA facilities.

What are the schedule requirements for existing facilities & activities?

April 9, 2001: Contractor notifies DOE if the current safety basis (DSA & TSRs) is to be used to meet the rule [830.207(c)] Must indicate DSA methodology

April 10, 2001: Contractor submits USQ procedure [830.203(b)]

October 10, 2001: DOE approves continuation of existing safety basis [830.207(c)] - and use of alternative methodology (EH concurrence)

April 10, 2003: Contractor submits safety basis if existing safety basis was not approved on 10/10/01 [830.207(a)] [830.207(c)]

What are the schedule requirements for new facilities & activities?

- n *Before construction or procurement:* Contractor must obtain DOE approval of PDSA
- n *Before operation:* Contractor must obtain DOE approval of USQ procedure, documented safety analysis, & TSRs

What if a contractor does not have a safety basis that reflects current operations?

- n Rule (830.207(b)) requires contractors to perform work consistent with the safety basis in effect on 10/10/00, pending DOE approval of the safety basis.
- n If existing safety basis does not reflect current operations, it must notify DOE
- n Contractor/DOE will establish an interim basis for operations and develop new DSA and TSRs by April 10, 2003
- n May submit PAAA non-compliance report if interim basis not approved by April 9, 2001.

What is the impact of the new Part 830 on enforcement?

- n Clarifies QA rule applies to
 - all nuclear facilities or activities and
 - work processes adopted to meet either rule or contract
- n Adds safety basis requirements for hazard category 1, 2, or 3
- n Does not allow DOE to apply PAAA enforcement to Federal employees
- n Does not expand enforcement to hazards that do not affect nuclear safety

***What is the impact of the new
PART 830 on SMS & DOE Orders?***

- n Requires integration of QAP with SMS
- n Confirms SMS requirements for safety bases
- n Allows contractors to use safety bases developed to meet SMS when they meet rule requirements
- n Provides requirements & guidance consistent with and derived from current DOE Orders 5480.21, .22, .23 and corresponding guidance & standards
- n Orders (.21, .22, .23) will be canceled after implementation period for rule