

Property of EPRI's Nuclear Quality
Assurance Department.

EPRI 10 CFR Part 21 Information

**Applicable to
Vendor Working Under EPRI's QA Program**

DO NOT REMOVE

QA Manager, Ronnie Swain
Phone number: 704-595-2514

For more information pertaining to 10
CFR Part 21 issues, please contact the
QA Department hotline 650-855-
1010, or qacoord@epri.com

*******NOTICE*******

**Not to be removed from posted location without the approval of the
EPRI Quality Assurance Manager**

REPORTING OF DEFECTS AND NONCOMPLIANCE

Pursuant to EPRI's intent to meet the requirements of the Energy Reorganization Act of 1974 and Title 10 Code of Federal Regulations Part 21 (10CFR21), any individual director or responsible officer involved with the design, construction, or operation of a facility regulated by the Atomic Energy Act of 1954 shall comply with Section 206 of the Energy Reorganization Act of 1974 below:

NONCOMPLIANCE

SEC.206

- a) Any individual director, or responsible officer of a firm constructing, owning, operating, or supplying the components of any facility or activity which is licensed or otherwise regulated pursuant to the Atomic Energy Act of 1954, as amended, or pursuant to this Act, who obtains information reasonably indicating that such facility or activity or basic components supplied to such facility or activity:
 1. Fails to comply with the Atomic Energy Act of 1954, as amended, or any applicable rule, regulation, order, or license of the Commission relating to substantial safety hazards, or
 2. Contains a defect which could create a substantial safety hazard, as defined by regulations which the Commission shall promulgate, shall immediately notify the Commission of such failure to comply, or of such defect, unless such person has actual knowledge that the Commission has been adequately informed of such defect or failure to comply.
- b) Any person who knowingly and consciously fails to provide the notice required by subsection (a) of this section shall be subject to a civil penalty in an amount equal to the amount provided by section 234 of the Atomic Energy Act of 1954, as amended.
- c) The requirements of this section shall be prominently posted on the premises of any facility licensed or otherwise regulated pursuant to the Atomic Energy Act of 1954, as amended.
- d) The Commission is authorized to conduct such reasonable inspections and other enforcement activities as needed to insure compliance with the provision of this section.

To implement Section 206, the Nuclear Regulatory Commission published 10CFR21 which has the following stated purpose:

Sec. 21.1 Purpose – The regulations in this part establish procedures and requirements for implementation of Section 206 of the Energy Reorganization Act of 1974. That section requires any individual director or responsible officer of a firm constructing, owning, operating or supplying the components of any facility or activity which is licensed or otherwise regulated pursuant to the Atomic Energy Act of 1954, as amended, or the Energy Reorganization Act of 1974, who obtains information reasonably indicating: (a) That the facility, activity or basic component supplied to such facility or activity fails to comply with the Atomic Energy Act of 1954, as amended, or any applicable rule, regulation, order, or license of the Commission relating to substantial safety hazards or (b) that the facility, activity, or basic component supplied to such facility or activity contains defects, which could create a substantial safety hazard, to immediately notify the Commission of such failure to comply or such defect, unless he has actual knowledge that the Commission has been adequately informed of such defect or failure to comply.

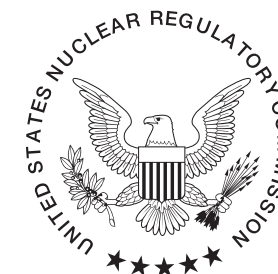
EPRI procedure QAP-16.3 “10 CFR Reporting” implements Section 206 and 10CFR21. This procedure provides detailed responsibilities for identification, processing, and reporting defects and noncompliances covered under these requirements. Copies of 10CFR21 and the applicable procedure can be examined at the office of Mr. Ronnie Swain, Quality Assurance Manager located at the EPRI office in Charlotte, NC. Copies of the documents can also be obtained from Mr. Ronnie Swain.

10CFR21 can also be viewed at <http://www.nrc.gov/reading-rm/doc-collections/cfr/part021/> and the EPRI procedure QAP-16.3, “10CFR21 Reporting” at SharePoint site: Nuclear QA/Procedures <http://insideepri/sf/rd/nuc/NuclearQA/Procedures>

Each individual is responsible for reporting defects or noncompliances to their supervisors. Reports may also be made to, EPRI's Quality Assurance Manager.

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NOTICE TO EMPLOYEES

STANDARDS FOR PROTECTION AGAINST RADIATION (PART 20); NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS; INSPECTIONS (PART 19); EMPLOYEE PROTECTION

WHAT IS THE NUCLEAR REGULATORY COMMISSION?

The Nuclear Regulatory Commission (NRC) is an independent Federal regulatory agency responsible for licensing and inspecting nuclear power plants and other commercial uses of radioactive materials.

WHAT DOES THE NRC DO?

The NRC's primary responsibility is to ensure that workers and the public are protected from unnecessary or excessive exposure to radiation and that nuclear facilities, including power plants, are constructed to high quality standards and operated in a safe and secure manner. The NRC does this by establishing requirements in Title 10 of the Code of Federal Regulations (10 CFR) and in licenses issued to nuclear users.

WHAT RESPONSIBILITY DOES MY EMPLOYER HAVE?

Any company that conducts activities licensed by the NRC must comply with the NRC's requirements. If a company violates NRC requirements, it can be fined or have its license modified, suspended or revoked.

Your employer must tell you which NRC radiation requirements apply to your work and must post NRC Notices of Violation involving radiological working conditions.

WHAT IS MY RESPONSIBILITY?

For your own protection and the protection of your co-workers, you should know how NRC requirements relate to your work and should follow them. If you observe violations of the requirements or have a safety concern, you should report them.

WHAT IF I CAUSE A VIOLATION?

If you engaged in deliberate misconduct that may cause a violation of the NRC requirements, or would have caused a violation if it had not been detected, or deliberately provided inaccurate or incomplete information to either the NRC or to your employer, you may be subject to enforcement action. If you report such a violation, the NRC will consider the circumstances surrounding your reporting in determining the appropriate enforcement action, if any.

HOW DO I REPORT VIOLATIONS AND SAFETY CONCERNS?

If you believe that violations of NRC rules or the terms of the license have occurred, or if you have a safety concern, you should report them immediately to your supervisor. You may report violations or safety concerns directly to the NRC. However, the NRC encourages you to raise your concerns with the licensee since the licensee has the primary responsibility for, and is most able to ensure, safe operation of nuclear facilities. If you choose to report your concern directly to the NRC, you may report it to an NRC in-

pector or call or write to the NRC Regional Office serving your area. If you send your concern in writing, it will assist the NRC in protecting your identity if you clearly indicate that you would like your concern to be considered by the NRC Allegation Program. The NRC's toll-free SAFETY HOTLINE for reporting safety concerns is listed below. The addresses for the NRC Regional Offices and the toll-free telephone numbers are also listed below. You can also e-mail safety concerns to NRC.Allegation@nrc.gov.

WHAT IF I WORK WITH RADIOACTIVE MATERIAL OR IN THE VICINITY OF A RADIOACTIVE SOURCE?

If you work with radioactive materials or near a radiation source, the amount of radiation exposure that you are permitted to receive may be limited by NRC regulations. The limits on exposure for workers at NRC licensed facilities whose duties involve exposure to radiation are contained in sections 20.1201, 20.1207, and 20.1208 of Title 10 of the Code of Federal Regulations (10 CFR 20) depending on the part of the regulations to which your employer is subject. While these are the maximum allowable limits, your employer should also keep your radiation exposure as far below those limits as is "reasonably achievable."

MAY I GET A RECORD OF MY RADIATION EXPOSURE?

Yes. Your employer is required to make available to you the information in your dose records (as maintained under the provisions of 10 CFR 20.2106). In addition your employer is required to provide you with an annual report of the dose you received in that monitoring year if the dose exceeds 100 millirem, or if you request an annual report.

HOW ARE VIOLATIONS OF NRC REQUIREMENTS IDENTIFIED?

NRC conducts regular inspections at licensed facilities to assure compliance with NRC requirements. In addition, your employer and site contractors may conduct their own inspections to assure compliance. All inspectors are protected by Federal law. Interference with them may result in criminal prosecution for a Federal offense.

MAY I TALK WITH AN NRC INSPECTOR?

Yes. NRC inspectors want to talk to you if you are worried about radiation safety or have other safety concerns about licensed activities, such as the quality of construction or operations at your facility. Your employer may not prevent you from talking with an inspector. The NRC will make all reasonable efforts to protect your identity where appropriate and possible.

MAY I REQUEST AN INSPECTION?

Yes. If you believe that your employer has not corrected violations involving radiological working conditions, you may request an inspection. Your request should be addressed to the nearest NRC Regional Office and must describe the alleged violation in detail. It must be signed by you or your representative.

HOW DO I CONTACT THE NRC?

Talk to an NRC inspector on-site or call or write to the nearest NRC Regional Office in your geographical area (see map below). If you call the NRC's toll-free SAFETY HOTLINE during normal business hours, your call will automatically be directed to the NRC Regional Office for your geographical area. If you call after normal business hours, or if your call can't be answered during normal business hours by the regional staff, your call will be directed to the NRC's Headquarters Operations Center, which is manned 24 hours a day. Calls to the Headquarters Operations Center are recorded. You can also e-mail safety concerns to NRC.Allegation@nrc.gov.

CAN I BE FIRED FOR RAISING A SAFETY CONCERN?

Federal law prohibits an employer from firing or otherwise discriminating against you for bringing safety concerns to the attention of your employer or the NRC. You may not be fired or discriminated against because you engage in certain protected activities, including but not limited to,

- asking the NRC to enforce its rules against your employer;
- refusing to engage in activities which violate NRC requirements;
- providing information or preparing to provide information to the NRC or your employer about violations of requirements or safety concerns; or
- asking for, or testifying, helping, or taking part in an NRC, Congressional, or any Federal or State proceeding.

WHAT FORMS OF DISCRIMINATION ARE PROHIBITED?

It is unlawful for an employer to fire you or discriminate against you with respect to pay, benefits, or working conditions because you help the NRC or raise a safety issue or otherwise engage in protected activities. Violations of Section 211 of the Energy Reorganization Act (ERA) of 1974 (42 U.S.C. 5851) include actions such as harassment, blacklisting, and intimidation by employers of (i) employees who bring safety concerns directly to their employers or to the NRC; (ii) employees who have refused to engage in an unlawful practice, provided that the employee has identified the illegality to the employer; (iii) employees who have testified or are about to testify before Congress or in any Federal or State proceeding regarding any provision (or proposed provision) of the ERA or the Atomic Energy Act (AEA) of 1954; or (iv) employees who have commenced or caused to be commenced a proceeding for the administration or enforcement of any requirement imposed under the ERA or AEA or who have, or are about to, testify, assist, or participate in such a proceeding.

HOW DO I FILE A DISCRIMINATION COMPLAINT?

If you believe that you have been discriminated against for bringing violations or safety concerns to the NRC or your employer, you may file a complaint with the NRC, the U.S. Department of Labor (DOL), or appropriate state entities. If you desire a person-

al remedy, a complaint may be filed with the DOL pursuant to Section 211 of the ERA or with appropriate state entities. Your complaint to the DOL must describe in detail the basis for your belief that the employer discriminated against you on the basis of your protected activity, and it must be filed in writing either in person or by mail within 180 days of the date of the alleged discriminatory action or the date you received any notice, in writing or otherwise, of an adverse personnel action, whichever occurred first. Additional information is available at the DOL web site at www.osha.gov. Filing an allegation, complaint, or request for action with the NRC does not extend the requirement to file a complaint with the DOL within 180 days. To do so, you may contact the Allegation Coordinator in the appropriate NRC Region, as listed below, who will provide you with the address and telephone number of the correct OSHA Regional office to receive your complaint. You may also check your local telephone directory under the U.S. Government listings for the address and telephone number of the appropriate OSHA Regional office.

WHAT CAN THE DEPARTMENT OF LABOR DO?

If your complaint involves a violation of Section 211 of the ERA by your employer, the DOL provides a process for obtaining a personal remedy. The DOL will notify your employer that a complaint has been filed and will investigate your complaint.

If the DOL finds that your employer has unlawfully discriminated against you, it may order that you be reinstated, receive back pay, or be compensated for any injury suffered as a result of the discrimination and be paid attorney's fees and costs.

Relief will not be awarded to employees who engage in deliberate violations of the Energy Reorganization Act or the Atomic Energy Act.

WHAT WILL THE NRC DO?

The NRC will evaluate each allegation of harassment, intimidation, or discrimination to determine whether sufficient information is provided to initiate NRC involvement. To assist in this evaluation, an investigator from the NRC's Office of Investigations (IO) may interview you and gather any applicable documentation in your possession. If the NRC determines that the allegation falls within its purview, NRC's IO will initiate an investigation of your allegation of discrimination unless, prior to the initiation of such investigation, you choose to engage in mediation with your employer in an attempt to settle your allegation of discrimination. If a settlement is reached and the NRC is provided such agreement for review and finds it acceptable, the NRC will close your allegation of discrimination and will not perform an investigation. However, any settlement agreement between you and your employer on your discrimination claim will not impact, in any way, the resolution of the underlying technical issues or any other allegation you may have filed or will file with the NRC. Alternatively, if an acceptable settlement is not reached, NRC's IO will initiate an investigation.

If the NRC or the DOL finds that unlawful discrimination has occurred, the NRC may issue a Notice of Violation to your employer, impose a fine, or suspend, modify, or revoke your employer's NRC license.

Nuclear Power Plants

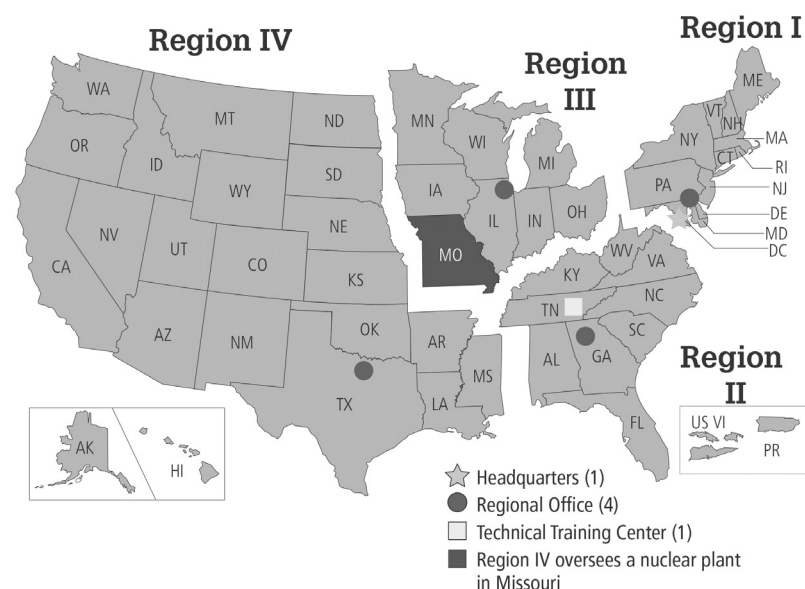
- Each regional office oversees the plants in its region—except for the Callaway plant in Missouri, which Region IV oversees.

Materials Licensees

- Region I oversees licensees and Federal facilities located geographically in Region I and Region II.
- Region III oversees licensees and Federal facilities located geographically in Region III.
- Region IV oversees licensees and Federal facilities located geographically in Region IV.

Nuclear Fuel Processing Facilities

- Region II oversees all the fuel processing facilities in all regions.
- Region II also handles all construction inspection activities for new nuclear power plants and fuel cycle facilities in all regions.



UNITED STATES NUCLEAR REGULATORY COMMISSION REGIONAL OFFICE LOCATIONS

A representative of the Nuclear Regulatory Commission can be contacted by employees who wish to register complaints or concerns about radiological working conditions or other matters associated with NRC-regulated activities at the following addresses and telephone numbers.

REGIONAL OFFICES

REGION	ADDRESS	TELEPHONE
I	U.S. Nuclear Regulatory Commission, Region I 2100 Renaissance Boulevard, Suite 100 King of Prussia, PA 19406-2713	(800) 432-1156
II	U.S. Nuclear Regulatory Commission, Region II 245 Peachtree Center Avenue, NE., Suite 1200 Atlanta, GA 30303-1257	(800) 577-8510
III	U.S. Nuclear Regulatory Commission, Region III 2443 Warrenville Road, Suite 210 Lisle, IL 60532-4352	(800) 522-3025
IV	U.S. Nuclear Regulatory Commission Region, IV 1600 East Lamar Boulevard Arlington, Texas 76011-4511	(800) 952-9677

To report safety concerns or violations of NRC requirements by your employer,

telephone:

NRC SAFETY HOTLINE

1-800-695-7403

To report incidents involving fraud, waste, or abuse by an NRC employee or NRC contractor,

telephone:

OFFICE OF THE INSPECTOR GENERAL

HOTLINE

1-800-233-3497