NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** UNITED STATES OF AMERICA**If applicable, name of local government involved (Article 3.2 and 7.2):**  |
| **2.** | **Agency responsible:** Nuclear Regulatory Commission (NRC) [2021]**Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:** Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov |
| **3.** | **Notified under Article 2.9.2 [****],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****[X]:** Describes methods and procedures that the NRC staff considers acceptable for use in complying with the agency's regulations regarding the Quality Assurance (QA) program criteria for the design and construction phases of nuclear power plants and fuel reprocessing plants. |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Quality assurance program criteria (design and construction) of nuclear power plants and fuel reprocessing plants; Quality (ICS code(s): 03.120); Nuclear energy engineering (ICS code(s): 27.120) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Draft Regulatory Guide: Quality Assurance Program Criteria (Design and Construction); (2 page(s), in English) |
| **6.** | **Description of content:** Draft guide; request for comment - The U.S. Nuclear Regulatory Commission (NRC) is issuing for public comment a draft regulatory guide (DG), DG-1403, "Quality Assurance Program Criteria (Design and Construction)." This DG is proposed Revision 6 of Regulatory Guide [(RG) 1.28](https://www.nrc.gov/docs/ML1001/ML100160003.pdf) of the same name. The proposed revision endorses Nuclear Energy Institute [(NEI) 14-05A](https://www.nrc.gov/docs/ML2013/ML20135H229.pdf), "Guidelines for the Use of Accreditation in Lieu of Commercial Grade Surveys for Procurement of Laboratory Calibration and Test Services," Revision 1, issued November 2020, as an acceptable approach for licensees and suppliers subject to the quality assurance (QA) requirements of NRC regulations. Also in this proposed revision, the NRC staff endorses the Part I and Part II requirements included in [NQA-1-2017](https://webstore.ansi.org/preview-pages/ASME/preview_NQA-1_2017.pdf), [NQA-1-2019](https://webstore.ansi.org/preview-pages/ASME/preview_NQA-1_2019.pdf), and [NQA-1-2022](https://www.asme.org/codes-standards/find-codes-standards/nqa-1-quality-assurance-requirements-nuclear-facility-applications) for the implementation of a QA program during the design and construction phases of nuclear power plants and fuel reprocessing plants. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Quality requirements |
| **8.** | **Relevant documents:** 88 Federal Register (FR) 27713, 3 May 2023; Title 10 Code of Federal Regulations (CFR) Parts 50 and 52:<https://www.govinfo.gov/content/pkg/FR-2023-05-03/html/2023-09160.htm><https://www.govinfo.gov/content/pkg/FR-2023-05-03/pdf/2023-09160.pdf>This draft guide; request for comment is identified by Docket Number NRC-2023-0054. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/NRC-2023-0054/document> and provides access to primary and supporting documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders by [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 2 June 2023 will be shared with the regulator and will also be submitted to the [Docket](https://www.regulations.gov/docket/NRC-2023-0054/document) on Regulations.gov if received within the comment period. |
| **9.** | **Proposed date of adoption:** To be determined**Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 2 June 2023 |
| **11.** | **Texts available from: National enquiry point [****]** **or address, telephone and fax numbers and email and website addresses, if available, of other body:** <https://members.wto.org/crnattachments/2023/TBT/USA/23_09444_00_e.pdf> |