

October 27, 2003

MEMORANDUM TO: NRR Division Directors  
NRR Deputy Division Directors  
NRR Technical Assistants  
NRR Branch Chiefs  
NRR Section Chiefs

FROM: Herbert N. Berkow, Director **/RA/**  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

SUBJECT: IMPLEMENTATION OF A REVISED REVIEW PROCESS FOR  
TOPICAL REPORTS

This memorandum is to inform you that effective for all topical reports submitted after October 1, 2003, we have implemented revisions to our topical report review process. The revisions have been approved by the Leadership Team. Details of the revised process are discussed in the attached letter that was sent to submitters of topical reports.

Additionally, as shown in the attached FY 2004 NRR Operating Plan Planning Template for PA Code 101-113A, the following leadership and operational level measures are being changed to ensure that the planned accomplishments are controlled adequately.

1. Resources used to review topical reports will be within 20 percent of the acceptance letter's estimated total review cost of each topical report – 90 percent of the time.
2. DLPM will issue work requests (WRs) for each topical report review within 5 calendar days of the incoming topical report – 90 percent of the time.
3. The technical staff will provide DLPM with completed WRs within 14 calendar days of receipt – 90 percent of the time.
4. A telephone conference will be held among the project manager, technical branch supervision, and the submitter to discuss and obtain a mutually agreed upon milestone schedule. The agreed upon schedule will be documented in an acceptance letter issued by DLPM within 45 calendar days of the incoming topical report – 90 percent of the time.
5. DLPM will issue the proprietary determination letter (if applicable) in accordance with the requirements of 10 CFR 2.790, within 60 calendar days of the incoming topical report – 90 percent of the time.
6. The Technical Review Team will provide the project manager with requests for additional information (RAIs) 14 calendar days prior to the agreed upon milestone schedule date for RAIs – 90 percent of the time.

7. DLPM will issue the RAIs within the agreed upon milestone schedule date for RAIs – 90 percent of the time.
8. In the event of an incomplete or late RAI response from the submitter, the staff can extend the review schedule until the complete RAI response is submitted, or suspend its review of the topical report. In such situations, the staff would establish a revised review schedule, which would be documented in a letter to the submitter of the topical report.
9. The technical staff will provide the PM with the safety evaluation (SE) input 20 calendar days prior to the current agreed upon milestone schedule date for the draft SE – 90 percent of the time.
10. DLPM will issue a draft SE within the agreed upon milestone schedule date for the draft SE – 90 percent of the time. [The submitter of the topical report will provide comments on any factual errors or clarity concerns contained in the draft SE within 20 days of receipt].
11. The technical staff will provide the project manager with resolution to comments on the draft SE within 10 calendar days after receipt of draft SE comments – 90 percent of the time.
12. DLPM will issue the final SE for topical report acceptance within 20 calendar days after receipt of draft SE comments – 90 percent of the time.

If you have any questions, please call Girija Shukla, Project Manager, Topical Report Program, at 415-8439, Steve Dembek at 415-1455, or me at 415-1395.

Attachments: 1. Sample Letter

2. FY 2004 NRR Operating Plan Planning Template for PA Code 101-113A

cc w/atts:

J. Dyer/R. Borchardt

B. Sheron

J. Craig

7. DLPM will issue the RAIs within the agreed upon milestone schedule date for RAIs – 90 percent of the time.
8. In the event of an incomplete or late RAI response from the submitter, the staff can extend the review schedule until the complete RAI response is submitted, or suspend its review of the topical report. In such situations, the staff would establish a revised review schedule, which would be documented in a letter to the submitter of the topical report.
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11. The technical staff will provide the project manager with resolution to comments on the draft SE within 10 calendar days after receipt of draft SE comments – 90 percent of the time.
12. DLPM will issue the final SE for topical report acceptance within 20 calendar days after receipt of draft SE comments – 90 percent of the time.

If you have any questions, please call Girija Shukla, Project Manager, Topical Report Program, at 415-8439, Steve Dembek at 415-1455, or me at 415-1395.

Attachments: 1. Sample Letter  
2. FY 2004 NRR Operating Plan Planning Template for PA Code 101-113A

cc w/atts:

J. Dyer/R. Borchardt  
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J. Craig

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OFFICE	PDIV-2/PM	PDIV-2/LA	PDIV-2/SC	PDIV/D
NAME	GShukla	EPeyton	SDembek	HBerkow
DATE	10/20/03	10/15/03	10/20/03	10/20/03

## **SAMPLE LETTER TO TOPICAL REPORT SUBMITTER**

**Note: This letter will be sent to the following vendors and owners groups: Westinghouse, Westinghouse Owners Group, Framatome, B&W Owners Group, GE Nuclear Energy, Global Nuclear Fuel, BWR Owners Group, Electric Power Research Institute, and Nuclear Energy Institute**

Mr. Henry A. Sepp, Manager  
Regulatory and Licensing Engineering  
Westinghouse Electric Company  
P.O. Box 355  
Pittsburgh, PA 15230-0355

SUBJECT: IMPLEMENTATION OF A REVISED REVIEW PROCESS FOR TOPICAL REPORTS

Dear Mr. Sepp:

This letter is to inform you that, as part of our ongoing efforts to improve the effectiveness and efficiency of the topical report program, effective for all topical reports submitted after October 1, 2003, we have implemented revisions to our topical report review process. This letter supersedes our earlier letter dated July 1, 2003, regarding a proposed prioritization and scheduling process for topical report reviews and considers comments received in response to that letter. Details of the revised process are given below:

1. The revised process requires that submittal letters for all topical reports include a requested completion date with a detailed explanation of the basis for the date.
2. Based on the requested completion date and its basis, report complexity, available staff resources, and other considerations, the staff will establish proposed optimum milestones for issuing the request for additional information (RAIs), receiving responses to RAIs, and the safety evaluation (SE) issuance for that topical report.
3. During the acceptance review of the topical report, a telephone conference will be held among the project manager, technical branch supervision, and the submitter of the topical report to discuss and obtain a mutual agreement on the review schedule milestones. Once agreed upon, the report-specific review schedule will be considered a commitment by the staff and the submitter of the report.
4. The revised process will typically require that responses to RAIs be submitted within 30 calendar days of receipt. Proposed RAIs will be discussed before issuance, as is the current practice.
5. The agreed upon schedule will be documented in the acceptance for review letter for the topical report, along with estimated review cost, which will include staff review hours, time required to coordinate the review and develop and issue the SE, i.e., project management time, and the estimated contractor cost, if applicable and available. Typically, the acceptance for review letter will be issued within 45 calendar days of receipt of the topical report.

6. In order for this process to be successful, the established schedules must be adhered to by both the submitter of the topical report and the staff. In the event of a lack of support from the submitter, such as an incomplete or late RAI response, the staff can extend the review schedule until the complete RAI response is submitted, or suspend its review of the topical report. In such situations, after receiving all requested information, the staff would establish a revised review schedule, based upon available staff resources, and other considerations. The revised review schedule would be documented in a letter to the submitter of the topical report.
7. Effective immediately, pursuant to 10 CFR 2.790, a draft SE will be issued on the approval of the topical report and will not be placed in the public document room for a period of ten working days from the date of the SE transmittal letter to provide the submitters an opportunity to comment on the proprietary aspects of the SE. After ten working days, the draft SE will be made publicly available, and an additional ten working days will be provided to the submitter to comment on any factual errors or clarity concerns contained in the SE. The final SE will be issued after making any necessary changes, and will also be made publicly available. The staff's disposition of submitter's comments will be discussed in the final SE.

If you have any questions, or need clarification, please call Girija Shukla, Project Manager, Topical Report Program, at 301-415-8439, Steve Dembek at 301-415-1455, or me at 301-415-1395.

Sincerely,

Herbert N. Berkow, Director  
Project Directorate IV  
Division of Licensing Project Management  
Office of Nuclear Reactor Regulation

Project No. 700

cc: Mr. Gordon Bischoff, Project Manager  
Westinghouse Owners Group  
Westinghouse Electric Company  
Mail Stop ECE 5-16  
P.O. Box 355  
Pittsburgh, PA 15230-0355