



# U.S. Nuclear Regulatory Commission Office of Nuclear Material Safety and Safeguards

## SFST Office Instruction Change Notice

Office Instruction No.: **SFST - 14, Rev. 1**  
Office Instruction Title: **Acknowledgment Reviews**  
Effective Date: **September 27, 2006**  
Primary Contact: **Licensing Branch Chief**

**Summary of Changes:** (For revisions, indicate changes by placing a vertical line in the margins)

**Minor Revision:**

1. Revised references to SFST in preparation for the NMSS reorg that will go into effect on Oct. 1, 2006.
2. Revised Primary Contact

**DISTRIBUTION:**  
SFST Staff

ADAMS Document Manager/NMSS/NMSS-SFPO/Office Instructions/SFST-14 (Non-Public)

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<b>NAME:</b>	S.Williams		E.Ziegler		R.Nelson					
<b>DATE:</b>	9/27/06		9/27/06		9/27/06					
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SFST Office Instruction  
SFST - 14, Revision 1

Acknowledgment Reviews

**1. OBJECTIVES**

- 1.1 To provide consistency and guidelines in Part 71 and Part 72 Acknowledgment Reviews.
- 1.2 To inform the applicant that their submittal has been received and the action SFST is taking to address the submittal.

**2. GUIDANCE SECTION**

**2.1 Acknowledgment Reviews**

- 2.1.1 The PM performs an Acknowledgment Review for all submittals - generally within 30 days of SFST's receipt of the application.
- 2.1.2 The Acknowledgment Review is not a technical review; it is an administrative evaluation for completeness of the application and of general omission of information.
- 2.1.3 For pending applications involving particularly complex or first-of-a-kind issues, a PM-only acknowledgment review may not be appropriate, and the PM should consult SFST management to promptly identify and characterize the possible need for increased SFST resources during the Acknowledgment Review.

**2.2 Performing an Acknowledgment Review**

- 2.2.1 Using the guidelines provided in the associated SRPs and the following Regulatory Guides, the PM reviews the application for administrative completeness.
  - a) Regulatory Guide 3.48, "Standard Format and Content for the Safety Analysis Report for an Independent Spent Fuel Storage Installation."
  - b) Regulatory Guide 3.61, "Standard Format and Content for a Topical Safety Analysis Report for a Spent Fuel Dry Storage Cask."
  - c) Regulatory Guide 7.9, "Standard Format and Content for Part 71 Applications for Approval of Packaging for Radioactive Material."

## 2.2.2 Other elements of the Acknowledgment Review include:

- a) Identify actions where applicants have requested an expedited review (with basis).
- b) Determine that the applicant fully identifies SRP/ISG deviations or necessary exemptions.
- c) Verify the applicant identifies proprietary information and provides the proper affidavit.
- d) Verify attachments and references are included.
- e) Ensure contents of the application are legible and coherent. Contents may include evaluations, drawings, and data tables.
- f) Confirm that the applicant provided instructions on updating NRC's copy of the SAR (a current, complete application – amendment or otherwise - is needed prior to beginning the technical review).

## 2.3 Notifying the Applicant of Acceptable Applications

2.3.1 For most applications, an Acknowledgment Review Letter to the Applicant should be issued within approximately 30 days of the SFST receipt date of the application.

- a) If a 30 day time-frame Acknowledgment Letter is not feasible because the application is still in the scheduling process, the PM notifies the applicant verbally that the application has been received.
- b) When the Acknowledgment Review is complete with an approved schedule, the PM sends the applicant an Acknowledgment Letter.

2.3.2 For quick turnaround submittals, generally less than 60 days, such as Part 71 renewals, low complexity cases, and high priority cases, the PM may notify the applicant verbally that the application has been received. An Acknowledgment Letter is not required. [NMSS Quality Audit Recommendation ML040370814]

2.3.3 Acknowledgment Review Letter Template - Attachment No. 1

2.3.4 Depending on the applicant, consider including a copy of "Interactions between Applicants and NRC Staff" (SFST-15) as an attachment to the letter.

**2.4 Deficiencies Identified during an Acknowledgment Review/Rejecting an Application**

- 2.4.1 Deficiencies or omissions identified during the Acknowledgment Review will be identified in a letter to the applicant. This letter will state the areas where the application is incomplete and that NRC review of the application will not proceed. Examples include submitted material that is incomplete, provides only partial responses or intent to respond by dates, or is otherwise non-substantive. See Attachment No. 2: Deficiency Letter.
- 2.4.2 Prior to issuing the Deficiency Letter, the PM shall contact the applicant via telephone and notify them that the application did not pass the Acknowledgment Review. The PM shall offer the applicant the opportunity to withdraw the application. If the application is not withdrawn, the PM shall issue a deficiency letter and terminate review of the application.
- 2.4.3 The applicant may re-submit at a later date, however, a new review is initiated and a new TAC# is assigned upon resubmittal.

**3. RESPONSIBILITIES AND AUTHORITIES**

- 3.1 No additional responsibilities not already stated in Section 2.

**4. REFERENCES**

- 4.1 NMSS Policy and Procedures Letter (P&PL) 1-51, dated April 10, 1997, revised Sept 1999.
- 4.2 January 11, 2005, Memorandum to EW Brach, "Recommendation on SFPO Acknowledgment Review Process." (SFPO Ticket No: S-2004020) (ML050110186)

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Attachment No. 1: Acknowledgment Letter Template

Mr./Mrs. \_\_\_\_\_

[NRC Letterhead]

Title

Company Name

Street Address

City, State, Zip Code

SUBJECT: RECEIPT OF APPLICATION - ACKNOWLEDGMENT LETTER

Dear Mr. \_\_\_\_\_:

By letter dated April 30, 2003, *Company Name* submitted an application for Amendment No. 1 of Certificate of Compliance (CoC) No. 1029. This application proposes to add a new fuel canister design to the Advanced NUHOMS® System.

This letter acknowledges receipt of your application and informs you that the application appears to contain the necessary information to begin our technical review. We have established a schedule for the technical review of your amendment request. The schedule allows for the staff to issue a possible request for additional information (RAI) by July 2005. If no RAI is needed, and based on the staff's evaluation, the amended CoC may be issued at approximately that time. To meet the schedule, it is incumbent upon *Company Name* to respond promptly (i.e., 60 days from the RAI receipt date) and comprehensively to any RAI. The amended CoC is scheduled to be issued by December 2005, if there is a RAI as a result of the technical review.

In general, no additional changes to the application will be allowed except for those minor changes that result in responding to an RAI. Additional changes, supplements, or enhancements may be treated as a new application. *[For applicants that may not be familiar with the "Rules of Engagement", consider including a copy of "Interactions between Applicants and SFST Staff" and this sentence: A copy of "Interactions between Applicants and SFST Staff" is attached for your information.]*

Please notify me, in writing at your earliest opportunity, of any circumstance that may result in your inability to meet the schedule. Reference Docket No. 72-XXXX and TAC No. LXXXXX in future correspondence related to this licensing action. If you have any questions regarding this matter, you may contact me at (301) 415-8000.

Sincerely,

PM Name, Title

Licensing Branch

Division of Spent Fuel Storage and Transportation

Office of Nuclear Material Safety

and Safeguards

Docket No. XX-XXXX

TAC No. LXXXXX

Attachment No. 2  
Deficiency Letter

Mr./Mrs. \_\_\_\_\_  
Title  
Company Name  
Street Address  
City, State, Zip Code

[NRC Letterhead]

SUBJECT: RECEIPT OF APPLICATION - TERMINATION OF REVIEW

Dear Mr. Rummel:

This refers to your application dated June 27, 2003, requesting an amendment to Certificate of Compliance No. 9288, for the Model No. Eco-Pak OP Uranium Oxide Transport package.

This letter is to inform you that during the acceptance review, the U.S. Nuclear Regulatory Commission staff found deficiencies in your application which prevents us from accepting it for technical review. These deficiencies include: .....

If you have any questions regarding this matter, we would be pleased to meet with you and your staff. I may be contacted at (301) 415-8000.

Sincerely,

PM Name, Title  
Licensing Branch  
Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 71-XXXX  
TAC No. LXXXXX