



Acceptance Review of Research and Test Reactor Licensing Applications

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Introduction

- The U.S. Nuclear Regulatory Commission (NRC) staff has an acceptance review process for non-power reactor licensing applications
 - license amendment
 - other action that requires NRC approval prior to implementation
- The acceptance review process identifies major information gaps and inconsistencies with regulatory requirements
 - more efficient use of NRC resources
 - more predictable licensing process
- Other parts of the NRC use similar processes

Objectives

- Inform licensees about the acceptance review process
 - What is it?
 - Why is it done?
 - How does it work?
 - What are the criteria?
 - How can it affect licensees?
- Encourage early and frequent communication between licensees and the NRC licensing project managers
 - What is the action?
 - What is the schedule?
 - What are the regulations and guidance?
- Address the concerns of the licensed community about the large number of requests for additional information (RAIs) associated with licensing actions



Acceptance Review Process

- What is it?
 - a formal, high-level review of an application for a licensing action
 - a review of the application against the regulatory requirements
 - a tool to identify major problems early
- Why is it done?
 - to reduce the number of RAIs for licensing actions
 - to determine whether an application reasonably appears to contain sufficient technical information, both in scope and depth, for the NRC staff to complete the detailed review and render an independent assessment of the proposed action with regard to applicable regulatory requirements and the protection of public health and safety, the environment, and security
 - to increase NRC's efficiency when reviewing licensing applications



Acceptance Review Process

- What are the criteria?
 - Regulations covering administrative requirements for submitting applications
 - 10 CFR 50.90, “Application for Amendment of License...”
 - 10 CFR 50.4, “Written Communications”
 - Applications must be sent to the Document Control Desk
 - If application is on paper, it must be the signed original
 - The application must be submitted by:
Mail: ATTN: Document Control Desk, U.S. Nuclear Regulatory Commission. Washington, DC 20555-0001; or
Hand delivery to NRC offices at 11555 Rockville Pike, Rockville, MD between hours of 8:15 a.m. and 4 p.m. ET; or
Electronic submission following guidance in 10 CFR 50.4 (a) (NRC Help Desk: 866-672-7640, Mon.-Fri. 8am-8pm EST)

Acceptance Review Process

- What are the criteria?
 - Regulations covering administrative requirements for submitting applications
 - 10 CFR 50.30, “Filing of Applications for Licenses; Oath or Affirmation”
 - 10 CFR 2.390, “Public Inspections, Exemptions, Requests for Withholding”
 - Information included in application that is security, sensitive or proprietary that submitter wishes to be withheld from public disclosure must be marked in accordance with 10 CFR 2.390 If application is on paper, it must be the signed original
 - The procedure for such submittals is contained in 10 CFR 2.390(a)

Acceptance Review Process

- What are the criteria?
 - Regulations covering information required in applications
 - 10 CFR 50.33, “Contents of Applications; General Information”
 - 10 CFR 50.34, “Contents of Applications; Technical Information”
 - 10 CFR 50.36, “Technical Specifications”
 - 10 CFR 50.80, “Transfer of Licenses”
 - 10 CFR 50.82, “Termination of License”
 - 10 CFR 50.90, “Application for Amendment of License...”
 - The NRC staff uses a standard review plan to review applications
 - Applications that don’t conform to the guidance generally take longer to review
 - Applications that don’t conform to the guidance must still contain detailed information and an evaluation of how the information demonstrates compliance with the regulations

Acceptance Review Process

- What are the criteria?
 - If after reviewing the requirements for an application they are unclear, communicate with the NRC project manager
 - Example of information for a license amendment
 - Proposed change and why the change is requested
 - Whether it is a temporary or permanent change
 - Discussion of current license condition or technical specification
 - The effect of the change on the purpose of the license condition or technical specification involved
 - Supporting safety analysis including a discussion of the analytical methods, input parameters, and assumptions used and whether they are different than those previously used
 - Evaluation of whether the proposed change continues to meet the requirements of the regulations and license conditions
 - Change pages of the technical specifications
 - Requested timeframe for obtaining the amendment

Acceptance Review Process

How does it work?

- Step 1: NRC Review of the Application (30 days)
 - a. Review the application against the regulations pertinent to the requested licensing action.
 - b. Does the application identify guidance used to prepare the application?
 - c. Review the application against the guidance (e.g. NUREG-1537), for completeness of scope.
 - d. Determine if significant analyses or evaluations missing.
 - e. Review for depth of information. Is significant information missing (judged by number of RAIs needed to fill missing information)?
 - f. Did the licensee identify calculations or analyses not yet performed?



Acceptance Review Process

How does it work?

- Step 2: Address the Insufficiency (5 days)
 - a. Independent NRC peer review to confirm the insufficiency.
 - b. Discussion of the insufficiency with licensee.
 - c. The licensee has an opportunity to comment on the insufficiency or provide the location of the information in the application.
 - d. The NRC project manager and the licensee discuss a course of action.

Acceptance Review Process

How does it work?

- Step 3: Courses of Action
 - a. Unacceptable with No Opportunity to Supplement
 - If the acceptance review determines that the application is insufficient and the insufficiency cannot be resolved in a reasonable timeframe, the application may:
 - be returned to the licensee as unacceptable for review under 10 CFR 2.101, “Filing of Application”
 - be withdrawn by the licensee under 10 CFR 2.107, “Withdrawal of Application”
 - Example: The licensee needs 6 months to supplement the application with an accident analysis required to justify a licensed power increase
 - Early communication with the NRC project manager should help to avoid this course of action

Acceptance Review Process

How does it work?

- Step 3: Courses of Action
 - b. Unacceptable with Opportunity to Supplement
 - If NRC staff believes the application can be supplemented within a reasonable timeframe, (30 days, although NRC discretion and judgment may allow variance)
 - NRC will review supplemental information (5 days)
 - If acceptable, full review will commence
 - If supplemental information is unacceptable, NRC may cease review under 10 CFR 2.101, “Filing of Application”
 - If supplemental information is not timely, NRC may deny application under 10 CFR 2.108, “Failure to Supply Information”
 - Licensee can request to withdraw under 10 CFR 2.107
 - Example: Licensee provides omitted figures within 15 days
 - Frequent communication with the NRC project manager should help in providing timely, acceptable information



Acceptance Review Process

How can it affect licensees?

- More predictable licensing
 - An application with the information necessary for NRC review generally requires fewer RAIs and less uncertainty about the time needed to provide responses
 - A full review of an acceptable application uses less NRC and licensee resources and reduces delays for other licensees requesting licensing actions
- Denial and withdrawal of applications
 - Denial or withdrawal of an application can cause delays in intended licensee actions. Example: Withdrawal of an amendment for a new experiment facility could delay commissioning of the facility

Communication

- Early communication
 - If the requirements for an application are unclear, communicate with the NRC project manager before submitting the application
 - If the licensing action is needed by a certain date, communicate with the NRC project manager well in advance
- Frequent communication
 - When supplementing an application, communicate frequently enough to keep the NRC project manager aware of progress
- The NRC staff will hold itself accountable for meeting agreed upon schedules, and expects licensees to do the same. If other priorities or resource demands impact schedules, this should be communicated promptly.

Key Messages

- The NRC will use the acceptance review process for applications for amendments and other licensing actions
- The acceptance review process can benefit both the NRC and non-power reactor community
- Communicate early and frequently with the NRC project manager
- Provide feedback about the process to the NRC project manager or the Branch Chief of the Research and Test Reactor Licensing Branch

QUESTIONS?

Thank you for your attention.