

MEETING WITH THE INDUSTRY AND STAKEHOLDERS TO DISCUSS THE CUMULATIVE EFFECTS OF REGULATION AND FUEL CYCLE REGULATORY ACTIVITIES

U.S. Nuclear Regulatory Commission
Office of Nuclear Material Safety and Safeguards
Division of Fuel Cycle Safety, Safeguards and
Environmental Review

September 25, 2018

Opening Remarks

Craig Erlanger, Director
Division of Fuel Cycle Safety,
Safeguards, and Environmental Review
Office of Nuclear Material Safety and
Safeguards

Region II

Division of Fuel Facility Inspection (DFFI) Update

Mark Lesser, Director
Division of Fuel Facility Inspection
Region II



Cumulative Effects of Regulation

September 25, 2018

DyLanne Duvigneaud



Introduction

- **CATEGORY 2 MEETING**
 - The primary discussions are expected to be between the NRC and representatives of licensed fuel cycle facilities. Members of the public will be invited to participate in this meeting at designated points during the meeting.
- **REMINDER**
 - The information contained herein is for discussion purposes only and does not represent the final NRC position.
 - We will not be discussing the merits of the regulatory activities during this meeting.



<http://www.nrc.gov/materials/fuel-cycle-fac/regs-guides-comm.html#cumeffects>

Part 61 “Proposed Rule: Low-Level Radioactive Waste Disposal”

		2018												2019												2020												2021											
Regulatory Activity	Revised	Jan	Febr	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec												
Part 61 - LLW Disposal POC: Gary Comfort Driver: SRM	06/20/2018																																																

Key Information	<ul style="list-style-type: none"> The final rule package was submitted to the Commission on September 15, 2016. The Commission issued an SRM on September 8, 2017, directing the staff to issue a supplemental rule for comment.
Meeting Information	<ul style="list-style-type: none"> March 2019 – 90-day comment period on supplemental proposed rule begins. April 2019 – Public meeting to support comment period on the supplemental proposed rulemaking. <p>(Note: These dates are tentative. Additional public meetings will be conducted, as needed)..</p>

Contact:
Gary Comfort
NMSS/MSTR/RPMB
301-415-8106



Part 73 “Part 73-Enhanced Security for SNM”

		2018												2019												2020												2021											
Regulatory Activity	Revised	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Part 73-Enhanced Security for SNM POC: Ed Lohr/Nick Baker Driver: SRM	06/20/2018																																																
Part 73-Enhanced Security for SNM POC: Ed Lohr/Nick Baker Driver: SRM	09/18/2018																																																





Key Information	<ul style="list-style-type: none"> In April 2016, the Commission directed the NRC staff to suspend efforts on the Enhanced Security of SNM rulemaking. Later, the Commission directed staff to interact with DOE in order to share and discuss perspectives and ideas on the material attractiveness approach in the Enhanced Security of SNM Rulemaking. This work is on-going. As such, the staff does not anticipate that the rulemaking will resume in FY2018, but could resume in early FY2019.
Meeting Information	<ul style="list-style-type: none"> None Scheduled.

Contact:
Edward Lohr
NMSS/DRM/MRPB
301-415-0253

Contact:
Nick Baker
NMSS/FCSE/FMB
301-415-7119



Enhanced Weapons, Firearms Background Checks, and Security Event Notifications Rulemaking

		2018												2019												2020												2021											
Regulatory Activity	Revised	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Enhanced Weapons Rulemaking POC: Robert Beall/Nick Baker Driver: SRM	06/20/2018																																																
																																																	
		To Commission												Issue final rule																																			
Enhanced Weapons Rulemaking POC: Robert Beall/Nick Baker Driver: SRM	09/18/2018																																																
																																																	
		To Commission												Issue final rule																																			

Key Information	<ul style="list-style-type: none"> The final rule was sent to the Commission in May 2018. The staff is awaiting Commission direction.
Meeting Information	<ul style="list-style-type: none"> September 25, 2018 – CER public meeting.

Contact:
Robert Beall
NMSS/DRM/RRPB
301-415-3874

Contact:
Nick Baker
NMSS/FCSE/FMB
301-415-7119



Part 73 “Cyber Security”

		2018												2019												2020												2021													
Regulatory Activity	Revised	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec		
Part 73-Cyber Security Rulemaking	06/20/2018																																																		
POC: Gary Comfort/James Downs																																																			
Driver: SRM-SECY-14-0147																																																			
Part 73-Cyber Security Rulemaking	09/18/2018																																																		
POC: Gary Comfort/James Downs																																																			
Driver: SRM-SECY-14-0147																																																			

Key Information	<ul style="list-style-type: none"> The proposed rule package was submitted to the Commission on October 4, 2017, as SECY-17-0099 (ML17018A218). The proposed rule package consists of the Commission paper, Federal Register notice (FRN), Draft Regulatory Analysis, Draft Backfit Analysis, and Draft Environmental Assessment. The staff is awaiting Commission direction.
Meeting Information	<ul style="list-style-type: none"> January 2019 – 90-day comment period on proposed rulemaking begins. January/February 2019 – Public meetings to support comment period on the proposed rulemaking. (Note: These dates are tentative. Additional public meetings will be conducted, as needed).

Contact:
Gary Comfort
NMSS/MSTR/RPMB
301-415-8106

Contact:
James Downs
NMSS/FCSE/ECB
301-415-7744



Part 74 “Material Control & Accounting of Special Nuclear Material”

		2018												2019												2020												2021											
Regulatory Activity	Revised	Jan	Feb	Mar	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec												
Part 74-MC&A POC: Thomas Young/Tom Pham Driver: SRM	06/20/2018																																																
Part 74-MC&A POC: Thomas Young/Tom Pham Driver: SRM	09/18/2018																																																

Key Information	<ul style="list-style-type: none"> On August 28, 2018, the staff held a public meeting to discuss cumulative effects of regulation and the implementation period for the draft final rule. The staff is using the outcome of that meeting to inform the proposed implementation period in the rulemaking package. The staff anticipates submitting the draft final rule and related documents to the Commission by the end of September 2018.
Meeting Information	<ul style="list-style-type: none"> None scheduled.

Contact:
Thomas Young
NMSS/MSTR/RPMB
301-415-5795

Contact:
Tom Pham
NMSS/FCSE/MCAB
301-415-7254



Part 21 Draft Guidance

		2018												2019												2020												2021												
<i>Regulatory Activity</i>	<i>Revised</i>	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	
Part 21 - Draft Guidance POC: Richard Jervey Driver: Staff	06/20/2018																																																	
Part 21 - Draft Guidance POC: Richard Jervey Driver: Staff	09/18/2018																																																	

Key Information	<ul style="list-style-type: none"> The Part 21 rulemaking effort was discontinued. As directed in SRM SECY-16-0009, the Commission approved the staff's recommendation to continue with guidance development using the existing regulatory requirements. The staff has decided to discontinue development of draft regulatory guidance to non-reactor and non-power reactor licensees on the implementation of Part 21. The staff decided to cease its efforts on this activity.
Meeting Information	<ul style="list-style-type: none"> None Scheduled.

Contact:
Rick Jervey
NMSS/FCSE/PORSB
301-415-6201



ANS 57.11 “ISA Standard”

		2018												2019												2020												2021											
<i>Regulatory Activity</i>	<i>Revised</i>	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec
ANS 57.11 (ISA) POC: April Smith Driver: SRM	06/20/2018																																																
ANS 57.11 (ISA) POC: April Smith Driver: SRM	09/18/2018																																																

Key Information	<ul style="list-style-type: none"> The working group chair requested additional comments by September 26, 2018, and committed to resolve all comments by September 30, 2018, with the goal of submitting a draft for consensus committee review by mid-October.
Meeting Information	<ul style="list-style-type: none"> None scheduled.

Contact:
April Smith
NMSS/FCSE/PORSE
301-415-6547



Acute Chemical Exposures (Dermal and Ocular)

		2018												2019												2020												2021											
Regulatory Activity	Revised	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec
Acute Chem. Exposures (ISG) POC: Marilyn Diaz Driver: Staff/SRM	06/20/2018																																																
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Acute Chem. Exposures (ISG) POC: Marilyn Diaz Driver: Staff/SRM	09/18/2018																																																
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Key Information	<ul style="list-style-type: none"> The Commission converted the information paper into a vote paper. The staff is awaiting Commission direction regarding issuance of ISG.
Meeting Information	<ul style="list-style-type: none"> None scheduled

Contact:
Marilyn Diaz
NMSS/FCSE/FMB
301-415-7110



Financial Assurance for Material Licensees (ISG)

		2018												2019												2020												2021											
<i>Regulatory Activity</i>	<i>Revised</i>	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec												
Financial Assurance for Material Licensees (ISG) POC: Kenneth Kline Driver: Staff	06/20/2018	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>																																															
		Issue ISG																																															
Financial Assurance for Material Licensees (ISG) POC: Kenneth Kline Driver: Staff	09/18/2018	<div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div><div></div></div>																																															
		Issue ISG																																															

Key Information	<ul style="list-style-type: none"> The draft ISG was issued for public comment on August 1, 2018 (83 FR 37529). Comments on the draft ISG are due October 5, 2018. The final ISG is scheduled to be completed by January 2019.
Meeting Information	<ul style="list-style-type: none"> August 1, 2018 – October 5, 2018 – Comment period on draft ISG.

Contact:
Christopher McKenney
NMSS/DUWP/PAB
301-415-6663



Reporting of Unplanned Contamination Events Letter

		2018												2019												2020												2021												
Regulatory Activity	Revised	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	
IN - Unplanned Contamination Events POC: Alayna Pearson Driver: Staff	06/20/2018																																																	
Unplanned Contamination Events Letter POC: Alayna Pearson Driver: Staff	09/18/2018																																																	

Key Information	<ul style="list-style-type: none"> The staff determined that existing NRC guidance is adequate regarding the definition of "unplanned". For this reason, the staff is not pursuing development of a Regulatory Issue Summary or an Information Notice. A letter is being developed to highlight the staff position on reporting unplanned contamination events. The letter will be issued in October 2018.
Public Interaction	<ul style="list-style-type: none"> None scheduled

Contact:
Alayna Pearson
NMSS/FCSE/PORSB
301-415-1096



RG 3.71, “Nuclear Criticality Safety Standards for Nuclear Materials Outside Reactor Cores,” Revision 3

Regulatory Activity	Revised	2018												2019												2020												2021											
		Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	Marc	April	May	June	July	Aug	Sept	Oct	Nov	Dec
RG 3.71, Revision 3 POC: Christopher Tripp Driver: Staff	06/20/2018																																																
RG 3.71, Revision 3 POC: Christopher Tripp Driver: Staff	09/18/2018																																																

Key Information	<ul style="list-style-type: none"> Draft RG 3.71, Revision 3, (82 FR 40173) was published in the Federal Register for public comment on August 24, 2017, and the comment period closed on October 23, 2017. RG 3.71, Revision 3, is scheduled to be completed in December 2018.
Public Interaction	<ul style="list-style-type: none"> None scheduled.

Contact:
Christopher Tripp
NMSS/FCSE/PORSB
301-415-8741



Draft RIS – Clarification of Export Reporting Requirements for Nuclear Facilities, Equipment, and Non-Nuclear Materials

		2018												2019												2020												2021												
Regulatory Activity	Revised	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	
RIS - Clarification of Export Reporting Requirements POC: Hector Rodriguez Driver: Staff	06/20/2018						↓						↓																																					
RIS - Clarification of Export Reporting Requirements POC: Hector Rodriguez Driver: Staff	09/18/2018						↓						↓																																					

Key Information	<ul style="list-style-type: none"> On June 8, 2018, the NRC published the draft RIS for public comment in the Federal Register (83 FR 26611). The comment period closed on August 7, 2018. One comment letter was received. The staff anticipates issuing the final RIS in December 2018.
Public Interaction	<ul style="list-style-type: none"> None scheduled.

Contact:
Hector Rodriguez
NMSS/FCSE/MCAB
301-415-6004



RIC

		2018												2019												2020												2021											
<i>Regulatory Activity</i>	<i>Revised</i>	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Febr	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec												
RIC POC: Mollie Semmes Driver: Staff	06/20/2018													↓																																			
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														RIC Session																																			
RIC POC: Mollie Semmes Driver: Staff	09/18/2018													↓																																			
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														RIC Session																																			

Key Information	<ul style="list-style-type: none"> • The staff is working on developing fuel cycle sessions that will be integrated into the 2019 RIC. • Topic suggestions for the RIC were due September 17, 2018. • The RIC is held annually.
Related Documents	<ul style="list-style-type: none"> • Link to the NRC public website on the RIC: https://www.nrc.gov/public-involve/conference-symposia/ric/.
Meeting Information	<ul style="list-style-type: none"> • The next RIC will be held in March 12-14, 2019.

Contact:
Mollie Semmes
NMSS/FCSE/ECB
301-415-7486



FCIX

[illegible]

Key Information	<ul style="list-style-type: none"> FCIX 2019 will not be held. Instead there will be fuel cycle sessions at the 2019 RIC. Incorporating fuel cycle sessions at the RIC will streamline resources and open fuel cycle topics to a larger audience.
Related Documents	<ul style="list-style-type: none"> Link to the NRC public website on the 2017 FCIX http://www.nrc.gov/public-involve/conference-symposia/fcix.html.
Meeting Information	<ul style="list-style-type: none"> None scheduled.

Contact:
TBD



Summary

- **Main Integrated Schedule and Supplement**
- **CER public website:**

<http://www.nrc.gov/materials/fuel-cycle-fac/regs-guides-comm.html#cumeffects>