



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

November 4, 1996

MEMORANDUM TO: Chairman Jackson  
Commissioner Rogers  
Commissioner Dicus  
Commissioner Diaz  
Commissioner McGaffigan

FROM: James H. Taylor *[Signature]*  
Executive Director for Operations

SUBJECT: LICENSING SUPPORT SYSTEM

In SECY-96-178, the staff advised the Commission of issues pertaining to the Licensing Support System and its proposed use in the Department of Energy's license application for a high level radioactive waste repository. Due to advances in technology that have occurred since the LSS concept was developed, the staff recognized the need to reexamine the foundations and assumptions upon which the 10 CFR 2, Subpart J (the LSS rule) is based. A series of strategies were proposed to resolve outstanding issues involving the rule in light of advances in computer technology while reflecting the current status of repository licensing activities.

In a Staff Requirements Memorandum dated October 8, 1996, the Commission approved all components of the proposed strategy. In addition, the Commission indicated:

The staff should provide estimates of the resources needed, and describe any reprioritization impacts associated with those resources, to complete the consensual process (p. 9) in the six-month time frame noted in the staff response to Commissioner Diaz's questions.

As described in SECY-96-178, the staff intends to conduct an electronic discussion with the LSS Advisory Review Panel to identify issues related to the future direction of the LSS. This discussion will use many of the tools and processes developed for NRC's Rulenet. The staff originally expected to have completed this effort by October 15, 1996. However, the Commission's response to SECY-96-178 and subsequent discussions among the members of the LSS Senior Management Team have expanded the scope of this initiative.

The staff now expects this process to run for approximately six months. A proposed *Federal Register Notice* describing the operation is provided as Attachment 1 to this memorandum. No NRC procurements are anticipated during this time. However, limited NRC staff and National Laboratory resources are anticipated as indicated in Attachment 2. Due to the limited resource requirements, and the distribution of effort across several NRC organizations, no staff reprioritization is anticipated to complete the proposed consensual process.

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The dialogue promoted through the consensual process is not intended to supplant formal comments on any proposed rule that may eventually be developed. Rather, it is intended to provide additional opportunities for those interested in LSS rulemaking issues to provide input to agency personnel before the agency has developed text on which formal written comments are required to be filed. This can mean better informed, focused, and influential comments. Likewise, the ability of these commenters to interact among themselves before comments are filed means that misunderstandings and miscommunications can be corrected in a timely way.

Should results of the consensual process indicate that changes to 10 CFR 2, Subpart J are appropriate, a formal rulemaking will be initiated.

If you have any questions regarding this status report or the technical approach proposed by the staff, Arnold E. Levin, Licensing Support System Administrator, is available at 415-7458.

Attachments:  
As stated

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