

**United States
Nuclear Regulatory Commission**



Project Manager's Handbook

Division of Licensing
Office of Nuclear Reactor Regulation

May 1985

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FOREWORD

The Director of the Office of Nuclear Reactor Regulation (NRR) of the U.S. Nuclear Regulatory Commission is responsible for ensuring that the operation of nuclear facilities in accord with the Commission's regulations will not result in undue risk to the public health and safety, that adequate protection is provided for the environment, that nuclear materials and facilities are adequately safeguarded, and that appropriate consideration is given to antitrust matters. Within the Office of Nuclear Reactor Regulation, the Director of the Division of Licensing has responsibility for the management of the safety and environmental reviews and evaluations, for the issuance of permits and licenses, and for ongoing licensing activities associated with the operation of a facility after licensing. To accomplish the review function, a staff of Licensing Project Managers is assigned to manage the reviews and evaluations of applications relative to health and safety, environmental, safeguards, and antitrust considerations. To accomplish the monitoring function, a staff of Operating Reactors Project Managers is assigned to manage the reviews of ongoing licensing actions such as amendments to operating licenses.

This handbook has been prepared by the Division of Licensing to describe the role of the Licensing and Operating Reactors Project Managers in the regulatory process and to provide guidance and a comprehensive ready reference for the function and responsibilities of the Project Managers. In addition to this manual, each Project Manager will have immediate access to up-to-date copies of Title 10 of the Code of Federal Regulations (10 CFR), the Standard Review Plan (NUREG-0800), the Environmental Standard Review Plans (NUREG-0555), Regulatory Guides, NRR Office Letters, and Manual Chapters.

The Project Manager's Handbook will be revised and updated periodically as the need arises to clarify the content, correct errors, and incorporate modifications in organization, procedures, or Project Manager duties.

1 INTRODUCTION

This chapter presents an overall description of the statutory and other legal authorities from which the Nuclear Regulatory Commission (NRC) functions are derived and the various segments of the NRC organization and their specific functions. It also presents an overall description of the Project Manager's job including the technical basis for decisions, gives a general chronology associated with the processing of a licensing application, license amendment requests, Orders for Modification of License, Exemption requests, and relief requests, and describes the continuing review and monitoring of operation throughout a nuclear power plant's lifetime.

1.1 Legal Authorities

The NRC operates under a number of statutory and other legal authorities. In virtually all cases these authorities are reflected in the Commission's regulations and policy statements or otherwise built into the regulatory process through existing guidance documents such as Regulatory Guides or through actions by the review branches in their review of applications. The Project Manager (PM) can obtain access to documents describing these authorities by contacting the licensing assistant, the appropriate review branch, the NRC library, or Office of the Executive Legal Director (OELD).

1.1.1 Atomic Energy Act of 1954

The Atomic Energy Act of 1954 assigned several primary responsibilities to the former Atomic Energy Commission (AEC). Briefly, these responsibilities were

- (1) promoting and developing peaceful uses of atomic energy
- (2) providing reasonable assurances that such uses as were made would not result in undue risks to the health and safety of the public

The charter has a wide scope, including the licensing and regulation of

- (1) use of radioactive materials and sources in industry, research, and radiography
- (2) reactor fuel fabrication and reprocessing
- (3) subcritical assemblies
- (4) packaging of radioactive materials for transport
- (5) construction and operation of research, test, and power reactors
- (6) licensing of individual operators

The Act provides the basic authority for the continuing review, inspection, and surveillance throughout the plant's lifetime.

In 1957 an amendment to the Act was passed that required the AEC to hold public hearings on each application for a license for a production or utilization facility and to publish Advisory Committee on Reactor Safeguards (ACRS) reports on individual reactor license applications. In 1962, an amendment was passed that eliminated the mandatory hearing at the Operating License stage and provided for the designation of an Atomic Safety and Licensing Board (ASLB) to conduct hearings on Construction Permit applications. The public is given an opportunity to request a hearing at the Operating License stage.

1.1.2 Energy Reorganization Act of 1974

The Energy Reorganization Act of 1974 separated the promotional functions formerly carried out by the AEC from the licensing and related regulatory functions and assigned the latter to the newly created Nuclear Regulatory Commission (NRC). The NRC is delegated authority for licensing and regulation involving all facilities and materials licensed under the Atomic Energy Act of 1954, as amended, including such matters as safeguards, transportation of special nuclear materials, and confirmatory research.

1.1.3 National Environmental Policy Act of 1969

The National Environmental Policy Act (NEPA) of 1969 declared a national policy that encourages productive harmony between humans and their environment. The principal objective is to build into the agency decisionmaking process an appropriate and careful consideration of environmental aspects of proposed actions. The Act requires environmental statements on major Federal actions affecting the quality of the human environment.

In July 1971 the U.S. Court of Appeals in the Calvert Cliffs case interpreted NEPA as requiring the Commission, as the agency with overall responsibility for approval of nuclear facilities, to "make an independent evaluation and balancing of certain environmental factors, such as thermal effects, notwithstanding the fact that other Federal or state agencies have already certified that their own environmental standards are satisfied. Benefits must be weighed against environmental costs. Alternatives must be considered which affect this balance." This interpretation influences current environmental reviews.

1.1.4 Nuclear Waste Policy Act of 1982

The Nuclear Waste Policy Act (NWPA) of 1982 has (1) set schedules for the building of high-level nuclear waste repositories, (2) established a mechanism by which licensed facilities pay for the building of the repositories (1 mil per kilowatt-hour), and (3) set a procedure that allows states and Indian tribes to participate in the site-selection process. The Department of Energy (DOE) is responsible for site selection whereas NRC is responsible for licensing the repository sites.

1.1.5 Other Legal Authorities

Compliance with a number of other statutes and Executive Orders primarily concerned with environmental protection and conservation is required before a

facility license can be issued. Those most likely to be encountered by a Project Manager are listed below.

- (1) The Federal Water Pollution Control Act, as amended in 1977, and the Yellow Creek Decision by the Atomic Safety and Licensing Appeal Board (8 NRC 702 (1978)) impose the need for close cooperation among NRC, Environmental Protection Agency (EPA), and the states in the processing of applications for nuclear power plants.
- (2) The Antiquities Act of 1906, as amended, requires action to be taken to protect historic and scientific values for activities licensed on land owned or controlled by the United States.
- (3) The Historic Sites, Buildings and Antiquities Act of 1935, the Reservoir Salvage Act of 1960, and the Archeological and Historic Preservation Act of 1974 seek to preserve historic or archeological data that might be destroyed or lost as a result of construction of a dam or alteration of terrain caused by federally licensed activities.
- (4) The National Historic Preservation Act of 1966, as amended, requires consideration of the effect of any licensing action on any district, site, building, structure, or object listed in the National Register of Historic Places.
- (5) The Fish and Wildlife Coordination Act requires consideration of the effect on fish and wildlife of water impounded, diverted, deepened, or modified.
- (6) The American Indian Religious Freedom Act requires appropriate steps to be taken to protect the exercise of traditional Indian religions.
- (7) The Endangered Species Act of 1973, as amended, seeks to ensure, with some exceptions, that projects do not jeopardize any endangered species or adversely modify their habitat.
- (8) The Coastal Zone Management Act of 1972 requires coordination with the states for any Federal licensing action that may have a significant effect on a state's coastal zone.
- (9) The Wild and Scenic Rivers Act seeks to prohibit licensing of activities that would adversely affect wild, scenic, or recreational rivers.
- (10) The Rivers and Harbors Act seeks to preserve the navigability or navigable capacity of any waters of the United States.
- (11) The Clean Air Act requires that EPA be given opportunity to comment on Environmental Statements.
- (12) The Noise Control Act requires coordination with EPA where appropriate on the adequate control of noise.
- (13) Executive Orders 11988 and 11990 seek to ensure proper evaluation and consideration of the effect of actions on floodplains and wetlands.

1.2 Organization of the Nuclear Regulatory Commission

This section describes the organization of NRC with particular emphasis on those organizations the Project Manager may interact with. In general, interactions between organizations should take place at comparable organizational levels. As an example, in interactions with one of the technical review divisions, the PM would normally interact with the technical reviewer. If higher level contact is needed, the licensing branch chief would interact with the technical review branch chief, the Assistant Division Director would interact with the Assistant Division Director, and the Division Director would interact with the Division Director.

The NRC was established on January 19, 1975, replacing the regulatory arm of the AEC. The Commission itself is composed of five members appointed by the President and confirmed by the Senate. The Chairman, designated as such by the President, is the principal executive officer and official spokesman of the Commission.

Among other duties, the Commission is responsible for licensing and regulating nuclear facilities and materials. These responsibilities include protecting public health and safety, protecting the environment, protecting and safeguarding materials and plants in the interest of national security, and ensuring conformity with antitrust laws. The most likely PM contact with the Commission is during the Commission review of the PM's project. Contacts with individual Commissioners are usually made through their assistants.

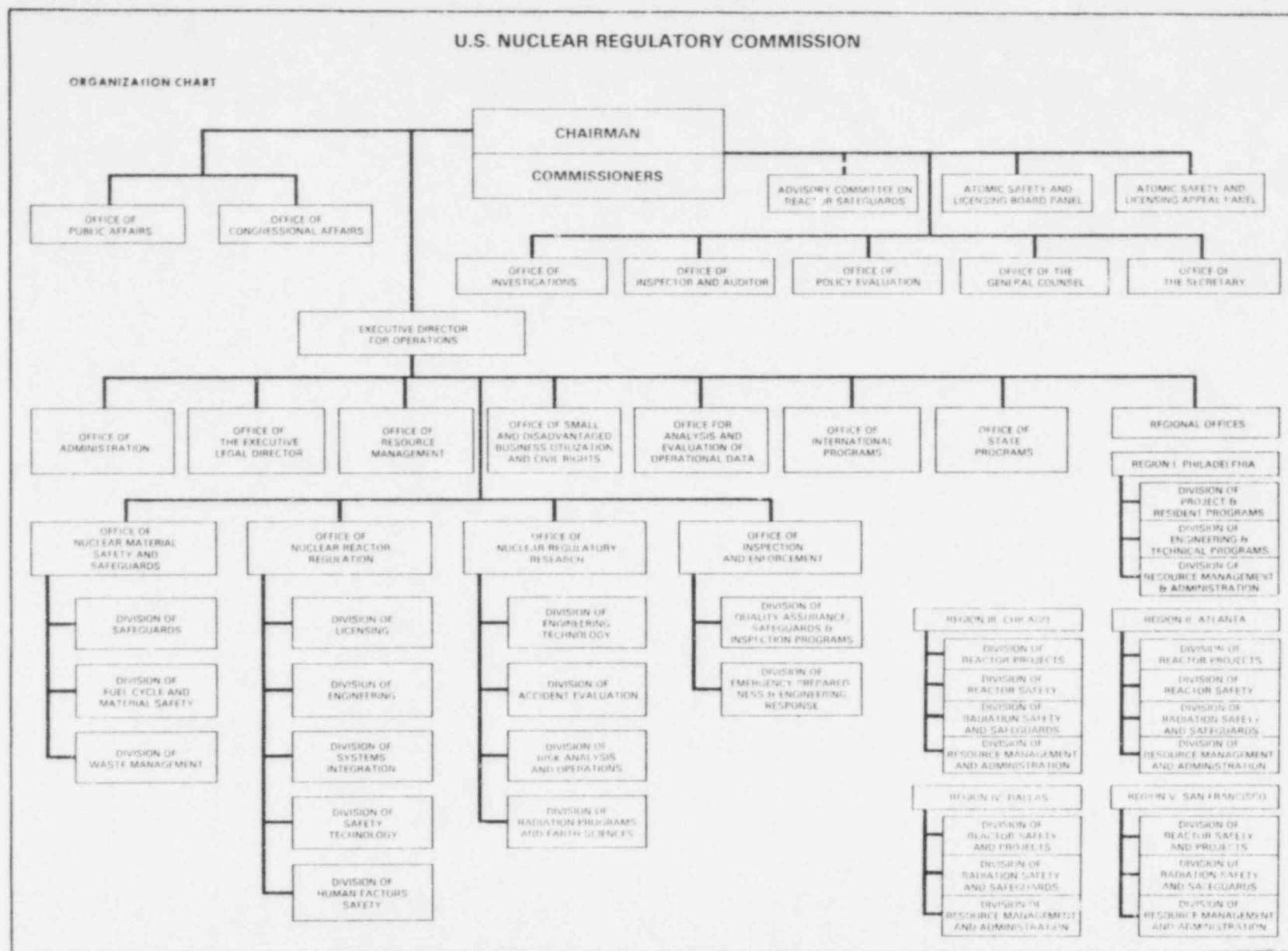
There are several staff components that report directly to the Commission, as shown in Figure 1.1. Most of the Commission's functions are performed under the Executive Director for Operations.

1.2.1 The Executive Director for Operations

The Executive Director for Operations (EDO) directs and coordinates the Commission's operational and administrative activities. Programmatic activities are carried out by four program offices reporting to the EDO. They are the Office of Nuclear Reactor Regulation, the Office of Nuclear Material Safety and Safeguards, the Office of Nuclear Regulatory Research, and the Office of Inspection and Enforcement. The five regional offices, the Office of the Executive Legal Director, and a number of staff offices also report to the EDO, as shown in Figure 1.1.

1.2.2 The Deputy Executive Director for Regional Operations and Generic Requirements

Also reporting to the EDO is the Deputy Executive Director for Regional Operations and Generic Requirements (DEDROGR). This office was formed in 1981, and its function is to control new generic requirements on reactor licenses, reduce the backlog of operating reactor licensing actions, and enlarge the role of the regional offices.



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Figure 1.1 U.S. Nuclear Regulatory Commission - Organization Chart

1.2.2.1 Committee To Review Generic Requirements

A new Committee To Review Generic Requirements (CRGR), chaired by the DEDROGR, was also formed in 1981. This committee has the responsibility to review and recommend to the EDO approval or disapproval of requirements to be imposed by the NRC staff on one or more classes of reactors.

The CRGR will develop means for controlling the number and nature of the requirements placed by NRC on reactor licensees. The objectives of these controls are to eliminate any unnecessary burdens being placed on reactor licensees, reduce the exposure of workers to radiation in implementing some of these requirements, and conserve NRC resources, while at the same time not reducing the level of protection of public health and safety. The controls should make sure that requirements issued by the staff (1) do contribute effectively and significantly to the health and safety of the public and (2) do lead to utilization of both NRC and licensee resources in as optimal a fashion as possible in the overall achievement of protection of public health and safety.

In addition to the review of regulations containing technical requirements, the CRGR intends to review all proposed new or revised Regulatory Guides, all proposed new or revised Standard Review Plan (SRP) sections, all proposed new or revised Branch Technical Positions, all proposed Generic Letters, all Multi-Plant Orders, all Generic Show Cause Orders, all Generic Letters written under 10 CFR 50.54f, all Bulletins and Circulars, all NUREGs dealing with Unresolved Safety Issues, and all new or revised Standard Technical Specifications.

The PM is unlikely to interact directly with the CRGR unless there is a new technical issue that involves more than one plant and requires development of a staff position. Such staff positions are usually developed by one of the technical review divisions or by the Division of Safety Technology (DST) in the form of a change to the SRP. Procedures for new NRC positions are discussed in Section 4.1 of this Handbook.

1.2.2.2 The Role of the Regional Offices

There are five regional offices, each under the direction of a Regional Administrator. Historically, these regional offices have reported to the Office of Inspection and Enforcement; however, their scope was expanded in the 1981 reorganization, and the Regional Administrators now report directly to the EDO.

The expansion of the scope of these offices, when implemented, will create an agencywide regional operation that includes licensing as well as inspection and enforcement functions. Some reactor operator licensing, nuclear materials licensing, emergency planning, and state relations responsibilities already have been shifted to the regional offices. The NRC now plans to transfer some reactor license amendment reviews to these offices to assist in reducing a backlog that now exists. Transfer of additional functions now performed by NRR to the regions is also under consideration. The long-range plan is to transfer selected portions of the current operating reactor responsibility to the regions. (See Appendix A-14.) PMs (especially Operating Reactors PMs (ORPMs)) interact frequently with Resident Inspectors and regional office personnel in discussions concerning the plant under review.

1.2.3 The Office of Nuclear Reactor Regulation

The Office of Nuclear Reactor Regulation (NRR) licenses and regulates nuclear power, test, and research reactors. NRR reviews license applications to ensure that the proposed facility can be built and operated without undue risk to the health and safety of the public and unacceptable adverse impact on the environment. NRR regulates the safety and environmental aspects of operating reactor facilities during their lifetime through decommissioning. Reporting directly to the Director of NRR are one program office and a Planning and Program Analysis staff. (Refer to NUREG-0325, "U.S. Nuclear Regulatory Commission Functional Organization Charts," for further breakdown of specific NRR organizations and functions.)

1.2.3.1 The Division of Licensing

The Division of Licensing (DL) is responsible to the Director of NRR for overall management of all safety-related and environmental regulatory activities on licensed reactor facilities and on certain reactors exempt from licensing. In this context, overall management includes both the technical and the administrative coordination functions. In particular, DL is responsible for issuing reactor safety, safeguards, and environmental evaluations in connection with reactor license applications and amendments to the license during reactor operation. This includes the issuance and amendment of Construction Permits (CPs), Operating Licenses (OLs), and Limited Work Authorizations (LWAs). The division also manages the systematic re-review of certain operating reactors and is responsible for the overall reviews of standardized plants and development of standardization policy. The division is divided into 12 branches under 3 Assistant Directors.

1.2.3.2 The Division of Engineering

The Division of Engineering (DE) is responsible for the detailed evaluations of reactor applications in the safety engineering and environmental areas. The division also does the antitrust reviews of license applications and has technical capabilities in the area of benefits and costs for nuclear power plants.

The Project Manager works directly with technical reviewers in DE and receives input from DE for the acceptance review and throughout the review process leading to the issuance of Safety Evaluation Reports (SERs) and Environmental Statements (ESs) for Construction Permit and Operating License applications and for license amendments, Orders, Exemptions, and relief requests as appropriate.

1.2.3.3 The Division of Systems Integration

The Division of Systems Integration (DSI) evaluates the nuclear systems of reactors, including the plant and reactor systems, the containment systems, and the reactor core. The division also evaluates radiation protection programs and develops and uses models for evaluating the radiological consequences of various potential accidents.

The Project Manager works directly with DSI technical reviewers and receives input from DSI throughout the review process leading to the issuance of an SER

for Construction Permit and Operating License applications and for license amendments, Orders, Exemptions, and relief requests as appropriate.

1.2.3.4 The Division of Safety Technology

The Division of Safety Technology (DST) administers the office programs to ensure that the Commission's basic safety and environmental policies, goals, and requirements are satisfied by the regulatory process. It is responsible for resolving the Generic Issues and is the point of contact for interfaces with the research and standards development organization. In addition, particularly in processing license amendment requests, DST provides valuable insights from probabilistic risk assessments to specific issues. (See Section 1.4.6.) Results from ongoing research programs are reviewed for possible impact on reactor safety aspects requiring prompt board notification action. Contact is through DL.

The PM receives direct input to be used in the SER from DST in the review of Probabilistic Risk Assessment issues, Generic Issues, and Standard Technical Specifications.

1.2.3.5 The Division of Human Factors Safety

The Division of Human Factors Safety (DHFS) evaluates the operational, administrative, and people-oriented aspects of reactor operation. It looks at the engineering aspects of the interaction of systems and equipment with humans. It also develops and administers reactor operator licensing examinations and develops guidance and requirements for licensee's procedure systems and reviews and evaluates applicants' programs for developing and implementing operating and maintenance procedures. It selectively reviews procedures for adequacy following certain operational occurrences, for evaluating the effectiveness of licensees' procedures development programs and of its guidance and requirements.

The PM interacts with technical reviewers in this division and receives direct input from them in human factor areas to be used in issuing SERs.

1.2.4 The Office of Nuclear Material Safety and Safeguards

The Office of Nuclear Material Safety and Safeguards (NMSS) is responsible for ensuring public health and safety and protecting national security and environmental values in the licensing and regulation of facilities and materials associated with the processing, transport, and handling of nuclear materials and the disposal of nuclear waste.

For nuclear power plants, NMSS reviews and assesses safeguards against potential threats, thefts, and sabotage. Direct input is provided on reactor safeguards matters to the Standardization and Special Projects Branch of the NRR. This material is provided to the Project Manager after review for potential safety implications.

1.2.5 The Office of Nuclear Regulatory Research

The Office of Nuclear Regulatory Research (RES) plans and implements research programs that are deemed necessary for the performance of the Commission's

licensing and regulatory functions. These programs cover reactor safety areas such as materials behavior, site safety, systems engineering, and computer code development and assessment. Research is also performed on safeguards, health effects associated with the nuclear fuel cycle, environmental impacts of nuclear power, waste treatment and disposal, and transportation of radioactive materials.

The office also develops regulations, guides, and other standards needed for regulation of facilities and materials with respect to radiological health and safety, environmental protection, materials safeguards, reactor physical protection, and antitrust considerations. It also coordinates NRC participation in national and international standards activities.

The PM may occasionally interact with this office in the review of research programs to determine possible impact on safety reviews or in the development of regulations and guides or national standards (see Sections 4.2 and 4.3).

1.2.6 The Office of Inspection and Enforcement

The Office of Inspection and Enforcement (IE) develops policies and programs for inspection and investigation of licensees, applicants, and their contractors and suppliers to

- (1) ascertain whether they are complying with NRC regulations, rules, Orders, license conditions, and Technical Specifications
- (2) identify conditions that may adversely affect public health and safety, the environment, or the safeguarding of nuclear materials and facilities
- (3) provide a basis for recommending issuance or denial of an authorization, permit, or license
- (4) determine whether quality assurance programs meet NRC criteria
- (5) recommend and take appropriate action regarding incidents or accidents

The office also develops policies and implements a program of enforcement action, directs emergency preparedness activities (including evaluation of state and local emergency plans in conjunction with the Federal Emergency Management Agency (FEMA)), provides guidance to regional offices on program matters, and appraises program performance in terms of effectiveness and uniformity.

IE provides direct input to the Project Manager in the form of questions or draft SER sections on matters pertaining to emergency preparedness.

The PM interacts frequently with IE's Division of Emergency Preparedness in the review of emergency plans and in participation in emergency preparedness exercises before an OL is issued. IE and FEMA usually participate in the OL hearing process. ORPMs may also interact with IE in connection with the annual emergency preparedness exercises.

1.2.7 Program Support - Other Offices

The Project Manager receives direct support from the Office of the Executive Legal Director in the form of legal advice during the review and evaluation of applications, license amendments, Orders, Exemptions, and relief requests, and of hearing counsel in connection with the preparation for and conduct of public hearings for LWAs, CPs, OLs, and amendments. The office assists in the development of legal policy dealing with the licensing of plants, interprets regulations and statutes relevant to NRC activities, and provides legal analyses of those authorities impacting NRC. OELD also provides legal assistance with respect to antitrust matters.

NRR receives general support from a number of other offices. The Office of Resource Management (ORM) is responsible for the design, development, and implementation of management information and control systems for schedules, manpower, and budgets of program offices, and the evaluation of program performance. The office provides the mechanism for the reporting and issuance of schedule and status information to the Director of NRR.

In addition, NRR coordinates with the Office of International Programs and the Office of State Programs for technical liaison with foreign, state, and local governments, as well as with Federal agencies in regard to the regulatory process.

The Office of Inspection and Enforcement and the regional offices disseminate information on construction and operation activities and related problem areas to all staff personnel. The Office for Analysis and Evaluation of Operational Data evaluates operational safety data associated with NRC-licensed activities and provides these analyses to NRR. NRR uses this information to continually improve the quality of its regulatory activities.

NRR receives general administrative support from the Office of Administration.

1.3 The Project Manager

This section discusses the overall role of the Project Manager as applicable to both the Licensing Project Manager (discussed in Section 2) and the Operating Reactor Project Manager (discussed in Section 3). Section 4 discusses further general responsibilities applicable to both types of PMs.

The Project Manager represents NRC to many persons and groups, including the public. This role carries with it a responsibility to perform duties in a manner that brings credit to the NRC.

To accomplish the project management responsibilities within the Division of Licensing, a Project Manager is assigned to one specific project. When assigned to a licensing review, the Project Manager is called a Licensing Project Manager (LPM). When assigned to an operating reactor, the PM is called an Operating Reactor Project Manager (ORPM) and handles all license amendments and other actions required for the assigned plant. In this handbook the term Project Manager or PM will be used in discussions that apply to both LPMs and ORPMs.

In most cases, the PM will be a "dedicated" project manager for one particular project; work on that project usually has priority over all other regularly

assigned work by that PM. In addition, a PM may be a lead Project Manager for one or more technical issues requiring action on more than one plant. In these technical areas, the PM will have detailed knowledge on how to handle the issue and will assist other PMs in handling these issues for their plants. Some of these issues are called Multi-Plant Action items.

In order to achieve a high quality of performance in reviews and evaluations, the PM must have both technical and managerial knowledge. In the technical area, the PM must review and understand the efforts of others in highly specialized areas, developing comments and questions in regard to technical criteria and analyses, leading technical discussions, formulating overall technical judgments, and writing technical reports. The PM must direct technically oriented administrative work, as well as act as liaison with the managerial and technical personnel of the applicant or licensee and contractors at the executive and middle management levels. The PM is the DL spokesperson on all technical aspects of nuclear facility design and operation as well as environmental impacts. The PM correlates the many facets of both nuclear and conventional technology that may influence the design, construction, and operation of a nuclear facility.

The PM interacts with top-level technical and supervisory personnel of the applicant's or licensee's organization as well as NRC management communicating highly technical matters relating to the design, construction, operation, site location, and environmental impacts of nuclear power stations. These discussions may not be limited to the specific power stations but may include generic discussions of NRC policies, research programs, environmental matters, and radiation control.

In addition, the PM communicates with top-level personnel and coordinates the efforts of the numerous staff personnel in the many complex disciplines and within both formal requirements and management-approved guidance. With assistance from reviewer personnel and consultants, the PM develops the overall recommendations for action to be taken by the Director of NRR with respect to the many aspects of nuclear facility design and operation.

It is the PM's responsibility to schedule and prepare Safety Evaluation Reports (SERs), supplements to SERs, Draft Environmental Statements (DESs), Final Environmental Statements (FESs), CPs, OLs, license amendments, Orders, Exemptions, and relief requests using inputs provided by the review branches, consultants, and contractors that provide technical assistance. These reports are made available to the public as the principal staff documents that reflect the extent and results of the review. In addition, the SERs for Construction Permit and Operating License applications are provided to and used by the ACRS in its independent evaluation function. At public hearings for a CP, an OL, or a license amendment, the SER and FES form the main body of testimony presented to the ASLB by the staff.

The PM is the focus of information for the project and is the only one with knowledge about the total aspects of the project. The PM must know where and from whom to obtain specific information in all technical, legal, and procedural matters.

The PM must be ready at all times to inform management regarding the status, problems, and progress of all aspects of the project. The PM is responsible for timely transmittal of information to and from the applicants, licensees, and the technical reviewers, and for maintaining liaison with OELD with respect to processing license amendment requests, Orders, Exemptions, and relief requests and to any technical problems that may affect preparation for a hearing or the hearing itself, and other staff actively involved in the process. This role of information focus cannot be a passive one of merely collecting information.

It is the responsibility of a PM to be aware of those people who should have information about the project, and to obtain that information when required. The PM should be oriented toward early identification of problem areas, both technical and procedural. When potential problem areas are identified, the PM must be ready to formulate or cause others to propose potential solutions or evaluations of consequences. Because of the role as the focus of information, the PM will be expected to display project foresight.

A PM must orchestrate the activities of others, as well as be a specialist. The PM must work to get the required effort from others in a timely and decisive fashion, which requires a certain quality of leadership, an understanding of management techniques, and an ability to communicate.

A PM must identify differences in viewpoint, and either resolve them outright, resolve them in concert with others in the NRC organization, or request management resolution as appropriate. The great majority of items in controversy are resolved by the PM through discussions with appropriate staff. The highly technical environment and the many-faceted technical specialties place the PM in the role of achieving resolution by exerting technical leadership using judgment, rationale, and persuasion rather than by unilateral direction or authoritarian command.

In addition to the primary responsibilities in the processing of applications for licenses or license amendments, Orders, Exemptions, and relief requests, a PM may become involved in various collateral tasks. The PM may be required to answer principal correspondence that includes congressional inquiries and requests for information from concerned citizens. In addition, the PM may be called on to participate in the development of regulations, Regulatory Guides, or broadened definitions of approach such as the Appendices to 10 CFR 50, especially in areas of particular expertise. The PM may be called on to participate in technical societies, most likely in the area of standards development.

The PM must be assured that the activities on a project are carried to the depth and breadth that has been determined to be needed to provide the confidence that all significant concerns and potential problems have been adequately addressed.

In carrying out NRC's objective, the PM must be knowledgeable of the technical information provided by the applicant.

The PM must understand the interaction among components, systems, and structures that constitute the proposed nuclear facility, and their potential effect on the environment. The PM must understand the review and evaluation role and related scope of review performed by each of the cognizant review branches,

including the interfaces between these branches. Further, the PM must completely understand the applicable documents that provide the legal and technical basis for regulatory decisions as discussed in the following section and must ensure conformance to these documents during the conduct of the review process. The PM must also consider in the review the impact of information obtained from reports prepared as a result of field inspections. The PM is the coordinating integrator of highly technical data and must insist on quality in all activities.

A major part of the PM's function is interaction with NRR management. The PM is usually the most knowledgeable person on the staff about activities in assigned areas and must keep management informed on matters that warrant management attention.

The PM serves on the Reactor Safety Team during the response to an accident at the assigned plant. The initial duty during the response will be a briefing of the NRC management "Executive Team" on pertinent facts about the plant, site, and emergency. The PM is always to be prepared to immediately make the briefing whether in response drills or when an accident does occur.

1.4 The Technical Basis for Regulatory Decisions

In carrying out its functions of protecting the health and safety of the public and protecting the environment, NRC imposes and communicates technical requirements on applicants and licensees in a variety of ways. There is a wide variation in the formality of these requirements and in the ways they are communicated.

1.4.1 Formal Requirements

Title 10 of the Code of Federal Regulations provides the framework NRC uses to regulate nuclear power. All requirements imposed on applicants or licensees must have their basis in these regulations. Although many of the regulations are highly technical in nature, they are legal requirements and must be followed.

In addition to the regulations, other formal requirements are imposed by orders and by conditions stated in the Construction Permit and in the Operating License. Many requirements are imposed by including in the Construction Permit or Operating License the applicant's or licensee's commitments to comply with NRC positions established in guidance documents.

1.4.2 Guidance Documents

Detailed technical guidance giving acceptable methods of meeting the requirements in the regulations is provided to the NRC staff, the nuclear industry, and the public in a number of ways. Regulatory Guides, the Standard Review Plan (including Branch Technical Positions), the Environmental Standard Review Plans, and Standard Technical Specifications are examples. Guidance is also given in NUREG reports. Of particular interest are those dealing with Unresolved Safety Issues. These guidance documents do not contain requirements. They represent solutions and approaches that are acceptable to the staff, but they are not required as the only possible solutions and approaches. Applicants recognize, however, that if they propose different solutions and approaches they must expect longer review times and more extensive questioning in those

areas. In practice, applicants do comply with most of the guides. Many guides become formal requirements when they are incorporated into the Construction Permit or Operating License. Perhaps the most important guidance document to the LPM is the Standard Review Plan.

1.4.3 The Standard Review Plan

The Standard Review Plan (SRP) (NUREG-0800) is prepared for the guidance of staff reviewers in performing safety reviews for CP or OL applications. The principal purpose of the SRP is to ensure the quality and uniformity of staff reviews. The SRP provides a well-defined base from which to evaluate proposed changes in the scope and requirements of reviews for site-specific problems. It is also a purpose of the SRP to make information about regulatory matters widely available and to improve communication with and understanding of the staff review process by interested members of the public and the nuclear power industry.

The safety review is based primarily on the information provided by an applicant in a Safety Analysis Report (SAR). 10 CFR 50.34 of the Commission's regulations requires that each application for a Construction Permit for a nuclear facility shall include a Preliminary Safety Analysis Report (PSAR) and that each application for a license to operate such a facility shall include a Final Safety Analysis Report (FSAR). The SARs must be sufficiently detailed to permit the staff to determine whether the plant can be built and operated without undue risk to the health and safety of the public. Before submission of an SAR, an applicant should have designed and analyzed the plant in sufficient detail to conclude that it can be built and operated safely. The SAR is the principal document in which the applicant provides the information needed to understand the basis upon which this conclusion has been reached.

10 CFR 50.34 describes, in general terms, the information to be supplied in an SAR. The specific information required by the staff for an evaluation of an application is identified in Regulatory Guide 1.70, "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants - LWR Edition." The SRP sections are keyed to the standard format, and the SRP sections are numbered according to the section numbers in the standard format.

The Standard Review Plan covers a variety of site conditions and plant designs. Each section provides the procedures and acceptance criteria for each of the areas of review pertinent to the topic of that section. However, for any given application, the staff reviewer may select and emphasize particular aspects of the SRP section as is appropriate for the application. In some cases, the major portion of the review of a plant feature may be done on a generic basis with the designer of that feature rather than in the context of reviews of particular applications from utilities. In other cases, a plant feature may be sufficiently similar to that of a previous plant so that a de novo review of the feature is not needed. For these and other similar reasons, the staff may not carry out in detail all of the review steps listed in each SRP section in the review of every application.

The individual SRP sections address the matters that are reviewed, the basis for review, how the review should be conducted, and the type of conclusions that might be reached. The safety review is performed by approximately 25

primary branches. One of the objectives of the SRP is to identify the review responsibilities of the various branches and to define the sometimes complex interfaces between branches. Each SRP section identifies the branch that has the primary review responsibility for that section. In review areas where the primary branch requires support, the branches that are assigned secondary review responsibilities are also identified in the SRP section.

The SRP provides the basis for performing safety reviews. The uniform implementation of design requirements, criteria, and guidelines contained in the SRP by all NRC staff members should ensure that the acceptable level of safety will be maintained during the licensing process. Staff reviewers should not decrease nor go beyond the scope and acceptance criteria of any specific SRP section. If a staff member believes that protection of public safety necessitates a requirement in excess of those defined in the SRP, the staff member should present the matter to management for review and approval before incorporating it in a review. The handling of such issues is discussed in Section 4.1.

Because the SRP does not contain new review requirements, reviews are to be performed in a manner described in the "Review Procedures" section and are to address the aspects identified in the "Areas of Review" section. Because the staff review is an audit of the applicant's analysis, the review may emphasize or delete particular aspects of an SRP section, as is appropriate for the application under review. These deletions or increases in emphasis are acceptable provided the reviewer has management approval and documents the scope and depth of the review in the SER. Each reviewer is expected to provide a brief description in the SER of the review actually performed by the NRC staff. Examples of acceptable reasons for variations from the SRP include deletions because of design similarities to a second unit recently reviewed, increased emphasis as a result of new developments based on operating experience, or unique design features not considered when the SRP was written.

The SRP is part of a continuing regulatory standards development activity that not only documents current methods of review but also provides a base for an orderly modification of the review process in the future. It will be revised and updated as the need arises to clarify the content or correct errors, as discussed in Section 4.1. In addition, proposals to modify the SRP will be considered for matters of major safety significance. A major increase or decrease in safety requirements or scope of review for any SRP section will require approval by the Director of NRR and the Committee To Review Generic Requirements (CRGR).

In a change in its regulations, the NRC will require future applicants to document deviations from the SRP. Applications docketed after May 17, 1982, must include an evaluation of the facility against the SRP in effect on that date or the SRP revision in effect 6 months before the docket date of the application, whichever is later. (See 10 CFR 50.34.)

1.4.4 The Environmental Standard Review Plans

The Environmental Standard Review Plans (ESRPs) (NUREG-0555) constitute a series of instructions developed for the NRC staff's environmental review of applications for nuclear power plant Construction Permits. The ESRPs (1) provide specific

instructions to the NRC staff responsible for conducting environmental reviews, (2) provide detailed descriptions of the manner in which the NRC reaches judgments on the environmental impacts caused by construction and operation of nuclear power plants, and (3) specify means for determining the significance of the impacts.

Use of the ESRPs by the staff is intended to ensure that

- (1) Data essential to a specific environmental review and subsequent decision-making process will be supplied and reviewed.
- (2) Appropriate consideration, including coordination and consultation, is given to other applicable Federal and state requirements.
- (3) Uniformity of approach is achieved.
- (4) Important environmental impacts are recognized.
- (5) Each impact assessment will concentrate on review of those potential environmental impacts of significance, and analysis of irrelevant data or of insignificant impacts will be minimized.
- (6) The methods to be used for analysis and staff judgments are objective and based on sound analytical procedures.

The ESRPs have been prepared for an environmental outline that will embrace the range of environmental factors and site-specific environmental conditions expected for the majority of nuclear power plant applications. It is recognized that conditions will occur from time to time that do not fall within the ESRP outline. The plans have been prepared to permit the inclusion of such conditions in the environmental review.

10 CFR 51 provides the regulatory base for the ESRPs. 10 CFR 51 is based on Council of Environmental Quality (CEQ) guidelines published in 1973. CEQ has since published regulations that became effective on July 30, 1979 (Title 40 of the Code of Federal Regulations, Parts 1500-1508), which made the 1973 guidelines obsolete. In March 1980 the NRC published a proposed rule to update 10 CFR 51 (45 FR 13739), and the final rule was published in the Federal Register in March 1984 (49 FR 9352) and became effective on June 7, 1984. As a consequence, the ESRPs, whose latest edition is dated May 1979, need updating. An update of the ESRPs is also in progress by a contractor working for the Division of Engineering (DE). Until those documents are issued, the PM should rely on the appropriate review branches in this area and contact the office of the Assistant Director for Environmental Technology for status information or overall guidance.

1.4.5 Standardized Technical Specifications

Guidance documents have been developed that describe standardized Technical Specifications in both the safety and environmental areas. These documents are to be used as a base for developing plant-specific Technical Specifications, which then become a part of the license.

Standard Safety Technical Specifications are in four volumes, one for each reactor vendor. The current volumes are:

- (1) General Electric reactors - NUREG-0123, Revision 3
- (2) Babcock & Wilcox reactors - NUREG-0103, Revision 4
- (3) Combustion Engineering reactors - NUREG-0212, Revision 2
- (4) Westinghouse reactors - NUREG-0452, Revision 4

The PM can get current information on standard safety Technical Specifications from the Standardization and Special Projects Branch in DL.

Standardized environmental monitoring, unusual event reporting, and design, operation, or National Pollution Discharge Elimination System change notification requirements are in the form of a document called the Environmental Protection Plan. A standard version of this plan has not been approved by the CRGR. The PM should obtain guidance on the plant-specific Environmental Protection Plan from the Environmental and Hydrologic Engineering Branch of DE.

1.4.6 Probabilistic Risk Assessment and Safety Goals

The Commission has developed preliminary safety goals and related safety guidance with emphasis on individual and societal risks that might arise from reactor accidents. These goals are to be used in judging the need for more stringent safety requirements. A 2-year period of evaluation of the proposed safety goals began in 1983. The preliminary safety goals will not be used as the basis for making regulatory decisions during the 2-year trial period. Probabilistic risk assessment (PRA) and probabilistic assessment techniques are helpful tools for use during the period of evaluation of safety goals, as directed by the Commission, for weighing risks against one another and for assessing the reliability of safety systems. Quantitative risk assessment techniques will be used judiciously by the staff and the Boards to estimate the relative importance of potential nuclear facility accident sequences. The use of PRA methodology in regulatory decisionmaking must take into account the limitations of PRA. Consideration will be given to the uncertainty associated with the existing PRA techniques whenever used in regulatory decisions. The staff will provide the Commission with periodic progress reports on the safety goal evaluation plan.

1.5 Standardization

An important concept for reducing cost and time of the review process is the standardization of design of various systems, components, and structures. The early designs for each nuclear facility were essentially unique. The Commission has encouraged standardization, and the nuclear steam supply system vendors and architect-engineers have developed standardized systems and components. The review process becomes considerably simplified for those portions of a plant that are standard and that have been reviewed in depth previously. This allows the staff to devote its attention primarily to those portions of the plant that have been changed and the suitability of the site to accommodate the standardized design, and to accept with minimum additional review those parts previously examined and proven during operation.

In addition to the accelerated reviews possible through the use of standardized designs for portions of plants as described above, the Commission has a policy for review and licensing of standardized designs for nuclear power plants and for major plant systems important to safety. In the Commission's policy statement on standardization (43 FR 38954), provision is made for four procedural options for applicants as follows:

- (1) Under the "Reference System" concept, an entire facility design or major parts of it can be identified as a standard design to be used in multiple applications. The review can be performed outside the context of an individual application for a CP or OL. Approval by the NRC staff is granted in the form of a Preliminary Design Approval (PDA) if the design is not complete or a Final Design Approval (FDA) if the design is finalized to the extent needed at the Operating License stage of review. These staff approvals do not constitute Commission approval, although the Commission could review and approve at its option. Earlier PDAs were valid for a period of 3 years, but currently PDAs and FDAs can be issued that are valid for 5 years. If an FDA is based on an earlier PDA, however, it is called an FDA-1 and terminates 3 years after the expiration date of the PDA on which it is based.

A number of PDAs have been issued. The first application for an FDA was the Combustion Engineering Standard Safety Analysis Report (CESSAR). This report covers Combustion Engineering's nuclear steam supply system and is in an advanced stage of review. Review of the General Electric Standard Safety Analysis Report (GESSAR) covering the nuclear island of General Electric's plant is expected to begin soon.

- (2) The "Duplicate Plant" concept is used where several applicants apply for CPs or OLs for plants of essentially the same design to be located at different sites and operated by the same or different utilities. Staff approvals are in the form of a Preliminary Duplicate Design Approval (PDDA) or Final Duplicate Design Approval (FDDA). As in the Reference System concept, approvals do not constitute Commission approval.
- (3) The "Manufacturing License" concept is used when a number of identical nuclear power plants are manufactured in one location and moved to a different location for operation. The number of units is specified in the license but cannot be greater than 10. The license is good for 10 years, but the plant design must be updated after 5 years. The Manufacturing License does have Commission approval.
- (4) The "Replicate Plant" concept is used when an application is submitted for a plant of essentially the same design as one previously reviewed and accepted by the staff. The earlier staff reviews of the plant being replicated are used to the extent possible in the review process.

Under the standardization policy, as well as in connection with a specific CP application, the Commission policy also states that the size of all new plants accepted for licensing review will be limited to power levels of 1300 megawatts electric or less. In terms of thermal power generation, this corresponds to about 3800 megawatts or less.

The review of interfaces between standard plants, systems, and subsystems constitutes a major problem in the evaluation and licensing of standardized designs.

Even though the designs for some of the older operating reactors are unique in many respects, there are many standardized systems and components. The newer operating plants have an increased number of common systems and features, and there are incentives to maintain those similarities that exist. If the fuel designs, hardware, and administrative controls are changed frequently in diverse directions at these operating plants, and as the number of operating reactors increases, the administration of the Operating Licenses will become increasingly complex and less efficient. The PM should be sensitive to the need for establishing a pattern of licensing actions that minimize the future licensing efforts, while providing the necessary license requirements to ensure the protection of the health and safety of the public.

More detailed background information is available in NUREG-0427, "Review of the Commission's Program for Standardization." Also 10 CFR 50.34f states the Commission's policy on requirements for new Construction Permits and Manufacturing Licenses. The Standardization and Special Projects Branch handles standardization matters for NRR.

1.6 Project Chronology

The overall regulation of nuclear power plants by NRR can be divided into a number of chronological phases. These phases are submittal and acceptance of the application (docketing), early site review, Limited Work Authorization review, Construction Permit (CP) review, post-CP review, Operating License (OL) review, regulation of operating reactors, and decommissioning review. Throughout many of these phases, parallel reviews are being conducted to ensure that the NRR's safety, safeguards, environmental, and antitrust requirements are met. A Project Manager plays a major role in the conduct of reviews during virtually all of these phases.

1.6.1 Submittal and Acceptance of the Application

Before construction of a nuclear power plant can be started, the principals must obtain a Construction Permit from the NRC. As a major part of the application for a Construction Permit, an applicant must submit a Preliminary Safety Analysis Report (PSAR).

This document presents the design criteria and preliminary design information for the proposed reactor and comprehensive data on the proposed site. The report also discusses design-basis-accident situations and the safety features that will be provided to prevent accidents and to mitigate accident effects on both the public and the facility's employees. In addition, the applicant must submit a comprehensive Environmental Report providing a basis for the evaluation of the environmental impact of the proposed plant. Information must also be submitted by the applicant for use by the Attorney General and the NRC staff in their reviews of the antitrust aspects of the proposed plant.

An applicant for a Construction Permit may submit the required information in three parts. One part is accompanied by the Environmental Report (ER) and site

suitability information and another part by the PSAR. Submittal of the first part may precede the submittal of the other by no longer than 6 months. Whichever of the above parts is submitted first must also include the fee and other general and financial information. The third part, consisting of antitrust information, is required by the regulations to be submitted 9 to 36 months before the other information in order for the Attorney General and the NRC staff to begin the antitrust review.

Some time during the period that the applicant is preparing his application for a Construction Permit, usually about 6 to 12 months before submittal, the PM organizes a general introductory meeting in the area of the proposed site in order to familiarize the public with the safety and environmental aspects of the proposed application, including the planned location and type of plant, the regulatory process, and the provisions for public participation in the licensing process. Additional public meetings of this kind, that is, those that are conducted specifically for the convenience of public observation and participation, are held during the course of the reactor licensing process.

When an applicant is submitted, it is first subjected to an acceptance review by the NRC staff to determine whether it contains sufficient information to satisfy the Commission requirements for a detailed review. If the application is not sufficiently complete, the staff makes specific requests for additional information. The application is formally accepted by NRC only if it meets certain minimum acceptance criteria. The Project Manager manages this acceptance review.

As soon as an application for a Construction Permit is received by NRC, copies are placed in the NRC Public Document Room (PDR). As soon as the ER or PSAR or early site information is received, copies are also placed in the Public Document Room in the vicinity of the proposed site (the Local Public Document Room or LPDR). Copies of all correspondence and documents relating to the application are placed in these locations and are available to every member of the public. Also, a press release announcing receipt of the application is issued by the NRC. Upon docketing (acceptance) of the applicant's application for a Construction Permit, copies are sent to Federal, state, and local officials and a notice of its receipt is published in the Federal Register. The licensing assistant can help in deciding which officials should get copies.

Shortly after docketing, a notice of a public hearing is published in the Federal Register and local newspaper. This notice will state that members of the public have 30 days to petition to intervene in the proceeding.

1.6.2 Early Site Review

In an Early Site Review (ESR) any aspect of the suitability of a site for a nuclear power plant may be reviewed before the submittal of the design of the plant. This review allows utilities, state and other government agencies, and others to request the NRC to consider an issue or set of issues to (1) determine the site suitability with respect to one or more of the issues, (2) establish a range of site-related plant design and performance constraints acceptable to the NRC, and (3) elicit an NRC staff technical position on methods to analyze one or more unique site issues. This review may be conducted either separately or in conjunction with a CP proceeding.

A review conducted in conjunction with a CP proceeding may involve a public hearing and may result in the issuance of a Partial Initial Decision on the site suitability issues involved. A review in which a CP is not sought does not involve a public hearing and will result in issuance of a Staff Site Report. Where appropriate, applicants for CPs may reference previously issued Staff Site Reports as part of their application.

The use of the early site review procedure is optional with the applicant. If this procedure is chosen, the Project Manager will manage the review, even though most of the review will be actually performed by the appropriate review branches.

1.6.3 Limited Work Authorization Review

NRC regulations provide that the Director of NRR may authorize limited construction work to be carried out before the issuance of the Construction Permit. This authorization is known as a Limited Work Authorization (LWA). The regulations provide for the authorization of two types of LWAs. One type may authorize site preparation work, installation of temporary construction support facilities, excavation, construction of service facilities, and certain other construction not subject to the quality assurance requirements. The second type of LWA may authorize the installation of structural foundations and portions of the safety-related structures up to a level corresponding to plant grade.

An LWA may be granted only after the licensing board has made all of the National Environmental Policy Act (NEPA) findings required by the Commission's regulations for the issuance of a Construction Permit and has determined that there is reasonable assurance that the proposed site is a suitable location for a nuclear power reactor of the general size and type proposed from a radiological health and safety standpoint. The second type may be granted if, in addition to the findings described above, the hearing board determines that there are no Unresolved Safety Issues relating to the work to be authorized.

If the applicant requests an LWA, the ASLB will schedule hearings on environmental and site suitability matters as soon as practicable after issuance of the Final Environmental Statement and will issue a separate initial decision on NEPA and site suitability matters. During this period, the PM will initiate staff action for issuance of an LWA. The PM manages the site suitability aspects of the review and must concur in the issuance of the LWA. Accordingly, the PM should be aware of any significant problem areas that have developed during the technical evaluation of the application that could have a bearing on the issuance of an LWA.

1.6.4 Construction Permit Review

During the later stages of the acceptance review of the application for a Construction Permit, the Project Manager develops a project schedule from the standard DL template (for current template see D. Eisenhower's memorandum to T. Novak dated April 5, 1983). Shortly after docketing, the schedule is approved by management, and the appropriate review branches, consultants, and contractors begin the review of the application.

When the review has progressed to the point at which a number of concerns have been identified and documented in draft form, a meeting is usually arranged between the staff and their counterparts in the applicant's organization in order to discuss the areas requiring elaboration and to further identify and define the issues. These concerns are formulated as technical questions by each reviewer and, in turn, are reviewed, coordinated, and assembled by the PM for transmittal to the applicant as a single request for additional information. If a meeting is deemed desirable to discuss certain questions, they may be sent to the applicant in draft form as a meeting agenda.

The staff's review of the application can be divided into four principal areas: safety, environment, antitrust, and safeguards. Reviews of these areas generally proceed in parallel. The review of each area is discussed below.

1.6.4.1 Safety Review

After the PSAR has been reviewed by the review branches, the PM prepares the draft Safety Evaluation Report (SER) from inputs provided by the various review branches. The SER is then reviewed by NRR management.

Following management approval, copies of the draft SER are sent to the applicant, service list (including intervenors), ACRS, and the Public Document Rooms (PDRs), with open issues and staff positions identified clearly. This draft SER is then used as a vehicle to resolve the outstanding issues with the applicant. When most of the outstanding issues are resolved, the SER is finalized.

The SER is reviewed by the ACRS. The ACRS meets with the applicant and the staff initially at the subcommittee level and usually at the site. Subsequently, the full Committee considers the plant and meets to discuss the key safety issues identified during its review of the project as well as other issues the Committee believes are of importance. Members of the public may attend and may submit written statements before the start of the meeting. Although they may ask questions at the end of the ACRS meeting, they may not directly participate in the meeting. The ACRS advises the Commission, as required by law, with respect to the conclusions of its independent review.

This advice, in the form of an ACRS letter addressed to the Chairman of the Commission, is available to the public through the PDRs and a press release.

Following the ACRS review, a supplemental SER must be prepared and issued. The supplemental SER consists of the ACRS letter and the staff's response to the comments contained therein, as well as any other pertinent information that needs to be documented in the public record that was not available at the time the SER was published, including the resolution of any open issues in the SER.

The SER represents the main body of evidence on safety matters presented at the hearing to support the staff conclusion as to whether or not a Construction Permit should be granted to the applicant.

1.6.4.2 Environmental Review

An environmental review is performed by the staff and its consultants to evaluate the potential environmental impact of the construction and operation of the proposed plant, as well as to provide comparisons between the benefits to be derived and the possible risk to the environment. If an early site review is requested, it is performed separately from the primary radiological safety review.

Early in the environmental review, the PM should schedule at least one public meeting near the site to discuss environmental impacts with the applicant. The PM's branch chief and an OELD representative as well as the PM should attend. The PM should arrange and conduct the meeting. State and local officials are also usually contacted during this visit. Site visits should be coordinated with IE and the regional office.

After completion of the environmental review, a Draft Environmental Statement (DES), containing conclusions on environmental matters, is issued. The DES is circulated for review and comments by the appropriate Federal, state, and local agencies as well as by individuals and organizations. After receipt of comments, responses are prepared and included in the Final Environmental Statement (FES) along with any changes in text or conclusions brought about by the comments. The FES is issued and made public. The FES constitutes the staff's primary environmental evidence at the subsequent ASLB hearings.

1.6.4.3 Antitrust Review

Antitrust aspects of a nuclear power plant license application must be considered in the licensing process. The antitrust information submitted by the applicant is sent to the Attorney General for advice on whether activities under the proposed license would create or maintain a situation inconsistent with the antitrust laws. Upon receipt, the Attorney General's advice is promptly published and opportunity is provided for members of the public to raise antitrust issues. An antitrust hearing may be held based on the recommendation of the Attorney General or on the petition of an interested party. In any event, the NRC must make a finding on antitrust matters. Antitrust hearings are held separately from hearings on environmental and safety matters.

1.6.4.4 Safeguards Review

A safeguards review of the application is conducted to ensure that nuclear materials are adequately protected from theft and that the plant is adequately protected from sabotage or other threats to its physical security. The review is performed in the Office of Nuclear Materials Safety and Safeguards. The safety impacts of the security measures are reviewed in NRR.

1.6.4.5 Public Hearing

A public hearing is required before issuance of a CP. The hearing is conducted by a three-member Atomic Safety and Licensing Board appointed from the NRC's Atomic Safety and Licensing Board Panel. The board is composed of one lawyer, who acts as chairperson, and two technically qualified persons. The hearing is usually held near the proposed site. The principal participants at the hearing

from the staff include OELD case attorneys, the Project Manager, review personnel, and consultants if necessary. The hearing may be a combined safety and environmental hearing or, in the case of a split application, separate hearings. The Board considers all the evidence that has been presented, together with findings of fact and conclusions of law filed by the parties, and issues an initial decision. The Licensing Board's decision is subject to review by an Atomic Safety and Licensing Appeal Board and the Commission. A Construction Permit cannot be issued until it is authorized by the Commission itself.

1.6.5 Post-Construction Permit Review

After the CP has been issued, any items of review that remain outstanding and that cannot reasonably be left for the OL review should be resolved on a definite schedule while final design and construction of the plant proceed. Although the CP review should minimize the number of outstanding items, a very few items may still remain for resolution during the post-CP period. To resolve these outstanding items, the applicant should submit additional documented information in the form of supplements to the PSAR. The staff must review this information and inform the applicant by letter of the results and conclusions of the review. The appropriate PM coordinates or conducts these reviews and ensures that all matters appropriate to this phase of the overall review are completed.

The CP contains an administrative limitation regarding the earliest and latest completion dates for the nuclear facility. An applicant must apply for an extension of the CP expiration date if the construction of the nuclear facility is not completed by the latest date specified in the CP. An additional review of the impact of this delay on safety or environmental matters must be performed, and a CP amendment reflecting the new completion date must be issued.

1.6.6 Operating License Review

When construction of the nuclear plant has progressed to the point where final design information and plans for operation are ready, the applicant submits the Final Safety Analysis Report (FSAR) in support of an application for an Operating License (OL). The FSAR sets forth the pertinent details on the final design of the facility, including final design of the reactor, auxiliary systems, and containment. The FSAR also provides plans for operation. Procedures for coping with emergencies are submitted separately. Again the staff makes a detailed review of the information. The procedural aspects of the review process are similar to those for a CP.

The applicant must submit an Environmental Report for the OL stage which discusses those items significantly different from those previously reviewed during the CP environmental review. The staff may issue a supplement to the FES. No further antitrust review is required unless significant changes in the situation have occurred since the previous review at the CP stage.

The initial stage, as in the case of a CP review, is an acceptance review of the tendered application to determine its acceptability relative to completeness. Formal and extensive distribution of the application does not occur until it is judged to be acceptable for review. The docket number continues as before, so that no new docket number is assigned.

The OL review is primarily directed toward a determination of the acceptability of translation of the design criteria and preliminary design information, specified during the CP review, into the final design and construction of the nuclear facility, and toward the review and evaluation of plans related to operation. Additional Commission requirements that may have been developed since issuance of the CP must also be factored into the OL review. The OL review also results in the development of Technical Specifications (Tech Specs) that govern the operation of the facility throughout its life and that become part of the OL.

An OL hearing is not mandatory, but the regulations do give the public the opportunity to petition for a hearing.

The issues upon which a hearing would be structured must be based on specific grounds cited by the potential intervenors. If a hearing is held, the same general procedures apply with regard to prehearing conferences and scheduling of the public hearing as during the CP stage.

The OL is a license to "possess, use, and operate" the nuclear facility. As part of the necessary approvals before the issuance of a license, the applicant must certify that the plant has been constructed in accordance with regulatory requirements and the design commitments made in the OL application and the appropriate Regional Administrator must agree with the applicant's certification.

The LPM continues his responsibility for reviewing the various safety aspects of the facility until the plant has been licensed for a significant power level or until most of the hearing matters have been concluded. At this time, the duties are assigned to an Operating Reactors Project Manager (ORPM). These duties are discussed in more detail in Section 3.

1.6.7 Regulation of Operating Reactors

After it is licensed, a nuclear power plant remains under NRC surveillance and undergoes inspections throughout its operating life. The ORPM plays a major role in this continued surveillance.

Each licensed reactor must operate under a set of license conditions including Technical Specifications that set out conditions that must be met to ensure protection of the health and safety of the public and of the environment. Licensees frequently apply for amendments to the license to change these license conditions. ORPMs must schedule, manage, and participate in reviews of these applications.

In addition to actions initiated by the licensee, the NRC sometimes finds that amendments to operating reactor licenses are necessary as a result of new information giving rise to generic safety and environmental concerns. These amendments often must be imposed on a number of plants at the same time and are called Multi-Plant Action items.

The NRC is also implementing a comprehensive plan for the systematic safety evaluation of operating nuclear power plants. This Systematic Evaluation Program will continue until all of the older plants are reviewed.

1.6.8 Systematic Assessment of Licensee Performance

The NRC has embarked on an integrated NRC staff effort to collect available observations on an annual basis and evaluate licensee performance based on those observations. The program is called the Systematic Assessment of Licensee Performance (SALP) and requires input from the Project Manager. SALP guidance is found in Section 4.21.

1.6.9 Decommissioning

No specific plan for the decommissioning of the plant is required at the time of licensing; however, generic impacts of decommissioning must be evaluated in the EIS. The Commission's current regulations contemplate detailed consideration of decommissioning near the end of a reactor's useful life. The licensee initiates such consideration at that time by preparing a proposed decommissioning plan. However, decommissioning of the facility may not commence without authorization from the NRC. More information on decommissioning may be found in Section 3.8.

2 RESPONSIBILITIES OF THE LICENSING PROJECT MANAGER

This chapter presents a detailed description of the responsibilities of the Licensing Project Manager (LPM) in managing the review and evaluation of Construction Permit (CP) and Operating License (OL) applications. Each step in the licensing process is discussed to inform the LPM about what must be done. The licensing steps are discussed in chronological order. Additional responsibilities assigned to LPMs that are related to the project review effort are also discussed. Additional LPM responsibilities of a general nature are discussed in Section 4.

(Note: Since Licensing Project Managers are not likely to need guidance on the review process for Construction Permits because of no new CP applications at present, the text pertaining to these applications has been omitted; however, the LPM's functions generally are similar to those discussed in Sections 2.4 and 2.5, below, on OL applications.)

2.1 Construction Permit Review

2.2 Public Hearing Process for Construction Permits

2.3 Post-Construction Permit Review

One of the principal objectives of the CP review and evaluation effort is to resolve all identified areas of safety concern by imposing requirements on the applicant, or by obtaining from the applicant commitments to submit preliminary design information, design criteria, or alternate approaches that are considered acceptable. The goal of the LPM in this regard is to complete the CP review without any outstanding items. A few safety issues, however, may have been determined by the LPM and management to be reasonably left for resolution during the final design and construction phases of the nuclear facility. These more difficult safety issues are usually of a generic nature but may occasionally be specific to the plant. They usually require relatively long-term analysis and development to resolve. These safety issues, including completion dates, should be identified in the Safety Evaluation Report (SER) and its supplements. Their resolution should be vigorously pursued by the LPM during the post-CP period.

Soon after the issuance of the CP, the LPM should arrange a meeting with the applicant for the purpose of determining the detailed status of the outstanding issues, including the schedule for their resolution. It should be noted that only the items that must be resolved before the OL review stage need be discussed during this phase. The applicant should submit the additional information that is developed in the form of supplements to the Preliminary Safety Analysis Report (PSAR), continuing the sequence of supplements initiated during the CP review. The review and evaluation of this additional information, meetings with the applicant, and the question-response cycle should proceed in a manner similar to that for the CP review. However, a less rigorous schedule is usually more appropriate, and the Advisory Committee on Reactor Safeguards (ACRS) is normally not involved. The schedule for accomplishing the review of

each outstanding item should be negotiated between the LPM and the cognizant reviewer and the reviewer's management. A detailed schedule should be established and monitored in a manner similar to that for a CP or OL review.

As the post-CP issues are resolved during the final design and construction phase, a letter documenting these resolutions should be prepared by the LPM for transmittal to the applicant. Some of these issues may be affected by new staff requirements that are instituted after the CP is issued. The LPM should ensure that the resolutions meet current staff requirements by checking the appropriate sections of the Standard Review Plan and the Multi-Plant Action items in the latest version of the Operating Reactor Licensing Action Summary (NUREG-0748). The LPM should verify that any new staff positions are applicable to the facility, since implementation of new requirements is sometimes indexed to the date of CP docketing, CP issuance, or OL docketing.

In addition to the post-CP items discussed above, applicants frequently make design and other changes to the plant after the CP is issued but before the OL application is submitted for staff review. At the present time, neither the Atomic Energy Act nor the regulations precisely define the legal obligation to which a permittee is bound by the representations made in its CP application. Although it is desirable to hold the applicant to the commitments made in the PSAR and the hearing record, it must also be recognized that most of these commitments are to meet approved design criteria, rather than to construct the plant in accordance with a specific design. This is a consequence of the preliminary nature of the design at that point. Therefore, sufficient flexibility must exist to accommodate needed and desirable changes that evolve during construction. Mechanisms used by permittees to inform the staff of such changes have varied from formal letters and amendments, to informal drafts and oral communications, to no notification at all until submittal of the Final Safety Analysis Report (FSAR). Staff implementation has been ad hoc, varying from formal safety evaluations, to letters acknowledging the change but noting that the matter would be reviewed at the OL stage, to oral acknowledgement, to no acknowledgement with review deferred to the OL stage. At the present time no firm guidance has been developed and each LPM must exercise judgment in recommending the best course of action in each case. In general, changes that do not involve a change in the principal architectural and engineering criteria for the plant design need not be reviewed until the OL application is submitted. The LPM should discourage applicant submittal of information about minor changes.

2.4 Operating License Review

The review and evaluation process by the staff for an OL is similar in many respects to that for a CP. The major difference is that the OL review is concentrated on the details of the plant design, whereas the CP review covers design criteria and the plant design concept. Also, the OL review addresses plant operation, including such items as Technical Specifications, emergency planning, plant security and safeguards, and preoperational and startup test programs. Further differences involve the extent to which design changes can be made and the extent to which any significant items can be allowed to remain outstanding. The following subsections describe the responsibilities of the LPM in managing the OL review.

2.4.1 Acceptance Review

The first step in the review of an application once it has been tendered is the performance of an acceptance review, under the direction of the LPM, to determine completeness of the application. 10 CFR 2 states that generally this "...determination will be made within a period of thirty (30) days."

The acceptance review is conducted to determine whether the application complies with Commission requirements for the scope of such applications. This includes addressing the areas defined in the most recent revision of the "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants" (Regulatory Guide 1.70), the Standard Review Plan (NUREG-0800) and the Environmental Standard Review Plans (NUREG-0555). The acceptability of the tendered application hinges primarily on whether or not all pertinent matters have been addressed and not on whether the applicant's approach to resolving these matters is acceptable. Making determinations as to the latter is the primary objective of the review and evaluation process subsequent to acceptance of the application. The acceptance review is performed on the technical documentation included in the application, namely, the Final Safety Analysis Report (FSAR) and the Environmental Report (ER).

The review of the FSAR and ER for acceptability is typically performed by the appropriate review branches in the Office of Nuclear Reactor Regulation (NRR). The LPM should prepare an internal memorandum to all participants in the FSAR and ER review for their assigned areas of responsibility.

As with other aspects of the review, the basic review for acceptability of the FSAR may be performed by the NRC staff or by outside contractors under the guidance of the staff. As used herein, the term "reviewer" should be interpreted to encompass the use, where appropriate, of outside consultants and contractors. The LPM should see that the appropriate number of copies of the FSAR (normally five) is sent directly to outside contractors by the applicant.

When the reviews are completed, the results are sent to the LPM in the form of reports listing the deficiencies found. The LPM, in consultation with Division of Licensing (DL) management and the technical review management, decides if the deficiencies justify rejecting the application. If the application is accepted, it is docketed and the applicant is notified and is sent a list of the deficiencies along with a date by which the deficiencies should be corrected. If the application is rejected, a similar letter is sent, informing the applicant of the specific deficiencies that must be resolved before docketing.

The LPM should make sure that the applicant knows that the appropriate number of copies for various submittals during the course of the review is given in 10 CFR 50.30 and Generic Letter 82-14, "Submittal of Documents to the Nuclear Regulatory Commission." The acceptance letter will provide, as an enclosure, a distribution list which the applicant must use in distributing the Safety Analysis Report (SAR), ER, and general information portions of the application. Copies of all correspondence (except security, safeguards, and proprietary information) sent to an applicant are also sent to everyone on the service list, to the NRC Public Document Room (PDR), and to the local PDR (LPDR). The branch licensing assistant is responsible for maintaining current service lists for each facility.

2.4.2 Plan for Review

The basic plan for review of an application consists of a list of the assigned reviewers for each of the various review branches, the agreed-upon schedule, and any significant anomalies of the review requiring special emphasis, or additional documentation that the applicant has promised for later submittal, and so forth. Except for these anomalies, the review should proceed as described in the Standard Review Plan and the Environmental Standard Review Plans.

As mentioned above, parts of the review may be contracted out if staff resources are inadequate to meet the schedule. In such cases, the LPM must coordinate with the cognizant review branch and with the designated NRR contract manager to ensure contractor compliance with schedules, etc.

The review of the application for compliance with plant security and safeguards requirements is conducted by the Office of Nuclear Material Safety and Safeguards (NMSS). The result of the NMSS review is sent to the Standardization and Special Projects Branch, DL, where it undergoes a review of the safety implications of the security system. Much of this review is withheld from public disclosure pursuant to 10 CFR 73.21. (See Appendix A-5.)

The review of the application for compliance with emergency preparedness requirements is conducted in the Office of Inspection and Enforcement (IE), with input from the Federal Emergency Management Agency (FEMA). Results of the IE review, including FEMA input, are sent directly to the Licensing Project Manager.

2.4.3 Development of the Licensing Review Schedule

As the acceptance review nears completion, the LPM must begin to develop the overall schedule for the detailed safety and environmental review of the application. If the acceptance review shows that the SAR and ER are reasonably complete, the application may then be immediately docketed following completion of the 30-day acceptance review, and the detailed review process may begin. Should the SAR or ER be judged to be incomplete, generally a few weeks are necessary for the applicant to prepare the missing information and resubmit the application. In either event, it is necessary for the LPM to complete development of the schedule for the project review as soon as possible after the acceptance review has been completed. In the former case, development of the schedule must be accomplished expeditiously; in the latter case, the scheduling effort may proceed in parallel with the applicant's rework. The goal is to have a management-approved schedule within 10 working days after docketing. The development of an approved schedule is a prerequisite to the initiation of review activity by the various review branches. Thus, the lack of an approved schedule can delay the review process.

During the acceptance review, the LPM should develop a Level "D" schedule network. The Level D network shows the review process including schedule milestones that will be undertaken by the technical review branches, and other key areas such as reactor safeguards, emergency planning, indemnity, and antitrust. The detailed Level D network can assist the LPM in monitoring project status and in determining impending schedule changes. Prototype Level D networks are

available from the Office of Resource Management to serve as a guide. The Level D network is updated each month throughout the OL review.

After the schedule is prepared and agreed upon by all NRC participants, the LPM prepares a memorandum to the Director, DL. This memorandum transmits the schedule, summarizes and gives reasons for any deviations from standard schedule assumptions, and requests approval. Early development of the initial schedule is the keystone to a well-organized and timely review. It is important that the LPM vigorously pursue development of the schedule, because the LPM is the focal point of information and of decisions in this effort.

The LPM must inform the applicant of the approved schedule by letter and should discuss it with the applicant to ensure his full understanding of the proposed schedule. The LPM should make it clear that delay by the applicant in providing acceptable responses to staff requests for additional information is very likely to result in slippage in the overall review schedule.

After the schedule has been established and the review effort initiated, it is the continuing responsibility of the LPM to investigate means for maintaining established target dates, especially if slippage appears likely. Specifically, the LPM must advise DL management of any schedule dates that appear to be slipping. Typical slippages are due to such things as late response by the applicant or reviewers, delayed hearing initiation dates, or delayed hearing decision dates. The LPM should orally emphasize to the reviewers and the applicant the desirability of accomplishing scheduled events on time and take necessary steps to ensure this.

A formal scheduling system has been developed to permit management control of the review process and to inform management and others of the schedules for review. The procedures for developing and changing these schedules are discussed in Section 2.7.2. The technical assistant to the Assistant Director for Licensing should be contacted for assistance on any of these scheduling actions.

2.4.4 Initial Management Meeting

A management meeting with the applicant is held upon completion of the acceptance review of a tendered OL application. The meeting should be held before docketing, if possible. The purpose of the initial meeting with the applicant is to introduce the key management personnel involved in the review process from both the NRC and applicant organizations, to discuss the review schedule and compare the major review milestones with the applicant's construction schedule, and to discuss the safety and environmental issues that the LPM believes will receive major emphasis during the review process. Other procedural matters should also be resolved, such as the method for incorporating additional information in the FSAR and arrangements for telephone contact between applicant and staff. Some guidelines for the meeting are given below:

- (1) Because of the difficulty in arranging this meeting consistent with the schedules of NRR Division Directors, the docketing of the application is not usually delayed until after the meeting.
- (2) The meeting should be limited to 1 hour. More detailed discussions, if necessary, can be arranged by the LPM with a smaller group after the

management meeting. This will help ensure that all NRR Division Directors can attend the entire meeting and thereby facilitate discussion of all aspects of the review schedule.

- (3) Management representatives from NMSS (to discuss security and safeguards review scheduling) and IE (to discuss emergency preparedness review schedules) should be included.
- (4) Before the meeting, the LPM should solicit suggestions from NRR management regarding major issues for discussion with the applicant and inform the applicant of these issues.
- (5) The LPM should prepare a draft review schedule for presentation at the meeting, including at least the major milestones in the review process. The final schedule is usually transmitted to the applicant after the initial management meeting.

2.4.5 Caseload Forecast Panel

An accurate estimate of the date by which the applicant will complete construction and will be ready to load fuel is important to permit scheduling and use of NRR manpower. The applicant normally estimates the fuel load date, but NRC periodically makes an independent estimate by means of the Caseload Forecast Panel (CFP). The CFP usually meets at the plant site and provides a fuel load date estimate soon after the OL application is docketed. This process is repeated annually, thereafter, until fuel loading. The CFP for each project is set up by DL and usually consists of the LPM, a representative of the Office of Resource Management, and the Resident Inspector for the project, as a minimum. The LPM is a key member of the panel and should take an active role in the visit to the site by the CFP and in its decisions.

It is NRC's practice to schedule OL reviews on the basis of the applicant's estimated fuel load date. Nevertheless, the CFP estimate is of use to the staff because it serves two principal functions:

- (1) It provides NRC management with an independent judgment on the reasonableness of the applicant's schedule.
- (2) It alerts NRC management to and focuses management's attention on those projects for which schedule revision might be appropriate.

The LPM must be able to explain the basis for the CFP date to NRC management. This implies that the LPM must be able to support the view that concluding the NRC licensing process by the CFP date rather than the applicant's date would have no impact on the plant startup schedule (assuming standard hearing schedule assumptions if there is intervention).

If the CFP fuel load date differs by more than 6 months from the applicant's date, a management level meeting must be set up to resolve the difference. The Director of DL or the Director of NRR must attend this meeting. The meeting should be held before public release of the official NRC estimate. If the CFP date differs from the applicant's date by 6 months or less, approval of public release may be made by the Assistant Director for Licensing.

2.4.6 Technical Review

During the technical review of the FSAR and ER, the LPM integrates and coordinates the efforts of the various reviewers. The LPM accomplishes these functions by initiating and maintaining a close liaison among the technical reviewers on at least a weekly basis depending upon the current activity in each review area. Liaison actions should include open discussion of current and potential safety and environmental problems and ideas for resolving them on the approved schedule for the review. The LPM comes in contact with all of the review branches and should be aware of the interactions between branches, technical areas of potential collaboration between branches, and technical situations where the review effort of one branch may have a direct effect on the review effort of another, particularly if the applicant's technical treatment of an issue is novel. The integration and coordination efforts by the LPM should all be directed primarily toward obtaining a high quality review that is consistent with current staff positions, and meets the established review schedule.

The technical review of the FSAR and the ER is performed by the functional review branches in the NRR divisions and in NMSS (for safeguards) and IE (for emergency preparedness and quality assurance) as well as by the LPM. Review of the various chapters and sections in the FSAR and ER, as defined by NRR Office Letter No. 2, for the SER is allocated to specified branches and offices. Details of the responsibility of each branch in carrying out its review functions, including criteria for acceptability, are contained in the Standard Review Plan (SRP) and the Environmental Standard Review Plans (ESRPs). The SRP also defines the interactions between branches to ensure that a complete review is performed. Although the SRP and ESRPs are effective management tools, the LPM also should ensure through personal review efforts and discussions with the reviewers that a complete and high quality review is performed.

The majority of questions, problems, and potential delays that arise during the review can usually be settled by discussion between the individual technical reviewers and the LPM. In those instances where resolution cannot be obtained at the reviewer-LPM level, the issue must be elevated through parallel levels of management until resolution can be achieved.

As indicated above, portions of the FSAR and ER review are assigned to the LPM. For the safety review, this consists of several general discussion areas including Section 1 of the SAR, "Introduction and General Description of the Plant"; general evaluation of conformance of the plant design to the NRC General Design Criteria; and the general description and evaluation of the engineered safety features. For the environmental review the LPM is assigned several general and summary sections. The LPM must also take the lead in assessing the applicant's performance during the course of the review (see Systematic Assessment of Licensee Performance, Section 4.21), and advise DL management of potential concerns as they arise.

The preliminary review and evaluation effort by the technical branches may result in requests for additional information from the applicant. The final results of the technical review are sent to the LPM in the form of input to the SER and the Draft Environmental Statement (DES). Although the LPM does not actually perform the detailed review, the LPM must be thoroughly familiar with the results of the technical reviews and should be in substantial concurrence

with them at the time of their publication. The LPM should be sufficiently knowledgeable about the subject matter to be able to assess the general merits of the functional review in terms of (1) previous staff positions, (2) handling of previous similar projects, and (3) conformance with the SRP and ESRPs. The LPM also must be able to ensure that adequate technical bases for the review conclusions exist and are documented.

As the technical review of the application progresses, the LPM and each reviewer should maintain an up-to-date listing of the documents (other than documents referenced in the FSAR and textbooks) relied upon during the review and evaluation process. When the review of the application has been concluded, the LPM should use this listing to prepare a bibliography which is included with the SER when it is issued. Special attention should be paid to references to national codes and standards as discussed in NRR Office Letter No. 35. The LPM should ensure that all the material used by the staff to reach its review findings is on the docket and in the PDRs (except for material withheld as proprietary or safeguards information).

The LPM should determine, early in the review process, whether or not the staff's independent design verification program (IDVP) will be required to provide independent verification that key aspects of the plant have been designed properly. At present, staff policy is to require the applicant to have such a review conducted by an independent contractor, unless the applicant can provide an acceptable basis for not conducting the IDVP.

2.4.7 Technical Meetings With the Applicant

During the course of the review and evaluation process, a number of meetings are held with the applicant to discuss technical issues. These meetings may be initiated by the staff or the applicant. At least one of these meetings is held near the site, usually a meeting to discuss environmental and site-related issues. Meetings should be chaired by the LPM and usually consist of detailed discussions of specific aspects of the facility design, operation, and environmental characteristics.

The need and date for a meeting, the issues to be discussed, and the participants are generally determined by mutual agreement between the LPM and the assigned reviewers on one hand, and between the LPM and the applicant on the other. NRC policy is to restrict staff attendance at meetings and site visits to a practical minimum. The LPM is responsible for organizing most meetings and site visits and should ensure that this policy is properly implemented by avoiding unnecessary staff attendance.

The LPM contacts the applicant to agree on the time and place for the meeting and the subjects to be discussed. At all meetings between the staff and the applicant, a meeting notice is issued approximately 2 weeks before the meeting (if possible), and the meeting is open to the public to observe, but not participate. The meeting notice is sent to the service list. Personnel in the cognizant NRC regional office or the Resident Inspector if one is assigned should be contacted by telephone if the meeting is near the site or if their attendance is necessary. When possible, the meeting notice should include an agenda that clearly lists the subjects to be discussed. If the issue to be

discussed is unique, or if the position to be taken is different from that adopted with other applicants in the past, prior discussions with staff management may be necessary to ensure that consistency with current staff policy and positions is maintained.

Sometime during the review process, the ACRS subcommittee assigned to the project will request a meeting with the staff and applicant, generally at the site, for the purpose of visiting the site and conducting preliminary discussions on safety issues the subcommittee members consider important. A number of times during the course of the review, the applicant will request a meeting with the staff to discuss a subject that requires resolution. These requests should be accommodated by the LPM on an expeditious basis. In meetings applicants often present new approaches to resolution of issues and request staff concurrence with the new approach. In such instances the LPM should request that the applicant submit the new information formally, and make it clear that staff positions must be based on docketed material and that formal staff approval will not be given on the basis of material presented solely at meetings.

The purpose of technical meetings is similar to that of any communication - to exchange information and views. The LPM should channel the discussions toward developing a comprehensive understanding of the applicant-supplied information, exploring the alternatives considered by the applicant, determining the basis for the applicant's conclusions and decisions, and clarifying the staff's considerations and positions to the applicant. These types of discussions are fostered by providing the applicant and reviewers with a list of the items to be discussed before the meeting (preferably by an agenda attached to the meeting notice if time permits, otherwise by telephone) and by ensuring that the reviewers have prepared draft questions or SER positions in advance of the meeting. The LPM and reviewers must factor the information obtained from the applicant into the formulation of the staff position on each issue. The staff position almost always will coincide with past conclusions as expressed in the SRP, ESRPs, and other dockets. The LPM and reviewers should present the staff position firmly and fairly. It is an important responsibility of the LPM to know where the staff stands on an issue and the position it intends to pursue before the meeting.

Frequently it is advantageous to hold meetings with applicants before the issuance of formal requests for additional information. A reviewer or a review branch chief who identifies a need to hold such a meeting to discuss areas of review and other questions will so inform the LPM, and should provide draft questions or positions to the LPM at least 2 weeks before the meeting. Draft SER positions may be included with draft questions or submitted alone as a basis for discussion. The LPM normally will send the draft questions or SER positions to the applicant in the form of a meeting agenda. Under unusual circumstances they may be transmitted by telephone, but this should be avoided when possible. As with all meeting notices and summaries, a copy of the meeting agenda should be mailed to the applicant and the service list.

Meetings should be conducted purposefully on a well-organized, businesslike basis, with the LPM normally chairing the meeting. The LPM should try to limit the discussion to the agenda and avoid excursions into irrelevant areas. The applicant, however, must be afforded an adequate opportunity for technical dialogue and debate over safety and environmental issues and positions. When

the objectives of the meeting have been accomplished or it appears fruitless to continue the discussion, the LPM should adjourn the meeting. The LPM must be efficient in the utilization of the time of key staff personnel since this has a direct impact on the progress of the review on this and other projects. To this end, the meeting agenda should include a schedule for the discussion of the various subjects, thereby minimizing nonproductive use of time. At the conclusion of the meeting, the LPM should verbally summarize all significant items of discussion to ensure understanding and agreement by all participants.

Following the meeting, the LPM, with the assistance of participating staff members if necessary, should prepare a meeting summary that outlines the topics discussed, the information furnished and requested, and the important positions taken or decisions made. Commitments made at the meeting and areas of agreement and disagreement should be documented. Concurrence in the meeting summary contents by staff participants may be necessary. In preparing the meeting summary, it should be remembered that the summary serves as a formal record of the events that transpired at the meeting for subsequent use by staff and applicant personnel. The meeting summary should be limited to a description of what took place at the meeting. Staff conclusions reached or questions raised after the meeting should be transmitted to the applicant in a separate letter. A copy of the meeting summary is also sent to the service list (which includes the applicant and intervenors).

2.4.8 Meetings With Other Groups

During the review process, the LPM may conduct or attend meetings with a number of other groups of people. Among these are state officials, county officials, local town or village officials, the public, and intervenors. Care should be exercised to prevent the meeting from becoming a press conference rather than a meeting to discuss the plant and its safety or its environmental impact on the area.

There are a number of state and local agencies that may be involved in the review of environmental impacts and in the development and review of Emergency Plans. The LPM should check with the appropriate environmental review branches as to whether a meeting with state representatives is necessary. Each state has a State Liaison Officer who serves as the principal technical-level contact with NRC on environmental questions of mutual interest. LPMs should work with these officers to the maximum extent appropriate in their interactions with state officials. A list of these officials can be obtained from the licensing assistant or from the Office of State Programs.

State and local officials and the Federal Emergency Management Agency participate at the OL stage in the development and review of emergency plans for the facility. Although the impetus for meeting with these officials will come from the Division of Emergency Preparedness in IE, the LPM should be aware of such meetings, help to set them up if requested, and attend if requested.

On any site visit where the applicant provides special transportation or "other special conveyances" such as helicopters, it is NRC policy to pay a fair share of such transportation. It is the LPM's responsibility to determine the need for such special conveyances by checking with the appropriate technical review branches and to arrange for this.

2.4.9 Applicant Appeals Meetings

An applicant who disagrees with an NRC staff position has the option of appealing to management. Although an applicant is not prohibited from contacting any level of NRC management, the LPM should request that all such contacts be initiated through the LPM.

For a pending appeal, the LPM should discuss in detail with the applicant and the appropriate reviewers the positions taken by the staff and the applicant. Before the meeting the LPM should make sure that NRR management up through the Division Director level is aware of the background of the issue, the applicant's position, and the staff's position.

Appeals meetings are held first with the Assistant Director and then, if necessary, with the Division Director and the Director of NRR. The LPM (or higher DL management) normally chairs the meeting and directs the discussion toward an acceptable solution. At the end of the meeting, the LPM should summarize any agreements reached. After the meeting, as with all meetings, the LPM writes a summary that is sent to the applicant and the service list.

2.4.10 Preparation of Request for Additional Information

During the course of the staff review of an application, it is usually necessary to request additional information about a number of issues. Reviewers formulate questions to elicit additional information from the applicant. A meeting with the applicant before transmittal of the request for additional information may not always be necessary, particularly if the request for information is clear and not subject to misunderstanding. The questions are generated by the reviewer, reviewed by the reviewer's management, and sent to DL for use by the LPM in issuing a letter requesting additional information from the applicant. Each review branch numbers its questions in accordance with a specific numbering system designed to help identify the responses and to minimize the need for retyping question lists in the project branches (see NRR Office Letter 29).

The number of rounds of questions and answers between staff and applicant should be minimized. A single, comprehensive set of questions should be prepared and given to the applicant following docketing. The questions will be designed to obtain all the clarification and additional information necessary to prepare a complete SER or Environmental Statement (ES) input in every review area. This approach should be applied to all review areas to the maximum extent possible.

The responsibility of the LPM in preparing this request and letter is to review the questions to determine their acceptability (technical adequacy, clarity, and scope) for transmittal to the applicant; to assemble the questions by subject matter maintaining consistency with the content of chapters in the FSAR and ER-OL; and, finally, to compose the accompanying letter including appropriate instructions to the applicant. The key task in this sequence of events is the review of the questions for acceptability. Based on knowledge of the application, the LPM should be in a position to understand and critically review each question generated by the reviewers. An adequate basis must exist for each staff position, and the LPM should understand the underlying rationale

for the request. If the review branch chooses, draft SER positions may be sent to the LPM for transmittal to the applicant, either with or in lieu of questions.

The request for additional information also serves as the public record of the staff's safety concerns about the application at that stage of the review and evaluation process. The request, if properly prepared, can materially assist in obtaining a quality review and in expediting the review process. It is for these reasons that the LPM must take special care in producing the request for additional information. In reviewing the questions, the LPM must consider the following:

- (1) The questions should be directed toward obtaining a clear understanding of the design and related safety and environmental features.
- (2) The thrust of the question should be clear and unambiguous. The applicant cannot be expected to provide information that the reviewer thought was requested, but really was not.
- (3) If the question is new and expands the scope of review defined in the SRP or ESRP, a management decision to delete, modify, or ask the question may be needed. The LPM should elevate concerns to the appropriate level of management if agreement cannot be reached with the reviewer.
- (4) The question should be pertinent and important to safety or environmental concerns. Questions of a trivial nature or those requesting information that is interesting to the reviewer but not related to safety or environmental concerns should not be asked.
- (5) The potential response to the question should be visualized as well as the ensuing step by the staff. If the response leads nowhere, the question probably should not be asked.
- (6) Redundant questions should be deleted. Sometimes different branches ask similar questions.
- (7) Consistency in the level of review performed by the various branches, as expressed by the level of detail of the questions, needs to be checked and maintained.
- (8) Where appropriate, the question should include or reference the staff position on the particular issue such as a Regulatory Guide, a General Design Criterion, or an SRP section.
- (9) If necessary, the LPM may add or significantly modify questions in the request for additional information. However, the agreement of the cognizant technical reviewer should be sought. If resolution cannot be obtained, elevation to higher levels of management may be necessary.

The letter that transmits the request for additional information to the applicant should contain a brief summary of the areas in which information is being requested and should contain a schedule for submittal of responses that, if met, will permit the staff to maintain its review schedule. The applicant should be advised that he must provide complete and technically adequate responses in

order to avoid jeopardizing the schedule. Copies of the request for additional information are sent to the service list.

Once the request for additional information has been transmitted to the applicant, it becomes the LPM's responsibility to facilitate the timely submittal of applicant responses. The LPM should verify that the applicant understands the questions and should try to become aware of impending delays in the applicant's response as soon as possible. If it is determined that the applicant cannot meet the schedule date specified in the transmittal letter, the LPM must obtain a new date from the applicant, evaluate the resulting impact on the project review schedule, and inform the applicant of the revised schedule. This is an undesirable situation that should be avoided whenever possible. The LPM should emphasize to the applicant the importance of submitting timely, complete, and technically adequate responses to preclude delays. It is typical that an applicant delay will result in the project losing its place in line to be reviewed, thereby resulting in a delay in the review schedule greater than the applicant's delay.

2.4.11 Review of Applicant Responses

Responses to the request for additional information are submitted in the form of amendments to the application that are distributed by the Document Management Branch to all prior recipients of the application. Primary responsibility for review of each response rests with the reviewer who identified the need for the information. Consistent with the LPM's overall responsibility, responses should also be reviewed by the LPM. It is important that all applicant responses be evaluated not only for technical adequacy, but also for clarity and potential ambiguities. If full cooperation and understanding have been achieved among all parties during the previous processes, no further questions should be necessary.

The LPM must ensure that the staff review of applicant responses proceeds at an acceptable rate. This can only be accomplished by frequent contact with the reviewers to determine as quickly as possible significant areas of technical difficulty. These areas can be identified to the applicant by telephone or through meetings, followed by appropriate documentation. In this way, the LPM can effect an expeditious staff review.

2.4.12 Safety Evaluation Report

When the applicant's response to the request for additional information has been submitted, the preparation of the Safety Evaluation Report (SER) can proceed. The SER is intended to be a summary of the review and evaluation of the application by the staff and its consultants as to the anticipated effect of the facility on the public health and safety. It is provided to the public and the ACRS and is used as the foundation for the other evidence presented at the public hearing on safety. As such, it must be attested to by the LPM as a factual and complete summary of the staff's work. The technical content of the SER must be acceptable to the LPM and the technical reviewers who become the staff's main witnesses at the hearing. The SER is, therefore, an important document in the regulatory licensing process whose preparation must be performed with the utmost care and attention.

2.4.12.1 Content of the Safety Evaluation Report

The format of the SER, like that of the FSAR, should generally follow the most recent revision of Regulatory Guide 1.70, "Standard Format and Content of Safety Analysis Reports for Nuclear Power Plants," and the Standard Review Plan. However, additional chapters are included. These chapters discuss subjects pertinent to the staff review that are not discussed in the FSAR. The format for all SERs should be consistent, at least to the level of detail of sections below the chapter headings.

Based on the responsibilities assigned to the LPM and the various reviewers, inputs in the form of draft SER material for each of the chapters and sections should be provided to the LPM, or prepared by the LPM, that can be synthesized to form the SER. It is the responsibility of the LPM to critically review each input, to take the proper steps to arrive at an acceptable input from each source, and to originate those portions of the SER assigned to him. If an input is judged to be unacceptable, the LPM should return it to the cognizant reviewer for rewriting. Changes that do not affect the technical rationale or conclusions may be incorporated by the LPM. However, in either case, appropriate dialogue must take place between the LPM and the reviewer to ensure that a mutually acceptable report is finally generated. If agreement cannot be obtained at the reviewer-LPM level, the problem must be elevated to a sufficiently high level of management so that resolution can be achieved.

If reviewer inputs are not timely and maintenance of the schedule is threatened, the responsible reviewers should be contacted and the problem should be elevated through successive levels of management until resolution is achieved.

Staff personnel who provide inputs to SERs should adhere to the following guidelines. The LPM should verify that all reviewers have a copy of them before starting to write SER input.

- (1) SER input should consist basically of a brief descriptive statement of the subject under discussion; the applicant's criteria and an evaluation of the applicant's data, analyses, and conclusions; the staff's criteria and basis for its independent evaluation and conclusions; and the staff's conclusions. It should describe the extent of the staff review including analyses performed, comparisons made, and other considerations that were part of the review. The extent of conformance to the regulations, Regulatory Guides, General Design Criteria, Standard Review Plan, and Branch Technical Positions should be indicated. A compilation of current Branch Technical Positions is included just after the Table of Contents of the SRP. Any reservations concerning the adequacy of the design in question, and recommendations concerning conditions to be imposed or alternatives to be considered, should be clearly stated together with the supporting bases. Similarly, bases for deviations from Standard Review Plan acceptance criteria must be documented in the appropriate SER sections.
- (2) Those aspects of the design that were not acceptable and that were changed as a result of the staff review should be identified to provide a historical record of independent actions taken by the staff.

- (3) The staff's position on an issue must be clearly stated and be technically defensible in all its aspects.
- (4) The SER should reiterate applicant-supplied information only to the extent that it is absolutely essential to the discussion. There is no need to arbitrarily repeat information already documented in the application, such as system descriptions or description of the noncontroversial details of calculations.
- (5) The SER should contain a minimum of open (or outstanding) issues. Open issues are safety concerns for which no agreement has been reached between the staff and applicant as to a solution, and for which no staff-imposed solution is currently feasible. Examples of this would include incomplete analyses by the applicant to demonstrate compliance with the regulations, the SRP, or other staff criteria. If there are more than 20 open items in the SER, a supplement to the SER will be required to reduce the number before the application is reviewed by the Advisory Committee on Reactor Safeguards (ACRS). Open items are to be distinguished from "confirmatory" issues. These are defined as issues that have essentially been resolved to the staff's satisfaction, but for which certain confirmatory information has not yet been provided on the docket by the applicant. To qualify as a confirmatory issue, the applicant must have committed in writing to provide the confirmatory information in the near future.
- (6) If the acceptability of a system, component, or structure is based on its acceptance in a prior application, an adequate basis must be established to demonstrate the similarity of the item to its counterpart in the accepted plant.
- (7) Careful attention must be given to the status of documentation when referencing information (other than that independently generated or confirmed by the staff or its consultants) in support of conclusions stated in the SER. Section 182 of the Atomic Energy Act, as amended, requires that all applications for, and statements made in connection with, licenses under Section 103 or 104 of the Act must be signed by the applicant and must be made under oath or affirmation. Therefore, all information (including that in topical or other reports supplied by vendor or architect-engineer organizations) used by the staff in arriving at its conclusions must be placed (or incorporated by reference) in the record of the application by means of a statement signed by the applicant and made under oath or affirmation. This should be made clear to the applicant at the start of the staff review.
- (8) Each chapter of the SER should have a "Conclusion" section. If the chapter deals with one major subject and is prepared by one branch, a single "Conclusion" section at the end of the chapter should suffice. For those chapters that cover several diverse subjects or are prepared by more than one branch or section, it may be more appropriate to provide conclusions at the end of each section or subject area.
- (9) At the OL stage of review, the SER must address the resolution of the outstanding safety considerations identified by the staff and the ACRS at the CP stage of review. The SER should also include a list of the items that

will be incorporated into the OL as license conditions, and a cross-reference to the SER section covering each item.

The SER is issued to the public, the ACRS, and to the parties to the Atomic Safety and Licensing Board hearing as a summary of the staff's conclusions regarding the application. As a result of years of experience in preparing documents of this type for such a diverse audience, it has been concluded that the optimum approach is to direct the report toward the knowledgeable segment of the public. The LPM must ensure, therefore, that the SER is neither too technical, as a report directed solely to the ACRS might be, nor too elementary, as a report directed solely to the general public might be. An appropriate balance must be achieved. Previous SERs should be followed for guidance in achieving this balance.

Documentation of staff review should contain the staff findings and a detailed discussion of the bases for the findings. The SER should also include a discussion of the extent to which the SRP acceptance criteria are met, or the reasons for acceptance or rejection when an acceptance criterion is not met. It should be noted that the "standard" for acceptance or rejection is whether or not the regulation or portion thereof that underlies the SRP acceptance criterion is satisfied.

The regulations (10 CFR 50.34) require applicants to document differences from the SRP acceptance criteria for applications docketed after May 17, 1982. For those applications, the applicant's documentation should facilitate SER preparation. For applications docketed before May 17, 1982, the staff is required to identify differences from the SRP acceptance criteria and address the reasons for accepting or rejecting them in the SER.

In addition to a description of the review findings and their bases, the documentation of staff review shall include a discussion of the scope of the review; that is, whether each area of review and review procedure in the SRP was followed and why differences from the scope of staff review identified in the SRP are acceptable. The "Areas of Review" and "Review Procedure" sections of the SRP contain statements that characterize safety considerations, identify who is to perform the review, and provide a perspective for the review. The staff review is of necessity an audit review; therefore, absolute conformance by the staff to the review outlined by the SRP is neither expected nor desired. The staff is expected, however, to describe (document) the scope of the review which was actually performed. This should be done in terms of what is identified in the SRP. Two examples follow, which present in an abbreviated fashion two ways of describing the review. Regardless of the way selected to document staff review, the description must enable a knowledgeable colleague to determine what was or was not considered and why. The examples are:

- (1) All areas of review and review procedures identified in SRP Section X.XX were followed. In addition, the staff reviewed the plant for conformance to Position 1.XX of RG 1.YY and the guidance presented in NUREG-0000. The staff found the plant acceptable in these areas. Details of the review follow.
- (2) The review identified by SRP Section X.Y.Z was limited to (describe item). No other areas or procedures of that section

were followed because the plant is known to be a duplicate of a plant (name) reviewed previously against these areas and found acceptable.

An appendix to the SER should include the names of the LPM, all reviewers (including their branch or review subject), and all contractors who worked on the SER. Copies of contractor reports prepared for the particular plant should, when appropriate, be appended to the SER.

2.4.12.2 Treatment of Hearing Contentions in Safety Evaluation Reports

If there are issues that will be items of contention in the hearing, management should be made aware of them. SERs must contain appropriate discussions to deal with all contentions on a particular case. This means that the LPM must provide guidance to the reviewers regarding the existence of contentions and how best to deal with them in the SER. For some aspects, more than one reviewer will be required to provide inputs that will subsequently be integrated by the LPM. The contentions need not be addressed explicitly, but the SER text should contain sufficient coverage to deal with all technical aspects of the contentions.

When the SER is circulated for approval, the cover memorandum should identify all admitted and proposed contentions in the case. Proposed contentions that have been denied by the hearing board need not be included. The memorandum should identify where in the SER the staff addresses the issue raised by each contention and the staff's judgment as to whether the SER writeup would preclude the need for subsequent written staff testimony for each contention.

2.4.12.3 Treatment of Issues Related to Three Mile Island in Safety Evaluation Reports

A number of additional requirements on nuclear power plants were imposed as a result of the Three Mile Island (TMI) accident. These requirements were described in "Clarification of the TMI Action Plan Requirements," NUREG-0737 and its supplements. The initial SERs that were prepared following the establishment of these requirements had a separate section for discussing conformance with these requirements. The format included the specific wording of each TMI item, as well as any clarifications that were issued, followed by the staff's evaluation of the applicant's response to the item.

Now that the TMI-related issues have been incorporated into the SRP (NUREG-0800) as a regular part of the licensing review process, a separate TMI section in the SER is no longer necessary. The present format requires incorporation of the discussion of TMI issues into appropriate sections of the SER. This format includes a summary statement of each TMI requirement instead of the verbatim repetition of the NUREG-0737 requirement and the clarification statements. A table should be placed in Section 1.0 of the SER, which identifies where in the SER a discussion of each TMI issue in NUREG-0737 can be found.

2.4.12.4 Early Safety Evaluation Report Draft

An SER draft based on the application and the responses to a single set of questions should be prepared upon receipt of the applicant's responses. Where information is lacking or inadequate, the draft will identify the area as an

open issue and briefly state the staff position and the basis for the position. Preparation of the draft should be the reviewers' highest priority assignment, commanding as much of their participation as necessary until the draft is completed and submitted to the LPM. During the draft SER preparation period, meetings and telephone conferences should be held to resolve as many open issues as possible within the scheduled period. This approach requires a careful balancing of priorities and workforce scheduling.

2.4.12.5 Safety Evaluation Report Finalization

The SER draft discussed above should be reviewed by NRR management according to Section 2.4.12.6 below. Following approval, copies should be sent to the applicant, service list (including intervenor groups), ACRS, and PDRs, with the remaining open issues and staff positions identified clearly. If necessary to maintain the schedule, the applicant should be requested to make available appropriate members of its staff in Bethesda, Maryland, until the SER is finalized. This group will undertake an intensive effort to resolve outstanding issues and will work in Bethesda for as many days as necessary to achieve this. This resolution can be facilitated by working meetings with the staff, to be followed by submittal of acceptable documentation and/or commitments by the applicant to satisfy staff requirements. It is especially important to identify as early as possible any additional analysis or other work that has to be done to resolve outstanding issues. Even if total resolution is not possible, this approach will (1) eliminate applicant misunderstanding of staff requirements, (2) provide a timely forum for applicant appeal, (3) identify staff positions that are non-negotiable, and (4) emphasize to the applicant that satisfaction of all staff requirements is a prerequisite to licensing. Staff reviewers will be available on a high-priority basis as needed during this period. In accordance with staff practice for all meetings with the applicant, interested members of the public may attend these working meetings to observe but not participate. Members of the public should be advised of this and offered the opportunity to ask questions of the staff at the conclusion of the meeting. Summaries of these meetings should be issued and copies sent to the applicant, service list (including intervenor groups), and ACRS.

2.4.12.6 Safety Evaluation Report Review and Publication

When a draft of the SER has been assembled that the LPM considers to be acceptable, it is subjected to review and comment by the DL branch chief, by the Office of the Executive Legal Director, and by the Assistant Directors of the participating review groups. Final approval is obtained from the cognizant DL Assistant Director. Following revision to take account of comments, the SER is printed and distributed to the service list, ACRS, to the affected states, and to the public through both the main PDR and the local PDR. To aid NRC management in its review of the SER, the LPM should prepare a memorandum that lists, categorizes, and summarizes the status of outstanding issues. The memorandum should be sent to the Division Directors and Assistant Directors of contributing divisions and offices as well as to DL management. This information is also presented to the ACRS in the letter that transmits the SER to the ACRS. The letter of transmittal to the ACRS is prepared by the LPM. Sixteen copies of the SER must be delivered to the ACRS office before the end of the monthly ACRS meeting that precedes the meeting at which the ACRS full committee will review the application.

2.4.12.7 Review by the Office of the Executive Legal Director

The Office of the Executive Legal Director (OELD) must review and concur in the SER. The draft SER should be sent to OELD concurrent with the LPM management review. The draft should be sent by memorandum to the assigned attorney. OELD will provide comments within five working days. Portions of the SER that may cause potential problems should be discussed with the assigned attorney before the entire draft is submitted.

When the final version of the SER is ready for issuance, it should be forwarded to OELD by memorandum directed to the attention of the assigned hearing section chief. OELD will review the final version in two working days.

If OELD review cannot be completed on the above schedule, the LPM should consult DL management to consider issuing the SER without OELD review.

2.4.13 Advisory Committee on Reactor Safeguards Meetings

The Advisory Committee on Reactor Safeguards (ACRS) performs an independent review and evaluation of each application for a CP and an OL for the purpose of rendering advice to the Commission. This advice is transmitted to the Commission by means of a letter which is made available to the public. The ACRS is composed of scientists and engineers, generally 15 in number, who are qualified in the various fields related to reactor technology.

The ACRS meets routinely for a 3-day session each month, usually on the Thursday, Friday, and Saturday of the first full week of the month, to perform its reviews, deliberate on various related subjects, and formulate recommendations to the Commission. Special meetings are held as required to consider urgent matters. In addition to these full committee meetings, subcommittees, usually comprising three to five ACRS members, are established to perform an initial review of individual applications in order to determine the key issues for consideration by the full committee. At the option of the ACRS, consultants with expertise in specialized areas may be called on to accomplish certain review tasks and to participate in the meetings. Ad hoc ACRS subcommittees are also established to consider various generic safety matters and to assist in the development of Regulatory Guides and regulations. With the exception of executive sessions, all ACRS meetings involving consideration of an application for a CP or an OL are open to the public in conformance with the requirements of the Federal Advisory Committee Act, and notice of these meetings must be published in the Federal Register 15 days before the scheduled meeting.

The ACRS review of an accepted application for an OL is conducted in parallel with the staff's review. The LPM's initial contact with the ACRS on a project is usually associated with a subcommittee meeting. A member of the ACRS staff will advise the LPM that a subcommittee has been formed and desires a meeting with the applicant, most likely near the proposed site, to make an early determination of the applicant's position on certain key issues. It is the LPM's responsibility to inform the applicant and appropriate members of the staff about the itinerary for the visit and the time, place, and agenda for the meeting and to resolve any conflicts that may arise. The NRC staff is informed by a meeting notice issued by the LPM, and by direct contact by the LPM. On the basis of the agenda and other project needs, the LPM should

recommend to his branch chief those review personnel, if any, who ought to attend the meeting.

When the review progresses to the point where an ACRS subcommittee meeting would be useful, but it appears none is being scheduled, then it is the responsibility of the LPM to contact the ACRS staff to request that such a meeting be scheduled. This is a "second order" responsibility of the LPM that manifests itself throughout the licensing process. The LPM's objective is to keep the review on or ahead of schedule.

The meeting dialogue is primarily between the subcommittee members and the applicant, although the staff will participate when necessary or if specifically asked. The LPM's responsibility is to lead the staff's participation. Generally, the staff will be required to summarize the review status of the subject matter under discussion. For new or controversial issues, more detail may be necessary. Provision is also made for members of the public to submit written statements to the ACRS before the meeting.

Usually, only one or two ACRS subcommittee meetings are held for an OL application. One of the subcommittee meetings is usually held following the issuance of the SER to discuss the safety concerns on that project as described in the final staff position. On projects involving particularly difficult safety issues, a number of subcommittee meetings may be held. These generally are held in Washington, D.C. Following each subcommittee meeting, the LPM should prepare a meeting report for NRC staff information summarizing the safety issues discussed and including the applicant's visual aid handouts where appropriate.

When the SER has been issued, a meeting of the full ACRS is arranged. The ACRS Chairman (through the designated ACRS staff member) is kept informed by the LPM of the scheduled availability of the SER beginning as early as 3 months before the meeting date. The ACRS staff will inform the LPM of the specific time, date, and agenda items to be discussed. It is the LPM's responsibility to relay this information to the applicant by issuing a meeting notice and to obtain a list of applicant representatives planning to attend. This list is transmitted to the designated ACRS staff member by the LPM, preferably at least 3 days before the meeting.

In general, the SER should be issued only if there are less than 20 outstanding issues and if the applicant has agreed to provide the necessary information on these issues on a schedule acceptable to the LPM. If there are outstanding safety issues at the time of SER publication that can be eliminated before the ACRS meeting, the LPM should firmly insist, with appropriate assistance from DL management as necessary, that the applicant present any new information on these issues to the staff for its review and evaluation before presenting it to the ACRS. The LPM should provide the ACRS subcommittee and full committee chairmen (through the ACRS staff) with an up-to-date status of outstanding items a day or two before the meeting. NRC policy is for the staff to evaluate the proposed solution to a safety issue first, followed by a second independent review by the ACRS. Reversal of this two-step sequence can defeat its purpose by compromising the independence of the reviews. If the applicant fails to provide the required information on a timely basis, the schedule for ACRS review should be delayed.

The assigned LPM, the DL branch chief, and either the DL Assistant Director or Deputy Director should attend any ACRS full committee meeting on a specific license application (see NRR Office Letter No. 12). They should be present for the entire meeting. The DL Deputy Director, appropriate Assistant Director, or technical assistant also should be present for the entire meeting on any matter that relates in a substantive manner to current or future applications. Assigned reviewers from other divisions or offices for areas identified as expected subjects of discussion at ACRS meetings should attend. In addition, each of these reviewer's section leaders, branch chiefs, or Assistant Directors should attend. These reviewers should be present at the commencement of the meeting, unless other arrangements are approved by the LPM and branch chief, and should remain in attendance until released by the senior DL representative present. At all times during the meeting, Division of Engineering (DE), Division of Systems Integration (DSI), and Division of Human Factors Safety (DHFS) should each be represented by a Deputy Director or an Assistant Director.

The ACRS full committee meeting is similar to a subcommittee meeting. The LPM is the principal spokesman for the staff, with assistance as necessary regarding technical details from the staff specialists, and from the attending branch chiefs and Assistant Directors regarding broader, more generic issues. Because the ACRS members will have been in possession of the SER for at least 4 weeks before the meeting and should be familiar with its contents, the LPM need only present an oral summary of changes or additions to the SER that have occurred since its issuance and be prepared to respond (with assistance from attending staff members as necessary) to questions from committee members. As in the case for subcommittee meetings, members of the public may submit written statements before the ACRS meeting.

At the conclusion of the meeting, the ACRS Chairman normally advises the staff and the applicant either that sufficient information and adequate solutions to safety concerns have been presented to permit a final letter to the Commission to be written or that additional meetings will be necessary. The Chairman will generally indicate, for the former case, the nature of the safety issues to be addressed in the letter, and, for the latter case, the areas of safety concern judged to require additional information. Occasionally, the Committee will write an interim report, and depending on the resolution of certain matters, follow up with a subsequent letter. Following the meeting, the LPM is again responsible for preparing a summary meeting report for staff information purposes.

2.4.14 Preparation of the Supplemental Safety Evaluation Reports

After the ACRS letter has been received, the LPM prepares a supplement to the SER (SSER). The supplement is intended to complete the staff's review and evaluation of the OL application by presenting the ACRS letter (as an appendix to the SSER) and the staff's planned technical approach and schedule for resolving any outstanding safety issues. This includes the staff's consideration of the ACRS comments and the staff determination of the extent to which the ACRS suggestions are consistent with or should modify the staff's position. The supplement to the SER must contain this information at a minimum; it may also contain the staff's conclusions regarding solutions to safety issues proposed by the applicant since the SER was published, and acknowledgement of receipt of documented information to confirm prior oral information. The LPM must

prepare and maintain a list of actions which were identified in the ACRS letter but not resolved completely in the supplement to the SER. This should include generic as well as specific items which are to be resolved at some agreed upon time after issuance of the SSER.

Depending upon the complexity of the information to be presented, the LPM may prepare the supplement to the SER or request assistance from appropriate staff personnel. This document must be prepared with the same care and attention given the SER because it possesses the same stature as the SER relative to the subjects it discusses. The supplement to the SER is reviewed and distributed in the same manner as the SER. In most cases, more than one supplement will be required.

2.4.15 Preparation of the Draft Environmental Statement

The requirement for the preparation of an Environmental Statement (ES) is derived from Section 102 of the National Environmental Policy Act of 1969 (NEPA). The NRC regulations for implementation of NEPA are given in 10 CFR 51. The requirements for the applicant's Environmental Report and the NRC's Environmental Statement, as well as other matters related to the licensing process, are in 10 CFR 51.

At the CP stage a Draft Environmental Statement (DES) related to the construction and operation of the proposed nuclear power plant is prepared. When the DES is issued, Federal agencies and state and local officials and agencies are requested to comment and private organizations and individuals are invited to comment. Following a defined period after its issuance, the DES is revised as appropriate, on the basis of the comments received. This revised version of the DES, along with responses to the comments received, is published as the Final Environmental Statement (FES) with the CP.

The purpose of the independent assessment provided in the ES is to give agencies and other decisionmakers, as well as members of the public, an understanding of the unavoidable adverse environmental impacts of the proposed action and the balancing of the benefits versus the environmental costs of the proposed action. In particular, NRC should use the process of generating an ES to explore alternative actions that will avoid or minimize environmental impacts and to evaluate both the long- and short-range implications of the proposed actions to humans, to their physical and social surroundings, and to the natural environment.

The OL review and the resulting Environmental Statement related to the Operating License (FES-OL) are essentially extensions of the CP review and the Final Environmental Statement at the CP stage (FES-CP). The FES-OL differs from the Construction Permit Environmental Statement in that changes in the environmental impacts relating to plant operation since the issuance of the FES-CP are emphasized and new information and analyses not previously performed or considered are provided. Currently valid information presented in the FES-CP is not repeated in the FES-OL, only to the extent that it is necessary for an understanding of the proposed plant operation and its relation to and impact on the public health and the environment.

From the LPM's viewpoint, the preparation of the DES proceeds much like the preparation of the SER. When the review and evaluation of the application have

progressed to the point where the LPM and the review staff have completed their review and evaluation, their respective sections of the DES are prepared. The DES should follow Appendix A to Subpart A - Format for Presentation of Material in Environmental Impact Statements in NRC regulation 10 CFR 51.

The LPM is responsible for any sections containing new issues. The review branches provide the remaining sections of the ES. In addition, they are available for consultation on any of the subjects in their area of expertise. Frequently Federal, state, or local agencies comment on the applicant's ER. The LPM should make sure that such comments are noted by the appropriate reviewers and considered when the DES is written.

It is the responsibility of the LPM to ensure that the conclusions of the ES are representative of the reviewing team and reflect NRC policy for the application.

Inputs to the Environmental Impact Statement should be provided to the LPM. It is the responsibility of the LPM to critically review each input from the reviewers, to take the proper steps to arrive at an acceptable input from each source, and also to originate those portions of the DES assigned to him. If an input is judged to be unacceptable, the LPM should return it to the cognizant reviewer for rewriting. Changes that do not affect the technical rationale or conclusions may be incorporated by the LPM himself. However, in either eventuality, appropriate dialogue must take place between the LPM and the reviewer to ensure that a mutually acceptable input is finally generated.

The DES is issued to the public primarily as a summary of the staff's initial conclusions (these conclusions will be final if no significant comments are received) regarding an application. The DES is not a draft in the sense of being incomplete. It is a draft discussion of the proposed action and the staff's assessment of its potential benefits and environmental costs presented to the public for purposes of requesting clarification or of providing additional information for staff consideration in making its assessment and benefit-cost balance. If no comments are received, it could be published as an FES. As a result of experience in preparing these kinds of documents for such a diverse audience, it has been determined that the optimum approach is to orient the report toward the knowledgeable segment of the public. The LPM must ensure, therefore, that the DES is neither too technical, as a report directed solely to the technical community might be, nor too elementary, as a report directed solely to the general public might be. An appropriate compromise must be achieved.

When all sections of the DES are completed, the LPM assembles the DES.

When the DES is completed and the LPM has made a final review, notification is given to the DL branch chief and the attorney so they can make their review. When revisions brought about by this review are completed, the final copy is sent out for printing. Coordination with the licensing assistant will permit early preparation of the transmittal letters to the various Federal, state, and local agencies and the notice for the Federal Register.

The review by OELD and NRR management and publication of the report are similar to those actions for the SER (see Sections 2.4.12.6 and 2.4.12.7).

2.4.16 Comments on the Draft Environmental Statement

When the DES is approved for issuance, it is sent for public noticing to the Environmental Protection Agency (EPA) in accordance with Council on Environmental Quality regulations. It is also sent to appropriate Federal, state, and local officials along with a letter requesting their comments. An announcement is placed in the Federal Register by EPA which indicates the availability of the DES and that interested persons may comment on its contents or conclusions. At the same time, copies are distributed to the appropriate NRR branches. The comment period is fixed at 45 days from the date of EPA's announcement in the Federal Register.

Comments received on the DES are sent to the LPM for processing. The LPM must analyze the comments, respond to some, and distribute others to the appropriate review branch for review and response. The response to the comments may take one of several forms: rewrite of a portion of the DES, correction of a portion of the DES, a commenting paragraph located in the appropriate section identified for discussion of comments, or combinations thereof. All comments are considered and the staff responses are identified or located in one section of the FES so that the reader can determine the disposition of each comment.

At the time the comments on the DES are sent to the appropriate staff reviewers for response, the LPM sends the comments to the applicant so that the applicant may also respond to them. Responses from the applicant, while not obligatory, may be essential sources of information for the evaluation of the comments by the staff. If such is the case, the applicant should be so informed. Such information may be utilized in the responses by the staff. The applicant's responses are not published in the FES but are docketed. If the applicant chooses to comment on the DES during the 45-day comment period, the comments will be responded to and published in the FES along with all the others.

When Federal, state, or any other comments are received late, that is, after the comment period is over and too late for review and inclusion in the FES, the staff will prepare written responses in the same manner as above so they will be available for use at the public hearing. The method of introduction of these responses in the hearing will be decided upon by the OELD attorney in consultation with the LPM. Staff responses to late comments should be transmitted to the commentor by the LPM.

2.4.17 Preparation of the Final Environmental Statement

The LPM receives the responses from the various reviewers, coordinates them with the other responses, and makes necessary changes to the DES. The LPM reviews the responses and any necessary changes in the Summary and Conclusions or other parts of the ES to make the final document consistent with the responses to comments. When this has been accomplished, the statement is ready for publication as a Final Environmental Statement (FES).

When the FES is ready for final approval, it is sent to OELD and to NRR divisions for approval using procedures similar to those for a DES. When this approval is received, the FES is issued.

The FES is a summary of the evaluation of the environmental portion of the application relative to the anticipated impact of the proposed facility on the environment. It is provided to the public and is used as the main body of environmental evidence at the public hearing to support the Commission's conclusion that a CP should be granted to the applicant or rejected. It must be attested to by the LPM as a factual and complete summary of the staff's work. The technical content of the FES must be acceptable to the LPM and associated reviewers who become the main witnesses at the hearing. The FES is, therefore, an important document in the licensing process and must be prepared with care and attention.

Comments on the FES are not solicited. When comments are received on the FES, responses are generated in a similar manner to those on the DES. The responses are sent to the appropriate commentor.

2.4.18 Emergency Preparedness

Before a full power operating license is issued, a finding must be made that onsite and offsite emergency preparedness provides reasonable assurance of adequate protective measures, based in part on a Federal Emergency Management Agency (FEMA) review. To make this finding, the staff of the Division of Emergency Preparedness and Engineering Response (DEPER) in IE, assisted by an appraisal team, reviews emergency plans as they are submitted, appraises their implementation at each site, observes and evaluates tests and exercises, and then certifies that both applicant and official offsite emergency preparedness is acceptable at that facility. (See Appendices A-3 and A-17.) In reaching the decision, DEPER considers the findings of FEMA in its evaluations of the preparedness of state and local governments.

The LPM for the facility is encouraged but not required to be a member of the appraisal team. As a minimum, the LPM should be sufficiently aware of the team's activities to ensure integration of team results into the schedule and to support the findings of the team. The basic regulations on emergency preparedness may be found in Appendix E to 10 CFR 50.

2.4.19 Materials Licensing and Physical Security Review

The operation of a nuclear facility requires certain quantities of special nuclear material, source material, and byproduct material. The applicant applies separately for licenses to receive, possess, and use these materials under the provisions of 10 CFR 70 and 30 before issuance of a facility OL. The Division of Fuel Cycle and Material Safety in the Office of Nuclear Materials Safety and Safeguards (NMSS) is responsible for processing these license applications and issuing the specific licenses. Before the issuance of an OL, the applicant must submit information on the technical capabilities, facilities, and procedures for handling and storing this material, which is reviewed by the NRR Division of Engineering (DE) in connection with the applicant's overall program for radioactive materials safety. The conclusions of this review are incorporated in the SER, and, if acceptable, broad possession limits are incorporated in the OL.

As part of the application, the OL applicant is required by 10 CFR 73.55 to submit a Physical Security Plan and the associated Contingency Plan and Training Plan. The objective of these items and the plant physical security system that

the applicant describes is to provide protection against the design-basis threat of radiological sabotage at the plant. The Security Plan is reviewed by the Division of Safeguards in NMSS for adequacy of physical security. The impact of physical security requirements on plant safety is reviewed by the Standardization and Special Projects Branch in NRR. Much of the information related to physical security must be physically protected at the NRC and is withheld from public disclosure pursuant to 10 CFR 73.21. Additional information regarding document control and conduct of the review of security information is given in DLOP 226.

2.4.20 Technical Specifications

One of the major tasks in performing the OL review is the development of suitable safety and environmental Technical Specifications (Tech Specs). The Tech Specs become part of the OL and govern the subsequent operation of the facility relative to the health and safety of the public and to the protection of the environment. They identify and define all the limits and requirements that the licensee must abide by without change unless specific approval (i.e., a license amendment) is obtained from the NRC. The Tech Specs must be substantially complete before the plant operating procedures can be written and the plant operators can be trained. Development of the Tech Specs is accomplished in much the same way as the review and evaluation of the SAR and ER. Input information is provided by the licensee, review and evaluation is performed by the respective review personnel, and the overall management and integration responsibility is carried out by the LPM. (See Appendix A-19.) The schedule objective is to issue a "proof and review" draft of the Tech Specs no later than 3 months before the scheduled fuel load date.

In the past, Tech Specs were developed individually for each plant. They were similar for plants of like design, but quite a bit of tailoring and some unavoidable inconsistencies always existed. Sufficient experience exists now that Standard Technical Specifications have been developed for each nuclear steam supply system (NSSS) vendor design. Operating Licenses are now being issued with these Standard Tech Specs. The Standard Safety Tech Specs are developed by the Standardization and Special Projects Branch of DL, and this branch will provide major input in the formulation of Tech Specs for an individual plant. Standard Environmental Technical Specifications are in the form of a document called the Environmental Protection Plan (EPP). The EPP is provided by the Environmental and Hydrologic Engineering Branch of DE.

2.4.21 Management Site Visits

Shortly before an Operating License is issued, a meeting is held at the site to discuss the project. This meeting is attended by the LPM, the DL Branch Chief, the Director of DL or the Director of NRR, two or more other NRR Division Directors, and an Operating Reactors Project Manager (ORPM) or Operating Reactors Branch Chief with responsibility for a similar type reactor. Regional office participation is encouraged, and the Resident Inspector should attend. Management-level representatives of the applicant are requested to attend. The LPM should arrange this meeting. The purpose of this meeting is to give NRC management a chance to discuss with the applicant's management the plant design and the applicant's management capabilities and organization. At

this meeting, the applicant should present an overview of the plant design, unique plant features, special licensing or design problems, organizational structure, and a discussion of the plant's readiness for operation.

2.4.22 Issuance of an Operating License

Before an OL is issued, a finding must be made by the applicant that the nuclear facility has been constructed substantially in accordance with the application and NRC requirements. The Regional Administrator must concur in that finding. Completion of construction, in addition to the actual building of the facility, includes implementation of the quality assurance program for operations, completion of preoperational testing, preparation of operational procedures, and implementation of the security, emergency, and environmental monitoring plans and programs.

Throughout construction, the LPM must maintain continuous cognizance of construction progress and estimated fuel load date. This is usually accomplished through informal discussions with IE and regional office personnel and documented estimates by the applicant. Occasionally, however, the LPM will have need for a specific analysis of an estimated fuel load date. In such cases, the LPM should request such an analysis either from the regional office or from ORM.

Licenses may be issued pending the satisfactory completion of certain construction items. The LPM must maintain liaison with the region to make sure all outstanding items of construction are completed before the granting of any authorization for operation at a higher power level. The LPM is responsible for informing the licensing assistant about any special conditions that must be reflected in the OL. This documentation must be reviewed by the LPM, OELD, the cognizant branch chief, and the Assistant Director before signoff by the Director of DL. Also, the Director of DL should review the draft before it is made available for review by OELD, the public, or any parties to the proceeding.

Approximately 3 months before the projected date of construction completion (fuel load date), the DL branch licensing assistant (LA) should prepare the appropriate OL documents. This includes the Operating License, the Federal Register notice, and a transmittal letter to the applicant. If additional safety evaluation is required, the LPM will provide that to the LA, along with any nonstandard license conditions. (See Appendix A-18.)

It is NRC practice at this time to issue OLs that are limited to operation below 5% power. This allows fuel loading and the completion of post-core loading hot functional testing and low-power physics testing. Then, if the licensee has demonstrated the capability to operate the facility safely, and all the necessary license conditions have been met, the license is amended to allow operation at full power. Before the full-power amendment is issued, a second management visit to the plant site is made, and the NRC staff meets with the Commission to request their approval to issue the full-power amendment. If a majority approves, the staff issues the full-power amendment shortly thereafter.

2.4.23 Operating License Conditions

Generally, by the time the SER and FES are issued, the staff conclusion regarding OL issuance is favorable. That is, subject to satisfactory resolution of open items, the staff recommends granting of an OL. This is true primarily because, by this time, the applicant has resolved to the staff's satisfaction most of the significant safety issues that were developed during the review. There may be concerns, however, which, while not ruling out an OL, still have not been acceptably resolved. Thus, an OL may specify that certain conditions pertaining to the protection of public health and safety or the environment must be met. For each such item, a completion date or a plant operating mode is specified. In the former case, the plant may not be operated after the specified date if the condition has not been met. In the latter case, the plant may not be operated beyond the specified mode (e.g., a given power level) if the license condition has not been met.

2.5 Public Hearing Process for Operating Licenses

The regulations do not require a public hearing for an OL, but one may be held at the request of persons whose interests may be affected. Therefore, following the docketing of a tendered application, a notice of opportunity for a hearing is published in the Federal Register.

If potential intervenors present their intention to raise certain issues, the Commission, the Chairman of the Atomic Safety and Licensing Board (ASLB) Panel, or an ASLB appointed by the Chairman decides on the admissibility of the contentions raised by the potential intervenors and determines whether a hearing should be held. The issues upon which a hearing would be structured must be based on specific grounds cited by the potential intervenors. If a hearing is to be held, a notice is published in the Federal Register.

Members of the NRR staff occasionally receive requests for a hearing, sometimes on licensing actions for which no notice of hearing or notice of opportunity for hearing is outstanding. Such requests should be transmitted immediately to the Director of DL for appropriate handling. (See Appendix A-9.)

If a hearing is held at the OL stage, it is the Commission's policy and practice to begin the public hearing in the vicinity of the site of the proposed facility. However, if the parties agree, all hearing sessions can be held in Washington, D.C.

The public hearing is conducted by an ASLB established by the Commission. An ASLB comprises three members, one of whom is qualified in the conduct of administrative proceedings, and two of whom have technical or other qualifications deemed necessary by the Commission for the issues to be decided.

The public hearing is intended to provide a forum where the parties (the applicant, the staff, and the intervenors) can present evidence to support their conclusions as to whether the proposed facility can be constructed and operated without undue risk to the public health and safety and with adequate protection for the environment. As the lead witness for the NRC's case, it is important that the LPM be familiar with the responsibilities assigned to him for each of the various aspects of the public hearing process. The following subsections define these responsibilities.

2.5.1 Meetings With Intervenors

In accordance with the Rules of Practice (10 CFR 2), the staff should provide opportunities for intervenors and potential intervenors to meet with staff personnel on an informal basis to permit their concerns to be communicated to the staff for consideration during the review and evaluation process. These meetings also permit the staff to describe its activities to the intervenors and potential intervenors. The LPM is responsible for initiating the arrangements for and conducting these meetings.

2.5.2 Special Prehearing Conference

10 CFR 2 requires that for contested proceedings a prehearing conference be held within 90 days (or within such other time the ASLB may determine appropriate) following publication of the notice of hearing. The purposes of this special conference are to identify key issues that parties wish to pursue during the proceeding, to consider petitions for leave to intervene in order to allow preliminary or final determination as to the parties to the proceeding, to provide for the submission of status records on discovery, and to establish a schedule for further actions in the proceeding. Participants in the conference normally include the ASLB, attorneys representing the applicant, the staff, intervening parties, and interested citizens. Although the LPM's responsibility during the conference may be limited to obtaining information, his attendance is necessary to facilitate understanding of the extent to which technical issues will be discussed in the hearing. Generally, other staff personnel do not attend. No evidence is presented at this conference, and the assigned attorney from OELD represents the staff as counsel.

2.5.3 Discovery

Once the controversial matters have been identified in the special prehearing conference, the discovery process may normally proceed, but will be limited to those specific matters. The discovery process may, in some instances, commence at an earlier or later date depending on circumstances. The discovery process is the seeking by a party to the hearing of information from the other parties directly related to the issues in contention through depositions, interrogatories, and document production. Intervenors are provided copies of correspondence to the applicant during the course of the proceeding. Although not routinely provided, this service can be continued after the hearing is concluded if requested by the intervenor.

Discovery on the staff does not include production of the SER or any supplements thereto, but may include all papers (i.e., memoranda, hand calculations, meeting and trip notes, and other items in the LPM's individual working project file) generated during the project review. Consequently, the staff is primarily involved only in responding to interrogatories as a means of discovery. It is the LPM's responsibility to prepare responses to interrogatories or to assist in their preparation by the appropriate review personnel, and to assist OELD in compiling documents subject to discovery. Before their transmittal to the ASLB and parties to the hearing, the responses to interrogatories should be concurred in by the cognizant branch chiefs and the assigned attorney.

2.5.4 Second Prehearing Conference

Within 60 days after discovery has been completed, another prehearing conference is held to further simplify, clarify, and specify the issues under contention; to consider amendments to the pleadings; to obtain stipulations and admissions of facts and of the contents and authenticity of documents to avoid unnecessary proof; to identify witnesses; to set a hearing schedule; and to address any other matters that may aid in the orderly disposition of the hearing.

As in the earlier conference, no evidence is presented, and the assigned attorney from OELD represents the staff. However, the LPM, in addition to attending to gain information and to foster understanding of the issues, is also responsible for providing technical assistance to the attorney where necessary (e.g., in simplifying, clarifying, and specifying the issues under contention). He may also be requested to provide information in technical areas at the request of the ASLB members. Before the prehearing conferences it may be necessary for the LPM to provide a list of potential witnesses for the hearing, including a brief description of their responsibilities during the review and evaluation of the application.

2.5.5 Evidentiary Hearing

After the SER and its supplement have been issued, the second prehearing conference has been held, and when appropriate ASLB, intervenor, applicant, and staff personnel are determined to be available, the evidentiary hearing is scheduled by the ASLB. If any new technical issues arise after the issuance of the last prehearing SER supplement but before a Board decision is rendered, they should be documented in the same manner as during the course of the technical review. The LPM and other staff members have an obligation to notify licensing boards of any new information that may be relevant to the Board's decision. This obligation is discussed further in Section 4.22 of this report and in NRR Office Letter No. 19, Revision 2.

The burden of proof for demonstrating that the construction and operation of the proposed nuclear facility satisfies the regulations and other NRC requirements rests with the applicant. The burden of proof for demonstrating the validity of the intervenor's contentions rests with the intervenor. The staff may agree or disagree with the applicant or the intervenor on any issue and may be requested to explain the review and evaluation process that was undertaken to arrive at its conclusions. Not subject to challenge or discussion in hearings on a specific application, however, is the validity of the regulation applied to a particular issue.

For the hearing, the assigned staff attorney is responsible for the conduct of the staff's case. In presenting the staff's safety and environmental case, the lead witness is the LPM who is expected to have sufficiently broad, if not detailed, knowledge of pertinent reactor technology and Commission environmental and safety policy to be able to respond to most questions posed by the ASLB as well as by attorneys for the other parties. To facilitate this objective, the staff's responses to interrogatories posed by parties to the hearing should be solely sponsored by the LPM or jointly sponsored by the LPM and appropriate review personnel. If the particular LPM's knowledge in an area is especially

extensive, he should provide more detailed testimony, if necessary. To the extent possible, the LPM should testify, thus minimizing the need for other witnesses. However, the LPM should recognize that other staff witnesses should be used for testifying in specialized fields of technology where it is necessary or prudent to do so. These staff witnesses should generally be personnel who were directly involved in the review and evaluation of the application under consideration.

Guidelines for designation of NRC witnesses are as follows:

- (1) The LPM and OELD attorney coordinate in developing the need for and identification of NRC witnesses. This is to be done as soon as possible after identifying the final contentions for the hearing or receiving of questions from the ASLB.
- (2) The LPM is responsible for arranging the availability of designated witnesses and for obtaining necessary management approval. The LPM should coordinate with the OELD attorney in developing a schedule for appearance of such personnel and modifying the schedule as necessary.
- (3) The LPM will confer with the OELD attorney to agree on alternate witnesses, if necessary, and is responsible for arranging the availability of such alternates.
- (4) If the LPM cannot reach agreement with other divisions and offices or OELD, the issue can be referred to the Division Director or someone at the equivalent level.
- (5) Every effort must be made, by careful scheduling, to require the presence of other personnel only when necessary. The LPM, however, must be present at all times.

All requests for assistance from other divisions and groups in preparing hearing testimony and providing witnesses at hearings should be in the form of a memorandum from the LPM's branch chief to the branch chief from whom the assistance is needed. Copies should go to the cognizant Division Directors, Assistant Directors, and reviewers. It is important to be as specific as possible with respect to what is needed when and by whom. This can be done by including attachments to the memorandum, if appropriate.

The LPM, as well as other prospective staff witnesses, must prepare brief descriptions, generally no more than two or three pages in length, of their technical background and experience gained during and before their tenure at the NRC. These must demonstrate the qualifications to perform as an LPM or a specialist and to testify as a witness in the proceeding.

The qualifications document is presented to the ASLB and all parties to the hearing at the time the LPM is sworn as a witness. As potential witnesses in licensing proceedings before ASLBs, the LPM and other staff members must be prepared to be examined by the members of the presiding ASLB and to be cross-examined by the attorneys for other parties to the proceeding in connection with the SER and their supplemental direct testimony. To prepare for cross-examination, staff witnesses should consult with staff counsel. In addition,

staff witnesses should be aware of the following with respect to cross-examination:

- (1) A witness should listen carefully to the question and be sure to understand it before responding. The answers must be truthful and responsive.
- (2) A witness should answer all questions to the best of his ability. If a witness does not understand the question, he should not hesitate to request clarification. A witness is not expected to rephrase or interpret an unclear question.
- (3) An expert witness is expected to testify on the basis of personal knowledge or expert opinion. A witness should not hesitate to inform the cross-examiner of any lack of knowledge or information regarding those areas of cross-examination where such is the case. A witness should not attempt to guess at a question. It is much better to admit that he does not know the answer.
- (4) If the cross-examiner refers to or uses publications or correspondence in the questioning, the witness should request an opportunity to review the material before responding to the question. This will ensure that the answer is accurate.
- (5) A witness should not engage in argument with the cross-examiner.
- (6) The following excerpt from A Manual on Trial Technique in Administrative Proceedings written by E. Barrett Prettyman, a former Judge of the United States Court of Appeals for the District of Columbia, provides good general guidance for anyone who becomes a witness:

Don't argue. Don't fence. Don't guess. Don't make wisecracks. Don't take sides. Don't get irritated. Think first, then speak. If you do not know the answer, but have an opinion or belief on the subject based on information, say exactly that and let the hearing officer decide whether you shall or shall not give such information as you have. If a "yes" or "no" answer to a question is demanded but you think that a qualification should be made to any such answer, give the "yes" or "no" and at once request permission to explain your answer. Don't worry about being bulldozed or embarrassed; counsel will protect you. Don't worry about the effect an answer may have. If you know the answer to a question, state it as precisely and succinctly as you can. The best protection against extensive cross-examination is to be brief, absolutely accurate, and entirely calm.

2.5.6 Orders From the Atomic Safety and Licensing Board

As the hearing progresses, the need may become apparent for additional information beyond that provided by the parties in order to resolve an impasse or a question that may have arisen. The ASLB will issue an order to the appropriate parties defining the specific need. Except when legal matters are involved,

if the order is directed to the staff, the LPM is responsible for fulfilling it with appropriate assistance as necessary. If the order is directed to other parties and results in the preparation of safety- or environment-related documentation, the LPM is also responsible for ensuring that a suitable staff review and evaluation of the new material is accomplished to permit staff comment at the hearing, if requested.

2.5.7 Ex Parte Communications

Once an OL hearing has been requested, the regulations (10 CFR 2.780) forbid communications concerning substantive matters at issue to take place between any party to the hearing (applicant, intervenors, and staff personnel) and any NRC official charged with the responsibility for making a determination in the proceeding. This includes Commissioners, members of their immediate staffs, ASLB and Atomic Safety and Licensing Appeal Board members, or any other NRC officials and employees who advise the Commissioners in the exercise of their quasijudicial functions. In general, the LPM and members of the NRC staff may meet with other parties to the hearing to discuss issues pertinent to the hearing without restriction provided all other parties are allowed to attend and observe. Circumstances may arise, however, where some meetings would be inappropriate. For this reason, OELD should be informed of any proposed meetings. Inquiries concerning the status of the proceeding are permissible from anyone, and the LPM is free to respond to such inquiries.

2.5.8 Transcript Corrections

Every word spoken at the hearing is recorded by the court reporter in the transcript of the hearing. Occasionally, the reporter records incorrectly what is said, or typographical errors occur. It is OELD's responsibility to request all regulatory staff hearing participants to review their individual areas of contribution to the transcript and to list substantive corrections necessary to produce an accurate transcript. The LPM must coordinate the staff's corrections, which are then forwarded to OELD and transmitted to all parties for their information and to the ASLB for adoption.

2.5.9 Proposed Findings and Conclusions

When the hearing sessions have been completed, the Chairman of the ASLB will direct all parties to prepare and submit their proposed findings of fact and conclusions of law for the Board's consideration in arriving at its decision. The staff's findings and conclusions are prepared by the assigned attorney with assistance from the LPM and technical review personnel where required. Generally, the applicant is requested to submit the proposed findings and conclusions earlier than the other parties to permit the staff and intervenors the opportunity to comment thereon in the preparation of their submittal. The LPM should assist the assigned attorney in the preparation of the staff's proposed findings and conclusions and in the review of the applicant's and intervenor's submittals. The LPM should be aware of the schedule for submission of the proposed findings so that input can be provided in a timely manner.

As part of the overall project management function, DL branch chiefs should formally concur in any proposed finding and conclusion submitted to hearing boards in connection with license applications, including the proposed permit or license. The proposed findings and conclusions are drafted in OELD and sent to the LPM's branch chief for concurrence.

The branch chief and the LPM must ensure that timely input is provided to OELD. Through a complete and thorough review, it should be determined that the findings do indeed reflect the staff's position and that any conditions recommended for inclusion in the permit or license are those recommended by the staff, as appropriately modified during the course of the hearing, and in fact are enforceable by IE or contain specific fulfillment dates.

There are certain areas and situations where the exact wording of the proposed finding is critical. In such cases, the cognizant review group should be contacted to ensure that the finding is stated accurately.

For conditions containing specific fulfillment dates (e.g., a report required by a specific time), a plan of action must be formulated by the time the permit or license is issued. This plan is docketed and clearly defines responsibilities for fulfillment of the requirement and for later amendment of the permit or license, if appropriate.

In addition, the branch chief must ensure that the proposed permit or license is drafted well in advance of the prospective decision date, transmitted to appropriate NRR management for review and approval, and when approved, forwarded to staff counsel. Staff counsel will, except in unusual circumstances, serve copies on the Atomic Safety and Licensing Board and parties and have it placed in the P/Rs. If, during the course of the hearing and before the filing of proposed findings, it appears that conditions proposed in the permit or license will require modification, the Director of DL should again review the proposed permit or license as it is expected to be modified.

2.5.10 Atomic Safety and Licensing Board Initial Decision

Upon receipt of the proposed findings and conclusions from the parties, the ASLB will prepare its Initial Decision. Considerations that enter into the decision are listed in Section VI, Appendix A of 10 CFR 2. This Initial Decision is transmitted to the Docketing and Service Branch of the Office of the Secretary for issuance.

2.5.11 Commission Decision

Any party to the hearing may submit an exception to the decision within 10 days. Initial Decisions are subject to review by the Commission before full power operation is authorized. The Commission may allow the Board's Initial Decision to become the final decision, or may send the case back to the Board for additional testimony or further consideration. The LPM's only responsibilities during this phase of the hearing process are to maintain awareness of significant events and to identify and alert management to any new issues or information which might be material or relevant, so that the Board and the Appeal Board may be kept informed.

2.5.12 Atomic Safety and Licensing Appeal Board

For each application in the hearing process, an Atomic Safety and Licensing Appeal Board (ASLAB) is established. One purpose of the ASLAB is to consider novel issues or questions that are certified or referred to it by the ASLB at the request of a party or a petitioning party to a hearing or that arise from from the ASLAB's own review. The latter issues are known as sua sponte issues.

The ASLAB must rule on these issues or questions while the hearing is under way. Major or novel questions of policy, law, or procedure may, in turn, need to be certified to the Commission for its determination. The LPM's responsibilities during the ASLAB review phase of the hearing process also are to identify and alert management of any new issues or information which might be material or relevant, so that the ASLB and ASLAB may be kept informed.

2.6 Post-Operating License Activities

Following the issuance of an OL, the LPM may maintain responsibility for the project for some period of time. During the post-OL phase, the LPM's duties are similar to those of the Operating Reactors Project Manager (ORPM). The ORPM's duties are described in Section 3.

2.7 Other Responsibilities of the Licensing Project Manager

During the licensing process, various tasks are assigned to the LPM that are related to the scheduling and management of the review of an application. The most significant of these are described in this subsection. In addition, Section 4 describes some general responsibilities that apply to both the LPM assigned to licensing reviews and to the ORPM.

2.7.1 The Licensing Project Manager's Data Log

The LPM is required to establish and maintain a data log for each application assigned to him. The primary purpose of the data log is to provide a central location for the recording of key information relating to a project in order to assist the LPM in performing the job and to facilitate continuation of the review and evaluation process during the absence of the LPM. The data log should be kept in a bound notebook.

2.7.2 Management Information

To keep management abreast of the up-to-date status of the review and evaluation of an application, the LPM is responsible for preparing certain periodic reports that address review progress and schedule status. Also, the LPM is required to attend and participate in certain management meetings involving the discussion of the project. Some of the techniques for keeping management informed are discussed below.

2.7.2.1 OL Review Management Report

The OL Review Management Report assists management in ensuring that all technical issues are resolved well in advance of licensing. It identifies all open items that can affect the decision to issue the license and identifies those items that may require a condition to the license. The report sets forth the schedule for obtaining concurrence on issuance of the low-power license and subsequent concurrence on the staff recommendation of readiness for full-power operation. Schedules for submittals of SSER inputs are also identified.

The report consists of a narrative description of the licensing status of each plant that is within 1 year of licensing. The narrative section discusses the FSAR review, the hearings, NRC inspections, emergency preparedness allegations,

OI investigations, and any other significant issues. Additionally, if the plant is within 6 months of licensing, all open issues are identified in a table entitled "Open FSAR Issues." This table includes the schedule for technical specification development and a list of all open issues. For each open issue, the table provides the responsible organization, SSER schedule, (both input to DL and issuance), importance level category,* and comments. If an issue is identified as Category 1 or 2, the comments column describes the potential problem and identifies management attention that is needed. For plants with licensing dates beyond 6 months, the table includes only Category 1 and 2 issues.

The OL Review Management Report is provided to the Director of NRR by DL. The technical divisions provide their reports from the Division Director to the Director of Licensing by the 15th of the month. DL issues the report by the end of the month.

2.7.2.2 Assistant Director Meetings

From time to time, an Assistant Director (AD) level meeting is held to discuss the open issues for plants with upcoming actions (e.g., license, DES, or SER issuance). The LPM should advise the AD for Licensing that such a meeting should be considered when the action is scheduled to take place within about 4 to 5 weeks. Normally, SSERs are not discussed unless there are hearing-critical issues outstanding.

LPMs scheduled for participation in the AD meeting should provide outstanding issues to the technical assistant to the AD for Licensing a week before the AD meeting. The input from the LPM should consist of a list of the 5 to 10 open items that are the most difficult to resolve. The reviewer responsible for each open item along with the branch chief and AD should be identified. In order for the ADs to be effective in closing open items, the items identified by the LPM should be those for which no applicant information is outstanding. In addition, although normally only a limited number of items are discussed for each plant, it has been found helpful if the LPM provides the ADs with a written list of all open items. This list should indicate whether the LPM is awaiting input from the applicant or the staff and the date that the input is expected. Both the LPM and the branch chief should attend the AD meeting.

2.7.2.3 Monthly Licensing Report

The Monthly Licensing Report is issued by DL to upper management on the 15th of each month. This report is sent to Congress (the Subcommittee on Energy and Water Development, chaired by T. Beville) each quarter. DL input to the report consists of updating the licensing schedules for the plants in the review process (except for post-CP plants) in addition to updating the narratives of the "impacted" or unique plants (such as San Onofre, Diablo Canyon, and Shoreham) and the CP applicants.

*Importance Level Category:

- Category 1 - Office Director attention needed
- Category 2 - Division Director attention needed
- Category 3 - no management level problems

In order to change the Commission decision dates or the issuance dates for the DES, SER, FES, and SSER, Division Director approval is needed. The memorandum requesting approval should be sent out as soon as it is known that a schedule slip is likely.

A marked-up Monthly Licensing Report will be sent to the branch chiefs early each month (around the 5th or 6th) for review and approval. All input should be provided to the technical assistant to the AD for Licensing approximately 4 days later.

2.7.2.4 Level D Schedules

The Level D schedules are very detailed schedules of all licensing actions (e.g., the input for each review branch is scheduled). Because many NRC organizations use these schedules for resource allocation purposes, it is critical that the LPM keep them up to date. They will be sent around for markup monthly. Again, Level D and Monthly Licensing Report schedules should be consistent.

2.7.2.5 Daily Highlights

When events of significance to a project occur, particularly if they are unexpected, the LPM should prepare a daily highlight to alert NRR management. Examples of such events are construction delays during critical times in the licensing review, incidents of safety or environmental significance that occur at a plant, issuance of key licensing documents such as the SER, FES, and OL. The daily highlight should be short (preferably one page) and is usually reproduced on green paper to alert recipients.

2.7.3 Construction Delays

When a significant construction delay is announced, the LPM should request that the applicant submit the pertinent information about the delay to the NRC. A significant delay is one of more than a few months which might entail a delay in fuel load date.

It is not possible to specify the exact information that should be obtained in every case, because each situation is unique. The LPM must exercise judgment and request only that information which is needed. The objectives are (1) to enable a staff decision on whether to continue the review on the existing schedule, extend the review schedule, or stop the review and defer it to a later date; (2) to ensure that the construction delay does not entail any safety or environmental impact, nor negate any of the findings or conclusions already made; and (3) to identify additional information that might be required at a later date.

Generally, the type of information to be submitted will include the following:

- (1) a written confirmation of the construction delay
- (2) reasons for the delay
- (3) a comparison of the proposed and the original fuel load dates, and all major interim construction milestones

- (4) indication as to whether construction is to be stopped for any period of time or just slowed down
- (5) a comparison of new and original design effort by all major participants
- (6) special quality assurance provisions that will be implemented for materials and components during the extended construction period
- (7) special environmental protection provisions to be implemented during the extended construction period

The information should be submitted within 1 month of the delay announcement. It should be evaluated by the LPM as soon as it is received.

Specialized review assistance should be obtained as needed. The LPM should then prepare a memorandum to the Assistant Director through the branch chief, summarizing the information and recommending a course of action.

2.7.4 License Extensions

The LPM is responsible for determining the reasonableness of the construction schedule initially and throughout the licensing process. In accordance with 10 CFR 50.55(a) and (b), all CPs state the earliest and the latest dates for completion of the facility. If the facility is not completed by the latest date, the CP expires unless the applicant can show good cause for the delay.

In this event, the Director of Nuclear Reactor Regulation may grant an extension of the expiration date for a reasonable period of time.

It is the responsibility of the LPM, during an OL review and evaluation, to be aware of the CP expiration date and how it compares with the staff's date for issuing the OL and the applicant's progress in constructing the facility as reported by the regional office. The applicant should request an extension whenever it or the regional office determines that there will be a delay in construction which will cause completion of the plant to slip beyond the latest completion date in the CP. In all cases, a request for extension detailing and justifying the reasons why the construction could not be completed on schedule must be submitted by the applicant at least 30 days before the expiration date. One of the considerations in granting an extension is a determination by the LPM that no significant hazard is involved. Many of the licensing extension activities are normally monitored and accomplished by the licensing assistant. No specific guidelines are currently available for evaluating the adequacy of the justification (other than those given in 10 CFR 50.55(b)) advanced by the applicant for extending the expiration date. It is necessary, however, that the applicant be very specific in stating the reasons why the extension is required. The Atomic Energy Act of 1954, as amended, requires that 30 days' notice of intent to extend the CP must be given and that such notice and publication requirements may be dispensed with upon a determination that the extension involves no significant hazards.

If there are significant hazards considerations which require that the proposed action be pre-noticed, it is even more important that the request for extension be submitted by the applicant as early as possible to allow sufficient review time and development of conclusions.

2.7.5 Filing Fee

Filing fees that must accompany applications for a CP or an OL have been established by the NRC based on a cost recovery schedule. The fees for the various stages of the licensing process and for various categories of applications are given in 10 CFR 170.

The LPM is responsible for ensuring, through the licensing assistant, that the required fee accompanies the tendered application for a CP and that the appropriate fees have been received from the applicant before the granting of a CP or an OL or any amendments to an OL which affect power levels, since these fees are based on authorized power levels. (See Appendix A-15.)

3 RESPONSIBILITIES OF THE OPERATING REACTORS PROJECT MANAGER

The Operating Reactors Project Manager (ORPM) has the responsibility for license amendments, Technical Specification changes, and other activities associated with the safety and regulation of operating power reactors. The ORPM may also be assigned to licensing of critical facilities, research, and test reactors, the review of decommissioning of reactors, and the review of unlicensed (Government-owned) facilities. This nonpower reactor assignment, along with decommissioning, is currently held by the Standardization and Special Projects Branch (SSPB) under the Assistant Director for Safety Assessment and will be described in Sections 3.9 and 3.10. The ORPM is a substantial contributor to the Systematic Assessment of Licensee Performance (SALP) review with the regional office (RO) (see also Section 4.21).

Sections 1 and 4 are applicable to all Project Managers. Section 2 is specifically written to describe the Licensing Project Manager's (LPM's) responsibilities for CP and OL review; however, parts of Section 2 are generally applicable to the ORPM. Specifically, some aspects of the licensing reviews, such as conduct of meetings, preparation of requests for additional information, and the hearing process, apply in part to management of operating reactors. The purpose of this section is to provide the supplemental guidance specific to the ORPM's duties that are not covered in Sections 1, 2, or 4.

3.1 Overview of the Operating Reactors Project Manager's Function

Issues which the ORPM must handle may involve safety-related equipment deficiencies, operational problems, license amendments, Technical Specification changes, environmental concerns, abnormal occurrences as reported by the licensee or regional office inspections, and other ad hoc licensing issues. These issues may be categorized as multiplant or plant specific. Responsibility for monitoring the licensee's licensing activities rests with the ORPM. Primary responsibility for multiplant issues is assigned to a lead ORPM and, as discussed in Section 3.3.4, the ORPM has a support function. The responsibility for monitoring the licensee's onsite activities and performance, rests with the Regional Administrator's staff. Also, abnormal occurrences that arise during this phase of plant operation are the initial responsibility of the Regional Administrator. Specific items might be turned over to NRR by request of the Regional Administrator if the problem is generic or for some other valid reason. In any event, the ORPM should at least be cognizant of such problems and their solutions.

Changes and modifications may result from equipment or operating deficiencies which have occurred at one or more facilities, changes in basic parameters from those identified in the Final Safety Analysis Report (FSAR) or Environmental Report (ER), upgrading requirements of the NRC, or changes in the operating needs of the licensee. The ORPM must ensure that the NRR reviews of modifications and changes when NRR has the review responsibility (not delegated to the licensee by 10 CFR 50.59) are carried to at least the same depth and breadth as is being done in similar subject areas for reactors currently being reviewed for an Operating License within the confines of NRR Office Letter No. 38.

In managing the reviews of an operating facility, the ORPM should have an up-to-date copy and be familiar with the content of the FSAR, ER, piping and instrumentation diagrams, and Technical Specifications and all documentation which supplements them. Prior amendments and supporting information are available through the Document Control System (see Section 5.3.1). According to 10 CFR 50.71(e)(4), each licensee is required to file revisions to update the FSAR annually.

The ORPM must understand how the regulations and NRC policy apply to the subject and facility under review and to what extent the Standard Review Plan (SRP) and Environmental Standard Review Plan (ESRP) should be applied to the facility in question (see Section 3.4.3). Further, because the SRP, ESRP, and many of the regulations and guides were developed specifically for Construction Permit (CP) and Operating License (OL) reviews, the ORPM must understand their intent and develop an approach for implementation which is suitable for the particular operating facility. The ORPM should also be cognizant of the NRR Office Letters. In general, the ORPM must ensure that licensing actions do not significantly increase the probability of an accident or significantly reduce the safety margins from those established during the original licensing review of the facility. A written significant hazards determination of each licensee request for license amendment is required of the ORPM (see Section 3.3.1.1).

The ORPM should maintain orderly files for actions under review and to some extent for past actions. To assist in keeping files and filing to a minimum, the Document Control System (see also Sections 3.5.6 and 5.3.1) provides for document recall by a computer terminal and microfiche copies. Periodic newsletters are issued and training sessions are held on how to use the system effectively.

The ORPM has the responsibility for conducting reviews in a timely manner. The appropriate management controls should be used to expedite reviews and keep NRC management well informed (see Section 3.5). When conducting reviews, the ORPM should, whenever possible, take into consideration the schedule of the licensee. In this respect, the ORPM should be familiar with the various groups within the NRC and be able to schedule their input into licensing reviews efficiently. When a full scheduled review is not possible because of time constraints, the ORPM must have sufficient knowledge of the project and NRC procedures to design and implement a course of action to reach the required goal while keeping management informed. Typical documents the ORPM must prepare are prior and post notices, license amendments, Orders, Exemptions, hearing testimony, and various letters (see Division of Operating Reactors' Memorandum No. 5 and the licensing assistant for examples).

A major responsibility of the ORPM is the coordination of Multi-Plant Actions (MPAs) or reviews (see Section 3.3.4). These are actions or reviews that need to be imposed on more than one plant and are often the result of a generic plant problem, design deficiencies, or changes in regulatory requirements. The ORPM may be the "lead PM" on one or more such reviews and must interact with other ORPMs for any changes affecting the assigned plant. More details on MPAs and the lead PM role are given in Section 3.3.4. The ORPM also may have a responsibility in regard to Unresolved Safety Issues (USIs). Details regarding USIs may be found in Section 3.4.1.

In addition to activities associated with the regulation of operating nuclear power plants, the ORPM may be assigned to other types of facilities or other duties. In the past these duties have included responsibilities associated with review and licensing of non-power reactors, review of Government-owned and -operated facilities, and reactor decommissioning. These duties are now assigned to PMs in the SSPB (see Sections 3.9 and 3.10).

With regard to the continuity of licensing actions, each project to which the ORPM is assigned has a designated backup ORPM. If the principal ORPM is not available (e.g., on annual or sick leave) and the absence is anticipated, the principal ORPM should contact the backup ORPM for the project to ensure that the transfer of responsibility takes place. The ORPM should also brief the backup ORPM on those actions that might require attention. Furthermore, the principal ORPM has the responsibility to maintain all pertinent project documents in such a fashion as to facilitate the transfer of control to the backup ORPM. The ORPM has the responsibility of being familiar with the backup project(s) assigned. The ORPM should be aware of the status of pending actions on these projects.

The ORPM works closely with the licensing assistant (LA) (see Section 5.1). The LA has sample letters, Orders, and so forth.

3.2 Management of Reviews

Many reviews in which the ORPM is involved require extensive coordination among various participants. These participants may include, but are not necessarily limited to, one or more of the following: (1) the licensee, (2) the technical review division, (3) the appropriate regional office and Resident Inspector, (4) the Office of the Executive Legal Director, and (5) other organizations within NRR or NRC. Those organizations which contribute to the completion of an activity should be identified early in the review process. The details of issuing and processing license amendments may be found in Section 3.3. The details of project management control are given in Section 3.5. Interfaces with the various organizations mentioned above are described in the following sections. Many reviews are done by contractors. The ORPM does not interface directly with the contractor. As a rule there is a contract manager in the Operating Reactors Assessment Branch (ORAB) or in the technical review division that manages the contract (see Sections 3.2.3, 3.2.5, and 3.5.7).

3.2.1 Interface With Licensee

The ORPM must establish a relationship which makes it clear that the licensee bears primary responsibility for safety and environmental concerns. In general, the licensee should make proposals for resolution of problems with a minimum of input from the ORPM as to the appropriateness of the proposal. The ORPM can then evaluate the licensee's proposals independently. However, the ORPM must also be familiar with scheduler requirements as well as the nature of the proposal so that guidance can be provided to ensure timely resolution. For example, if action by the licensee is required at a forthcoming reactor outage to resolve a problem, and if it appears that the action has significant scheduling impact on the outage, the ORPM should assure himself that the proper actions are being taken. In addition, the ORPM should provide guidance by

informing the licensee of established staff positions pertaining to any licensee submittal in progress. The ORPM should seek to eliminate "ratcheting" in which the licensee is called upon to accomplish successive incremental improvements or to respond in areas where the scope of the NRC reviews exceeds that which is required. The ORPM should, however, know current backfitting positions and ensure that such positions are implemented as, and when, appropriate (see Section 3.4.2).

The ORPM is the prime NRC contact with utility management and must be cognizant of all communications between the NRC and utility management. Many action items, such as license amendment applications, originate from the ORPM's contacts with the licensee or from assignments from the branch chief. In these instances, the ORPM should recommend the urgency and schedule for this work relative to his other assignments for approval by the branch chief. The ORPM should base the significance of the action item, and as a secondary consideration include the effect of the action, on the public interest as reflected in the programmatic objectives of the facility. The ORPM should be aware of the immediate impact of licensing activities on the public interest with respect to energy availability.

The ORPM has an obligation to be responsive to the public and should strive to ensure that any delays in completion of reviews of proposed actions are those legitimately caused by safety or environmental considerations and not from unnecessary administrative delays. At the same time, the ORPM must ensure that no undue risks to the health and safety of the public or to the quality of the human environment will result from the proposed action or lack thereof. The ORPM must arrive impartially at a decision to approve or disapprove the proposed action with support as required from others within NRC. When responding to the public, orally or in writing, the ORPM should strive to clearly explain the relevant safety factors associated with decisions while avoiding discussions of those areas, such as economics, which are not within the purview of the NRC.

Information provided by a licensee, upon which an action is to be based, should be in the form of a docketed submittal by the licensee. When necessary, because of time limitations, clarifying information can be obtained by telephone or in meetings. Oral communications should not be used as a licensing basis. If the information obtained from the licensee during a telephone conversation or a meeting is to be used as part of the basis for the action under consideration, the licensee must be required to confirm the information in writing before completion of the action.

In communicating by telephone, the ORPM should record any substantive communication in a telephone log (see Section 2.7.1) or in a memorandum. The ORPM should bear in mind the limits of authority. The ORPM cannot instruct the licensee to take a particular action but can state what is going to be recommended, what actions have been required in similar circumstances, and, if applicable, what the license or regulations require. The ORPM should not indicate what organization or individual within the NRC is reviewing an action at a particular time. Furthermore, the ORPM should not inform the licensee of predecisional information or of disagreement among the NRC staff members. The ORPM should not make promises.

When meetings are held, the ORPM is responsible for informing all attendees, obtaining a room and equipment, preparing an agenda, and issuing a meeting notice at least 7 days before the meeting. If the notice is issued less than 7 days before a meeting, a daily highlight should be issued and the Division of Licensing (DL) should be notified. Any meeting should be conducted in accordance to the statement of NRC staff policy on open meetings published in the Federal Register on June 28, 1978 (43 FR 28058). See p. PS-8 of NRC Rules and Regulations (Vol. III) for a copy of this notice. The ORPM normally chairs the meeting and has the responsibility for allowing full discussion but also expediting discussion to avoid time being wasted. The number of NRR meeting participants should be limited to those personnel directly involved. Appropriate regional personnel should be advised of forthcoming meetings so that they can have an opportunity to attend and/or participate. Before adjourning the meeting, the ORPM should recapitulate the significant events, summarizing all agreements, action items, schedule dates, and other pertinent items to ensure that all participants are in agreement. These items should also be included in the meeting summary, the preparation of which is a responsibility of the ORPM. Section 2.4.7 provides additional guidance for conducting and recording of meetings.

Letters provide the primary formal means of communication with the licensee. Policy requires that communications to which the NRC responds or that enter into NRC evaluations must be submitted in writing. NRC regulations, 10 CFR 2 and 9, require that correspondence between the licensee and the staff be made available to the public. In writing letters, the ORPM should attempt to use wording so that, where possible, action is completed in a single letter. Frequently, additional information is requested of the licensee. In these cases, the ORPM should understand and agree with the questions being asked no matter which staff group generates the questions. Questions should be worded with care to ensure that they evoke a response that is useful in the decision-making process. Requests of the licensee for action or additional information should be accompanied by an agreed-upon completion date. The request for information may be discussed with the licensee to allow clarification or additions which will avoid misunderstanding or incomplete responses. Section 2.4.10 also discusses the preparation of the request for additional information.

All NRR correspondence to the licensee should be coordinated and concurred in by the ORPM, and is usually signed by the ORPM or someone in the DL management chain. The signature authority and delegation is contained in NRR Office Letter No. 26.

In all communications, the ORPM should respect the position of the licensee as plant operator. Discussions specific to the licensee's plant should be with the licensee rather than with others, such as vendors, unless others are specifically identified by the licensee as his agents for certain purposes. Along the same lines, technical review branches and their consultants should not communicate directly with the licensee. Such communications should be arranged through the ORPM. If the licensee disagrees with actions that the staff is taking, the "appeal" process discussed in Sections 2.4.9 and 3.4.11 should be followed.

If the licensee is chronically late in responding to requests for submittals of additional information, action appropriate to the circumstance should be

initiated. The first action generally should be telephone contact with the licensee's representative. The licensee's representative should be informed that additional action may be forthcoming. If the telephone contact does not result in satisfactory improvement, the ORPM should prepare a letter documenting the late responses and requesting improvement in performance for signature by the branch chief. More severe actions (e.g., enforcement) are available if needed. In any event, the ORPM must pursue the matter to a satisfactory conclusion. Inadequate responses are one input the ORPM has in the SALP review (see Section 4.21).

3.2.2 Interface With the Regional Office Staff

With regard to an operating reactor, the appropriate regional office (RO) has the responsibility for ensuring that facility operation is within the limitations of the application, the license, and the pertinent sections of the Code of Federal Regulations. The major activity in which the RO engages to fulfill this responsibility is the conducting of inspections. The RO has a range of enforcement actions available for obtaining compliance with NRC requirements, including assessment of civil penalties.

The ORPM and the Resident Inspector (RI) for an operating reactor each have a primary responsibility for ensuring safe operation of their assigned nuclear power plant. Therefore, a strong and effective working relationship between the ORPM and RI must be developed and maintained.

The ORPM and RI will assist and augment each other in their respective principal responsibilities. For example:

- (1) The ORPM will upon issuance inform the RI of significant changes to the facility license proposed by the licensee and of licensing actions to be initiated by NRR.
- (2) The RI will advise the ORPM of facility modifications, significant events, significant noncompliance, and enforcement actions.

At the minimum, a weekly telephone call will be made by the ORPM to the RI to discuss the status of the plant. The call should be used for routine matters. Nonroutine events/issues should be communicated by the RI or ORPM as soon as possible consistent with the safety importance of the event/issue. ORPM daily highlights (see Section 4.20) should be relayed to the RI. Preliminary notification (PN) by the RO may be supplemented by the RI or other RO staff. Generally, daily highlights are issued by the ORPM for actions taken by DL and PNs are issued by the RO regarding events at the facility. Each is an early warning to inform management of some event or activity of note. Other than the subjects listed in Section 4.20, issuance of a daily highlight is left to the ORPM's judgment. The philosophy is generally, "If in doubt, issue a highlight."

Communication with the RO through the RI and the appropriate projects branch in the RO should be established and maintained. The ORPM should arrange periodic visits to the RI at the site to become better acquainted with the plant, its systems and special features, and its staff in association with the RI. It is important to demonstrate a unity of purpose between the ORPM and the RI in carrying out their responsibilities for safe operation. A site

visit should be arranged consistent with the work schedule of the ORPM and RI. Such visits should be made at least semiannually, when issues warrant, or when refamiliarization is necessary (see Sections 3.4.10 and 2.4.21).

Timely and effective communication and consultation between the ORPM and the RI must be developed and utilized in the fullest extent to fulfill the responsibilities of NRC related to safe operation of each nuclear power plant.

The RI reviews all operational reports on the facility and, being on the site, is particularly knowledgeable of the plant and its personnel. The RI can often supply valuable input to licensing actions. The RI should be kept advised of licensing activities, especially those that directly involve the plant site such as visits and issuance of amendments. In working with the RI, the ORPM must bear in mind that matters of policy, position, or interpretation should also be communicated to the RO. The ORPM may also be required to interface with the RO staff on actions such as the Systematic Assessment of Licensee Performance (SALP) and Task Interface Agreements (TIAs) (see Sections 4.21 and 4.23 and Appendix A-14).

3.2.3 Interface With Technical Review Divisions

ORAB and the technical review division provide technical support in the areas of nuclear and nuclear-related technology. The ORPM must make the decision as to what extent technical personnel should participate in a review. In general, the ORPM may perform the review unless it requires technical expertise he does not have, requires more manpower to meet the required schedule, involves a precedent-setting change which might involve a number of facilities, or involves a currently sensitive issue such as one likely to involve a hearing at which additional technical personnel would be called upon to provide testimony. The ORPM's review should be concurred in by the appropriate technical review branch. However, the ORPM is not likely to have time for a concentrated review effort.

When assistance is required from a technical review branch, the ORPM must identify all the pertinent technical issues which must be addressed. For each issue, the ORPM should identify the appropriate review branch(es) and prepare a Technical Assignment Control (TAC) form and transmittal of a DL work request (see Section 3.5.1). The ORPM has the responsibility for identifying technical issues and preparing a TAC form and a fee form, where appropriate, early in the process of the review to allow the technical review branch time to internally schedule its input. Often a contractor provides the review. In this case the contractor provides a Technical Evaluation Report (TER). The responsible review branch must review the TER and incorporate it into a Safety Evaluation (SE). The SE is provided to the ORPM by memorandum signed by the technical reviewer, Assistant Director, or branch chief.

The ORPM may also interface with other technical personnel during Advisory Committee on Reactor Safeguards (ACRS) meetings (see Sections 2.4.13 and 3.6.2) and during hearings (see Sections 2.4.12.2, 2.5, and 3.6.6). In these situations, the ORPM coordinates the presentations.

3.2.4 Interface With the Office of the Executive Legal Director

The Office of the Executive Legal Director (OELD) has the responsibility of assuring the ORPM that all licensing actions comply with applicable parts of

the Code of Federal Regulations and the license in question and that the proper legal findings have been made.

The principal form of interface with OELD is by means of concurrence on licensing actions. Actions sent to OELD are assigned to a member of the OELD staff. Power reactor facilities usually have a permanently assigned counsel. The OELD attorney reviews the entire action, or parts thereof, depending on the DL transmittal instructions. If requested, OELD attorneys review SEs, Environmental Impact Appraisals, or other documents. Orders, Exemptions, Director's Decisions, and documents of this nature are reviewed by OELD attorneys.

It is OELD policy to attempt to process licensing actions sent to them within five working days of their receipt, and OELD has committed to take no more than 10 days. If an action is identified as urgent, the action will be processed in 2 days or less depending upon the urgency. A label indicating "Special Service" or "Urgent" should be used on the cover sheet of these actions; the reason for urgency should also be indicated. As with all scheduling, significant delays in obtaining concurrence should be identified and escalated through management channels. The OELD attorney works informally with the ORPM; for example, they review drafts of material. In addition to the concurrence function, the OELD attorney and the ORPM function as a team to provide vital input to the preparation of and NRC participation in public hearings (see Sections 2.4.12.2, 2.5, and 3.6.6).

3.2.5 Interface With the Operating Reactors Assessment Branch

Generally there are four ways in which the ORPM interfaces with the Operating Reactors Assessment Branch (ORAB).

- (1) When there is a short-term request for licensing action, such as an emergency Technical Specification change (see Section 3.3.2), the ORPM attempts to get technical expert assistance from ORAB first. If the assistance is not available for one reason or another, the ORPM goes to the appropriate technical review branch. (Normal licensing amendment requests should be referenced directly to the appropriate technical review branch.)
- (2) ORAB coordinates the operating reactor event reviews and the ORPM becomes involved by providing details for any operating reactor event which is noteworthy. This involvement may include participation in the operating reactor events briefing session held for the Director of NRR and members of the NRR staff (see Section 3.6.5).
- (3) ORAB monitors some technical review contracts and may provide Technical Evaluation Reports (TERs) arising from such contracts, along with the appropriate Safety Evaluation (SE).
- (4) ORAB maintains the overall program coordination responsibility for implementation of TMI Action Plan items for operating reactors.

3.2.6 Interface With the Office of Inspection and Enforcement on Emergency Preparedness and Incident Response Center

All review responsibility for emergency preparedness rests with the Division of Emergency Preparedness within the Office of Inspection and Enforcement (IE). The ORPM's interaction with this division is essentially the same as with any office other than NRR which may be involved in a review of an operating plant (e.g., Office of Nuclear Material Safety and Safeguards (NMSS) for safeguard matters). Although offices other than NRR do not use the TAC system, a TAC number should be used to track the action in DL. Similarly, a fee form should be prepared. The ORPM maintains contact with those reviewers and is aware of the status of the reviews. All correspondence with the operating plants regarding emergency preparedness should be coordinated with the ORPM.

The Incident Response Center (IRC) is managed by IE. Among other things, each licensee reports the operating status of each power reactor facility every 24 hours. In addition, events of note are reported to the NRC through the IRC (see 10 CFR 50.72). This information is reported to NRR daily.

Significant events (e.g., TMI event and steam generator tube bursts) are monitored through the staff at the IRC. Details of the operation of the IRC may be found in the reports to Congress, NUREGs-0728, -0729, -0730, and -0845. The NRR role during and immediately following a nonroutine event at an operating reactor is best characterized as one of technical support to IE. The Office of Inspection and Enforcement has the lead for immediate NRC response to incidents. Procedures are fairly well established for reactor events that involve complete activation of the Operations Center. This section sets forth the NRC response mode for those operating reactor events that are noteworthy but not so severe as to warrant complete activation of the Operations Center.

For such events, the flow of information regarding the event will be between DL and IE. The DL Project Manager for the plant involved will be the focal point within NRR for information regarding the event. The Project Manager's source of information will be Headquarters, IE. Direct contact with the Resident Inspector, vendors, licensees, or regional offices during the course of the event is to be avoided. IE has agreed to provide periodic updates of the status of the event to NRR. Such updates will be promptly reported if the situation changes significantly; otherwise, the updates will be reported every 4 to 6 hours.

In the unlikely event an accident should occur at a plant, the PM is responsible for providing the Reactor Safety Team with specific knowledge of plant systems and status. The PM is also expected to initially brief the Executive Team with this knowledge and provide a preliminary understanding of the accident sequence. A "Project Manager's Briefing Book" is to be maintained by each PM on the assigned plant and will include information on the plant briefing script, facility statistics, management contacts, maps and demography, plant systems, and other specific data as appropriate. (See Appendix A-13.)

DL is responsible for arranging for technical assistance from within NRR when requested by IE. If time permits, any DL request to other NRR divisions for

assistance will be made through the appropriate management channel, along with an explanation of the current status of the event. This assistance may involve analyses performed at NRR or may require the presence of NRR personnel at the Operations Center.

If longer-term followup action is necessary, a Task Interface Agreement between IE and NRR will be negotiated. For NRR, the Assistant Director for Safety Assessment, DL, has the lead in developing the NRR portion of these agreements. Other divisions will be consulted and asked to concur in the NRR commitments reflected in the agreement.

3.2.7 Interface With the Assistant Director for Licensing

The ORPM's principal interface with the Assistant Director for Licensing (AD/L) is usually through the Licensing Project Manager (LPM) and generally involves the transfer of projects to Operating Reactors (OR) Branches. Transfer of a reactor from the licensing branches generally takes place some time after the OL has been issued. The timing of the transfer currently depends on the status of outstanding items and the balance of workload between the branches involved. Usually the ORPM will be assigned for the pending transfer with sufficient lead time (6 months) so that he can become familiar with the plant, key plant personnel, and the outstanding tasks before the transfer occurs. More recently, the LPM has been transferred to the Assistant Director for Operating Reactors (AD/OR) with the plant or has stayed with the plant under the AD for Licensing. In this case, much of the coordination has been accomplished.

It is DL policy that (1) an ORPM is assigned, in a backup capacity, to a new reactor at the time that the Technical Specifications are being prepared and (2) the responsibility for the plant is usually transferred at the time the plant achieves commercial operation. Being involved in the preparation of the Technical Specifications before transfer serves to familiarize the ORPM with the details of the facility and aids in incorporating the experience of the AD/OR in establishing Technical Specifications.

Insofar as practical, outstanding tasks are completed before project responsibility is transferred, but some outstanding items may remain at the time of the transfer. Some of the outstanding items may remain assigned to the LPM to complete because of past involvement or special expertise. To avoid inefficiency and inconsistency, continuity of personnel providing major technical support for ongoing tasks should be maintained. A full status report, attached to the directive transferring responsibility for the reactor, should be provided to the ORPM by the LPM.

During the familiarization period, the ORPM should attend one or more meetings between the licensee and the LPM. At these meetings, the ORPM should become acquainted with the licensee's representatives.

At some time before project responsibility is transferred, the ORPM should visit the plant. The timing of the visit will be influenced by plant operating schedule (during shutdown when the vessel head is off is a particularly advantageous time to visit) and also will be influenced by the ORPM's familiarity

with the plant from available reports. It may be advantageous for the LPM and/or the RI to accompany the ORPM on the first plant visit.

The transfer of responsibility is effected by a memorandum from the AD/L to the AD/OR. The memorandum, prepared by the LPM, clearly assigns the responsibilities to the LPM or ORPM for all outstanding items. The assignment of outstanding tasks should be mutually agreed upon by the affected Project Managers and branch chiefs before the transfer memorandum is prepared.

In addition to the memorandum transferring responsibility, the necessary facility documentation should pass from the LPM to the ORPM at the time the project is transferred.

An additional interface with the LPM may result from the identification of a Multi-Plant Action (MPA) or a generic problem (see Sections 3.3.4 and 3.4.1). Such problems, although occurring in operating reactors, may have implications for reactors that are under construction. For this reason, an ORPM who is assigned as lead engineer for an MPA should keep the appropriate LPMs fully informed of the conduct of the review.

3.2.8 Interface With the Office of Nuclear Material Safety and Safeguards

Responsibility for reactor safeguard reviews has been assigned to the Office of Nuclear Material Safety and Safeguards (NMSS). The safety responsibility remains with NRR. Reactor safeguards interactions between NRR and NMSS will be through the Standardization and Special Projects Branch (SSPB) in DL. TAC and fee forms are issued by the ORPM at the request of SSPB. NMSS does not use the TAC system and 10 CFR 50.54(p) changes do not require a fee; however, completion of these forms serves to record and track the actions properly within DL. Safeguards information reviewed by the ORPM must be properly secured by giving it to the SSPB for storage. Similarly, a secure phone circuit is available in SSPB. (See Appendix A-1.)

In addition, the Division of Safeguards also conducts safeguards regulatory effectiveness reviews (RERs) at operating reactors. The purpose of these reviews is to evaluate the overall effectiveness of the plant's security program. This review is conducted at the site by a review team that includes an NRR representative on the review team as necessary.

NMSS divisions may also serve as technical review divisions as indicated in Sections 3.2.3 and 3.6.4.

3.3 License Amendments

Licensing reviews which culminate in a license amendment and/or Technical Specification changes represent a significant portion of the ORPM's work. The Division of Operating Reactors' Memorandum No. 5 (DOR-5) provides detailed guidance and sample documents for the review and issuance of license amendments. The project management controls (e.g., TACS, distribution sheets, fee forms, PM updates, and Operating Reactor Licensing Action Summaries (ORLAS)) are discussed in detail in Section 3.5. Changes to Technical Specifications should be made consistent with the policy expressed in NRR Office Letter No. 38. This is particularly important to keep in mind when reviewing changes for facilities with Technical Specifications that predate the Standard Technical Specifications.

3.3.1 Initiation and Processing of License Amendments

License amendments involve changes to the Technical Specifications or the license that have been requested by the licensee by means of an application for license amendment. The licensee makes these applications pursuant to 10 CFR 50.59(c). Upon receipt of an application for license amendment, the ORPM should review the application for both correct form, content, and fee. 10 CFR 50.30 and 50.90 describe minimal requirements for such applications. In addition, the ORPM should ascertain the nature of the application and verify that the applicant has properly supported the proposed change with a safety analysis and/or an environmental evaluation and significant hazards consideration findings. This review should be conducted shortly after receipt of an application so that the proper management controls and interfaces can be established in a timely manner (see Section 3.5.1). A preliminary fee determination should be made in a timely manner (see Section 3.3.5). A Federal Register notice is prepared (see Division of Licensing Operating Procedure 228 (DLOP-228)).

License amendments may also originate from unilateral actions on the part of the NRC. The procedures for making such a change are described in Section 3.3.3.

3.3.1.1 Noticing, State Consultation, and Significant Hazards Considerations

Refer to DLOP-228 and Appendix A-16 for a complete description of these procedures.

3.3.1.2 Review and Safety Evaluation

All proposed Technical Specification changes for operating reactors must be reviewed by the assigned ORPM to verify the validity of the licensee's evaluation and conclusions and to ensure that the licensee has evaluated the potential impact of the change on all aspects of reactor safety. Technical assistance will, as necessary, be sought from the appropriate technical review branch or from ORAB (if of an urgent nature).. The ORPM and/or the technical reviewer(s) should not limit the evaluation to those areas which have been addressed by the licensee but should ensure that the change will not adversely affect any other reactor system or operation. The ORPM's and/or technical reviewer's review should also ensure that, when appropriate, adequate pre-operational tests are conducted to ensure that systems and components are constructed and installed as approved. Moreover, systematic surveillance tests should be required to ensure that as-built performance is not degraded beyond that required to support assumptions used in the accident analyses. The review should ensure that the bases for the new Technical Specification, required by 10 CFR 50.36(a), provide an adequate technical basis for the proposed change or that the existing bases are modified to provide such a basis.

Just as in the review of a CP or OL, a Request for Additional Information (RAI) may be necessary. Section 2.4.10 applies generally to the RAI for operating reactor license actions also. The Office of Management and Budget (OMB) approval requirements given in NRR Office Letter No. 32 should be followed when 10 or more licensees are involved.

Following completion of all appropriate inputs, the review should be documented by the preparation of an SE (see Section 3.4.7). The scope and length of such

a Safety Evaluation will depend on the scope and the significance of the amendment. Principal contributors to the SE should be identified on the final page of the evaluation.

3.3.1.3 Environmental Evaluation and Review

All proposed Environmental Technical Specification or license changes for operating reactors must be reviewed by the assigned ORPM to verify the validity of the licensee's evaluation and conclusions and to ensure that the licensee has evaluated the potential impact of the change upon all aspects of the environment. Technical assistance may be sought from ORAB or the appropriate technical review branch. The review should ensure that the bases for the new Technical Specification, required by 10 CFR 50.36(a), provide an adequate technical basis for the proposed change or that the existing bases are modified to provide such a basis.

Just as in the review of a CP or OL, an RAI may be necessary. Section 2.4.10 applies generally to the RAI for operating reactor license actions also. The OMB approval requirements given in NRR Office Letter No. 32 should be followed.

Following completion of all appropriate inputs, the review by the ORPM should be documented by the preparation of the appropriate environmental evaluation. Principal contributors to the environmental evaluation should be identified on the final page of the evaluation (i.e., Environmental Impact Statement (EIS) or Negative Declaration (ND) with supporting Environmental Impact Appraisal (EIA), with a finding that an EIS is not required). A majority of the licensing reviews fall in the category of "no EIS or ND is required," and this finding must be in the final amendment, typically in the SE just before the conclusion (see Sections 2.4.15, 2.4.17, 3.4.8, and 3.4.9).

3.3.1.4 Issuance Procedures

After the safety and environmental evaluations have been completed, a licensing "package" is assembled which contains the following:

- (1) a letter transmitting the amendment to the licensee for signature by the ORPM*
- (2) the license amendment to be signed by the appropriate level of DL management (see "Delegation of Signature Authority" (NRR Office Letter No. 26) and Appendix A-7)
- (3) the Safety Evaluation, and/or Environmental Impact Statement, ND with supporting Environmental Impact Appraisal, or an appropriate finding that an ND or EIS is not required*
- (4) input to the monthly Federal Register notice or a separate Federal Register notice, for signature by the OR branch chief (DLOP-228 specifies which type)

*The transmitting letter may include Item 3 if it is short; however, such a letter must then be signed by the branch chief.

In addition to the above items, background information should be included. Such background might include the preliminary determination, all relevant correspondence with the licensee, the TAC form, the final fee form, and the memorandum transmitting the technical review. Following receipt of the required concurrences and signatures, the amendment is issued to the licensee and the notice is sent to the Office of the Secretary for transmittal to the Federal Register.

Tables 3.1 and 3.2 summarize the process of review and issuance of a license amendment without and with a significant hazards consideration, respectively, and with the appropriate environmental consideration (see also Figures 3.1 and 3.2).

3.3.2 Emergency Authorizations

Occasionally, a situation may arise when a licensee finds that the facility is, or will soon be, in a condition for which the Technical Specification limiting conditions of operation (LCO) or surveillance requirements require a plant shutdown or derate. These conditions generally come about as a result of equipment malfunctions that impose on the facility an LCO that cannot be satisfied within the permitted time limits. Therefore, the reactor must be placed, or remain, in a shutdown or derate condition. In such cases the licensee usually requests a license amendment that provides a basis for interim plant operation. Typically, NRC review and approval is requested on an expedited basis.

The individual receiving the licensee's request is generally the ORPM. Such requests are not to be used to compensate for questionable management priorities by the licensee that culminate in a last minute request to the NRC, nor are they intended to be used to undermine State or public participation in the amendment process. (See Appendix A-10.)

When the licensee determines that the time required to restore components or systems to an operable condition is greater than the period specified in the Technical Specification LCO or when a Technical Specification surveillance requirement otherwise cannot be satisfied, a submittal shall be made to the NRC and shall contain

- (1) a Safety Evaluation
- (2) information for the NRC to prepare an Environmental Impact Appraisal and, if appropriate, Negative Declaration
- (3) a no significant hazards consideration determination
- (4) revised Technical Specification pages
- (5) a statement that the appropriate State personnel have been notified
- (6) a discussion of proposed interim compensatory measures to be imposed
- (7) a discussion of circumstances surrounding the situation, and a determination of why the need for prompt action

Table 3.1 License amendment with no significant hazards consideration

Program Step	Task description
1	An application is received from the licensee and undergoes initial review.
2	A Technical Assignment Control form and a fee form are prepared.
3	It is determined that there is no significant hazards consideration involved in the proposed license amendment.
4	A determination is made whether technical assistance is required (Program Steps 6 and 24).
5	Work is performed by the appropriate technical group. Following completion, the results are communicated to the Operating Reactors Project Manager (ORPM). If necessary, additional information is sought from the licensee.
6	A Safety Evaluation is written.
7	A notice is prepared for the <u>Federal Register</u> which states the nature of the license amendment and the fact that it has been approved (input to the monthly <u>Federal Register</u> notice).
8	A license "package" is assembled containing the following: <ol style="list-style-type: none"> (1) A letter to the licensee. (2) The license change authority together with attachments if required. (For a Technical Specification change, the attachment might be a revised page or table from the Technical Specifications). (3) The Safety Evaluation Report and/or Environmental Impact Appraisal and Environmental Impact Statement. (4) A copy of the Notice to be published in the next monthly <u>Federal Register</u> notice. (5) Negative Declaration or Environmental Statement. (If there were no or insignificant environmental considerations, the conclusion to the SER should state that no Environmental Statement is required. The Negative Declaration may then be integrated with the Notice.)
9	Concurrences and/or signatures are sought from Operating Reactors management, Office of the Executive Legal Director, and the technical review branch (if appropriate). If concurrence fails, the license package will require resolution of the nonconcurrence.
10	Following concurrence and signatures, the package is transmitted to the licensee and the notice is published in the <u>Federal Register</u> .

Table 3.1 (Continued)

Program Step	Task description
24	The proposed license amendment is evaluated in cooperation with the appropriate technical branch(es) to determine if there is a major Commission action significantly affecting the quality of the human environment or if there are environmental considerations such as an increase in amount of effluents, a new type of effluent, or an increase in power.
25	ORPM determines whether an Environmental Impact Statement is required.
26	If an Environmental Impact Statement is required, assistance is requested from the appropriate technical branch(es).
27	ORPM prepares a Negative Declaration and an Environmental Impact Appraisal with the help of the appropriate technical review branch(es), if necessary.
28	If consultant assistance is required, the Operating Reactors Assessment Branch or the appropriate technical review branch will monitor the contract.

On the basis of the licensee's submittal, the ORPM shall prepare a Safety Evaluation (SE), Environmental Impact Assessment (EIA), and final no significant hazards consideration. In performing the review and preparing the documentation, the ORPM (1) shall obtain input from ORAB and/or the cognizant NRC review branches, if appropriate, (2) shall consult with the Resident Inspector and/or appropriate regional personnel, and (3) shall request that all participating parties obtain their respective management's concurrence for input provided.

The Safety Evaluation must include the basis for a final no significant hazards consideration determination and a statement supporting the need for an expedited license authorization in light of the circumstances causing the licensee's request. This supporting documentation must state why the requested expedited action could not have been avoided and what appropriate compensatory measures will be taken.

The ORPM shall make a "best-effort" by telephone to advise the State of the pending NRC action and to obtain State comments on the NRC determination. The SE shall discuss this consultation and any State comments. The ORPM shall document the final no significant hazards finding (10 CFR 50.92) in the SE along with the National Environmental Policy Act (environmental impact) findings and conclusions.

After completion of the SE, the ORPM shall obtain the concurrence of his branch chief and the cognizant Assistant Director, DL, and prepare appropriate documentation for the final determination of the request. After consultation with the Director of DL, the results of the determination may be communicated verbally to the licensee by the appropriate AD and to the region and Resident Inspector by the ORPM.

Table 3.2 License amendment involving a significant hazards consideration

Program Step	Task description
1	A complete application is received from a licensee and undergoes initial review.
2	It is determined that there is a significant hazards consideration in the proposed license amendment. A Notice of Opportunity for a Prior Hearing is prepared and circulated for concurrence (see DL0P-228).
11	The Notice is published in the <u>Federal Register</u> which states the proposed change and the fact that it is under consideration. A period of 30 days is provided for public intervention.
12	A determination is made as to what technical assistance is required (Program Step 15 or 24).
13	A Technical Assignment Control form and a fee form are prepared.
14	Work is performed by the appropriate technical branch(es). The results are communicated to the Operating Reactors Project Manager (ORPM). If necessary, additional information is obtained from the licensee.
15	A Safety Evaluation (SE) is written by the appropriate technical branch or the ORPM.
16	A determination is made whether the matter is to be referred to the Advisory Committee on Reactor Safeguards (ACRS); if not, Program Steps 8, 9, and 10 are completed as described in Table 3.1.
17	If the matter is referred to the ACRS, the ORPM usually presents the staff position. Coordination with, and support by, the technical reviewer is indicated if technical assistance is required for the ACRS presentation.
18	Following the ACRS meeting, the Committee makes its recommendations known by a letter to the Chairman of the NRC.
19	A supplement to the SE is prepared, incorporating the ACRS letter, acceptance of recommended changes, and new developments since SE publication.
20	If a request to intervene has not been received, Program Steps 8, 9, and 10 are completed as described in Table 3.1. If a request has been received, plans are made to conduct public hearings.
21	Coordination with the Office of the Executive Legal Director is pursued to prepare testimony.

Table 3.2 (Continued)

Program Step	Task description
22	Public hearings are scheduled and subsequently held.
23	After the Atomic Safety and Licensing Board has rendered its decision following completion of the hearings, another supplement to the SER may be prepared to incorporate new information (or references). At this point, Program Steps 8, 9, and 10 are accomplished as shown in Table 3.1.
24	The proposed license amendment is evaluated in cooperation with the appropriate technical branch(es) to determine if there is a major Commission action significantly affecting the quality of the human environment or if there are environmental considerations such as an increase in amount of effluents, a new type of effluent, or an increase in power.
25	ORPM determines whether an Environmental Impact Statement is required.
26	If an Environmental Impact Statement is required, assistance is requested from the appropriate technical branch(es), as necessary.
27	ORPM prepares a Negative Declaration and an Environmental Impact Appraisal with the help of the appropriate technical review branch(es), if necessary.
28	If consultant assistance is required, the Operating Reactors Assessment Branch or the appropriate technical review branch will monitor the contract.

3.3.3 Unilateral Amendments

Changes in Technical Specifications are usually proposed by the licensee. This is true whether the need for change is first expressed by the NRC staff or by the licensee. If that concern is first expressed by the NRC staff, the licensee is asked to evaluate the concern for his facility and, if applicable, propose plant-specific Technical Specifications. Unilateral license amendments may be issued utilizing the provisions of 10 CFR 2.204, "Order for Modification of License." See Section 3.6.8 for a discussion of NRC Orders.

Notwithstanding the provisions for unilateral issuance of Technical Specification changes, the preferred method for changing a Technical Specification still is based on 10 CFR 50.59, whereby the licensee submits the proposed change for staff review, authorization, and ultimate publication. In this regard, discussions with the licensee by telephone or at meetings to encourage his submittal

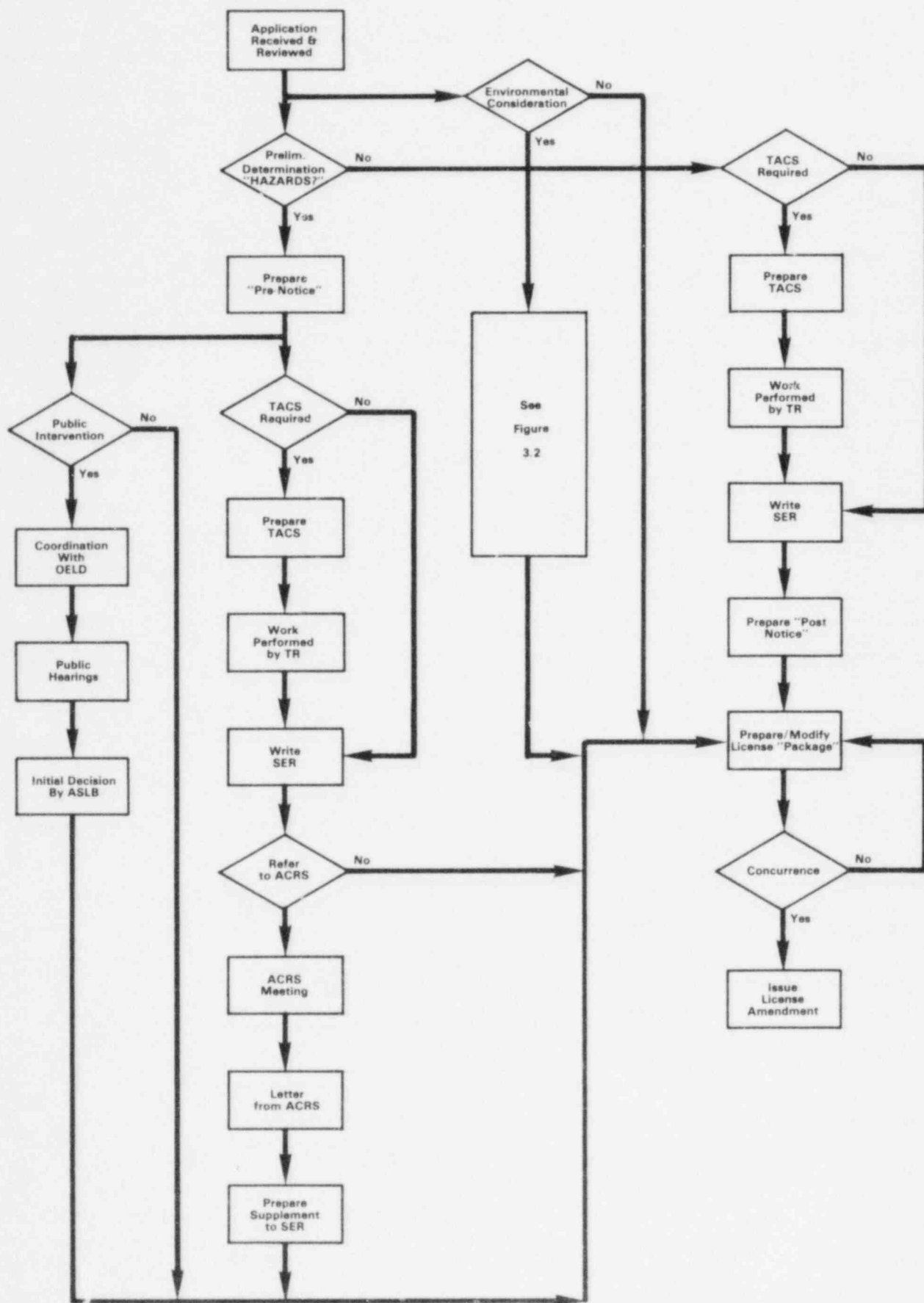


Figure 3.1 License Amendment With No Environmental Consideration

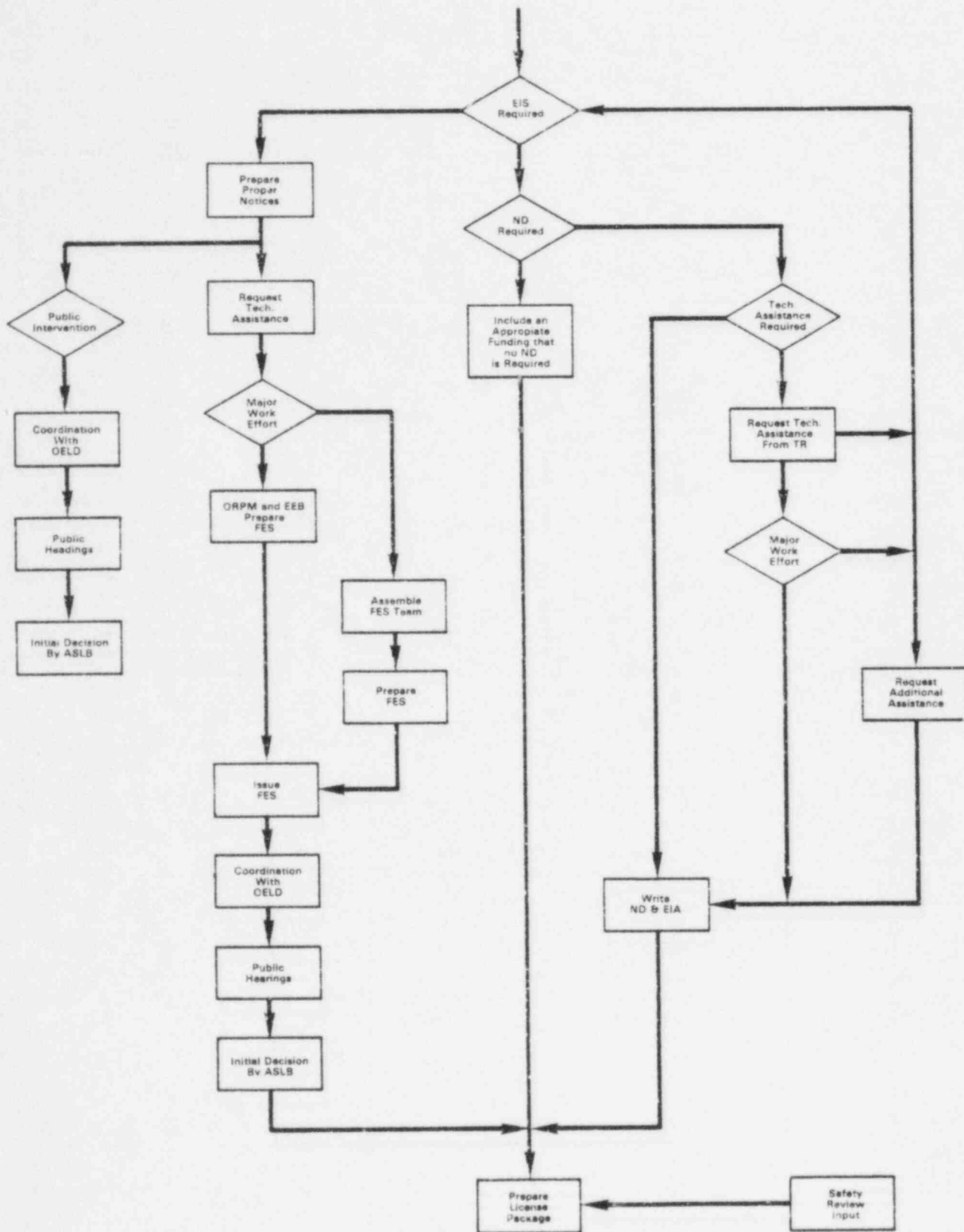


Figure 3.2 License Amendment Involving an Environmental Consideration

of pertinent, acceptable changes rather than relying on the unilateral procedures is required early in DL licensing actions. By keeping the licensee informed of the staff's plans, the use of the unilateral technique may be kept to a desirable minimum.

3.3.4 Multi-Plant Action - Committee To Review Generic Requirements

During the process of analyzing operating events, reviewing inspection reports, and reviewing amendment requests, or by any one of a number of means, certain actions may be found applicable to more than one operating plant. Such an action is known as a Multi-Plant Action (MPA).

When a potential MPA is identified, the Committee To Review Generic Requirements (CRGR) must review the potential actions for suitability (See NRR Office Letter No. 39). Generally, the appropriate lead technical division prepares the papers for submittal to the CRGR and appears before the CRGR to answer questions, explain details, and so forth. Details regarding the CRGR review may be found in the Commission-approved CRGR charter (forwarded to all licensees by the Executive Director for Operations (EDO) on July 2, 1982).

When an MPA is approved by the EDO (based on a favorable recommendation by the CRGR), letters are sent to the appropriate facilities as being potentially in need of such an action. A lead ORPM (or LPM) and a lead technical reviewer, generally called a lead engineer, are identified. The lead engineer usually comes from ORAB or a technical branch, but may be an ORPM as well. If such a request is sent to 10 or more licensees, the lead ORPM should ensure that appropriate OMB clearance is obtained (NRR Office Letter No. 32).

The letters generally request a review and response by the utility and may involve a Technical Specification or other license change. The lead ORPM and the lead engineer coordinate all the activity involved in the review and culmination of the MPA, including the scheduling of the review effort.

The lead ORPM assists in the preparation of the letter to the utility, TACS forms, OMB clearance, and any instructions to the ORPMs. The lead ORPM monitors all incoming responses and ensures that the responses are provided to technical reviewers and that the technical review is proceeding on schedule. The lead ORPM is the chief source of information for the ORPMs and the LPMs, as necessary, regarding the MPA. When SEs and/or TERs are issued, the lead ORPM ensures that each ORPM has the necessary documents and that any action required is completed. The lead ORPM answers questions for ORPMs as necessary. The lead ORPM monitors the reports regarding MPAs and verifies the accuracy and consistency of the listings in ORLAS, the monthly reports, and so forth. Typical MPAs involve Appendix I, Inservice Inspection and Testing, Fire Protection, and TMI Action Plan items.

The lead engineer monitors the technical review by NRC reviewers or by contractors. The lead engineer monitors the preparation and distribution of the SEs and may write general SEs if such an SE is appropriate. If a contractor is involved, the lead engineer reviews the TER submitted by the contractor and prepares a supporting SE.

In general, the lead ORPM and the lead engineer work as a team and are the two most knowledgeable persons regarding the MPA. Both individuals work to keep the MPA on schedule, the lead ORPM concentrating on the ORPMs and their actions and the lead engineer concentrating on the reviewers and their actions.

The monitoring, tracking, and reporting status of the MPA is done by the ORPM and is coordinated by the lead ORPM. All MPAs are reported in ORLAS. Currently, a monthly update report is prepared by the ORPM according to the memorandum dated January 7, 1982, from D. G. Eisenhut. (See Appendix A-4.)

TMI Action Plan items are followed in a manner similar to that of other MPAs, and the ORPM function is the same as that for MPAs. The lead ORPM is the principal DL contact with NRR technical branches, ORPMs, and ORAB. ORAB maintains overall program responsibility for implementation of TMI Action Plan items for operating reactors.

ORAB also maintains responsibility for resolving program policy issues and for interfacing as necessary with other NRC offices in the conduct of these duties. The lead ORPMs (under the supervision of the branch chief) are responsible for the direction and monitoring of the implementation of the TMI Action Plan for their assigned items. The lead ORPMs act as the principal DL contact with NRR technical branches, ORPMs, and ORAB for their assigned TMI Action Plan items.

A quarterly review meeting is held between DL and the technical divisions to discuss the status of all MPAs. The annual plan for review of licensing actions is prepared and corrected on the basis of these meetings.

3.3.5 Licensing Fees

According to 10 CFR 170, the holder of an Operating License must pay a fee, not only for facility licenses, but for other regulatory services rendered. It is the responsibility of the licensee to evaluate any action proposed and submit a fee with the request for action pursuant to 10 CFR 170.32. It is the responsibility of the ORPM to assess the licensee fee evaluation and fill out the Reactor Facility Fee Form appropriately. The fee form is sent to the Licensing Fee Management Branch for any action that may be required. The fee form is generally filled out at the same time the TAC form is completed, although in some MPAs the fee may be in doubt at that early stage. The fee is reevaluated and a final determination is made by the ORPM at the conclusion of the review when the licensing action is issued. (See Appendix A-15.)

3.4 Review of Operating Plants

The ORPM is the responsible and cognizant individual in DL for the safety review of operating facilities, which includes the responsibility to determine the possibility of a generic problem or accident precursor. The ORPM must work closely with the Regional Administrator's (RA's) and ORAB staff who have a preliminary responsibility to review and monitor operation of nuclear power facilities.

The RO is responsible for the initial investigation and action with respect to operational events. DL is responsible for changes to the Operating License or

Technical Specifications and for evaluating unreviewed safety or environmental questions and modes of operation that are different from those described in the Safety Analysis Report and ER. It is, however, the policy of the Director of NRR that NRR be closely and promptly involved in all regulation of the facilities. To that end, the ORPM should take the initiative when any significant issue arises, investigate to determine what NRR action is called for, and report his findings to management. Care should be taken to avoid duplicating the work of the Resident Inspector.

3.4.1 Treatment of Unresolved Safety Issues

Unresolved Safety Issues (USIs) are generic issues of high priority that have been approved by the Commission. The status of these issues is reported to Congress in the NRC Annual Report. The status, current schedule, and potential problems are also reported on a quarterly basis in NUREG-0606, "Unresolved Safety Issues Summary, Aqua Book." The Generic Issues Branch in the Division of Safety Technology is responsible for the management of the USIs. The resolution of each issue includes provision for the incorporation of the technical resolution into NRC regulations, Standard Review Plan, Regulatory Guides, or other official guidance, and provision for application of the final technical resolution to plants in operation or under construction.

The Generic Issues Branch input to each Safety Evaluation Report provides an explanation of the USIs affecting the facility under review and the reasons the facility can safely operate pending resolution of those issues. This input refers to various sections of the SER which describe how resolved USIs have been considered, or to the line branch review of related items. The LPM is responsible for checking that the referenced material is incorporated in the SER.

3.4.2 Backfitting Procedures

"Backfitting" means the addition, elimination, or modification of structures, systems, or components of a facility after the Construction Permit has been issued. 10 CFR 50.109 addresses this issue. Changes made under 10 CFR 50.59 at the request of the licensee or voluntarily by the licensee do not constitute backfitting. Backfitting may be required when the staff finds that such action will provide substantial, additional protection which is required for the common defense and security or the health and safety of the public.

Commission policy and procedures regarding backfitting are contained in NRR Office Letter No. 39.

3.4.3 Technical Guidance Documents

The ORPM receives many technical guidance documents which are required for the management of an operating facility. NUREG documents on specific technical subjects provide guidance for the resolution of the technical problem involved. These reports are sometimes issued with a letter that requests actions by the licensee.

3.4.3.1 Regulatory Guides

The primary purposes of Regulatory Guides are

- (1) To describe and make available to the applicants and licensees methods of implementing specific parts of the NRC's regulations that are acceptable and, in some cases, to delineate techniques used by the NRC in evaluating specific problems or postulated accidents.
- (2) To provide guidance to applicants concerning the information needed by the NRC staff in its review of applications for permits and licenses. Regulatory Guides are not intended as substitutes for regulations; therefore, compliance with the guides is not a requirement. Methods and solutions different from those set forth in the guides may be acceptable if they provide a basis which demonstrates an equivalent level of protection or effectiveness.

Even though the concept of the guides is to indicate an acceptable means of satisfying an NRC requirement and reflects a level of safety or environmental protection deemed acceptable for new plants, not all such positions need or should be applied to older plants. Guides contain an implementation section which defines the applicability to operating reactors.

If the ORPM sees the need for a Regulatory Guide on a particular subject, provided that no such guide is in preparation, he should prepare a memorandum from the Director, Office of Nuclear Reactor Regulation, to the Director, Office of Nuclear Regulatory Research, that briefly states the need and requests that a guide be prepared. Generally, this has been done with the appropriate technical review group and with ORPM coordination. When the ORPM has input that needs to be incorporated, he should include it with the requesting memorandum. Draft guides, staff positions, and backfitting considerations are examples of input that should be sent to the Office of Nuclear Regulatory Research.

3.4.3.2 Standard Review Plan

The Standard Review Plan (SRP) (see Section 1.4.3) has been prepared for the guidance of staff reviewers in performing safety reviews of applications to construct or operate nuclear power plants. Of necessity, they represent a more advanced state-of-the-art than existed at the time currently licensed facilities were reviewed for the license. Thus, generally, the SRP should not be directly used for the review of an action on an operating facility. There are times when all operating facilities are deliberately upgraded, such as for the TMI Action Plan items. At such times, the SRP, if current enough, may serve as the basis for the review of licensing actions on operating plants. The ORPM must keep this in mind when managing the review of licensing actions and apply judgment when dealing with the review and/or reviewer.

3.4.3.3 Environmental Standard Review Plan

The Environmental Standard Review Plan (ESRP) (see also Section 1.4.4) has been prepared for the guidance of the staff while performing environmental reviews of applications to construct or operate a nuclear power plant. Judgment must be applied by the ORPM in using the ESRP in a manner parallel to that for the SRP (see Section 3.4.3.2).

3.4.3.4 Standardized Technical Specifications - Safety

Standard formats for light-water-reactor Safety Technical Specifications have been developed for use at facilities with General Electric, Westinghouse, Babcock and Wilcox, or Combustion Engineering reactors. These Standard Technical Specifications (NUREG-0123, NUREG-0452, NUREG-0103, and NUREG-0212, respectively) are intended to be used on all newly licensed plants.

The intent of these Standard Technical Specifications is to eliminate, as far as possible, problems of interpretation of Technical Specification requirements caused by inconsistent wording or content among the various facilities currently licensed or in the process of developing Technical Specifications. The Standard Technical Specifications should provide a greatly increased uniformity of technical bases, wording, and format so that the NRC will be able to present a more consistent and uniform licensing posture to the licensees.

The ORPM may also use parts of the Standard Technical Specifications when providing guidance to a licensee for proposing Technical Specifications; however, unless specific deficiencies are identified, existing Technical Specifications for a facility are considered to be adequate and need not be upgraded solely to provide consistency with the Standard Technical Specifications.

In using the Standard Technical Specifications, the ORPM should

- (1) ensure that the specific requirements and bases of the Standard Technical Specifications are applicable or are modified so that they are applicable
- (2) ensure that if specific requirements or bases of the Standard Technical Specifications are modified because of differences in design or operating characteristics of the facility, the same level of detail of requirements is provided

All Technical Specification changes may be compared with the Standard Technical Specifications before they are issued to check for consistency in technical content and to improve the Standard Technical Specifications (see NRR Office Letter No. 38 for procedures for revisions to facility Technical Specifications).

3.4.3.5 Standardized Environmental Technical Specifications - Environmental Protection Plan

Beginning in about 1972, Operating Licenses were generally issued with an Appendix B, "Environmental Technical Specifications." In isolated cases, the Environmental Technical Specifications were incorporated into Appendix A to the license, the "Safety Technical Specifications." The Yellow Creek Decision regarding water quality matters was issued (ALAB-515) and subsequently no Environmental Technical Specifications were issued related to water quality matters. In lieu of Standard Environmental Technical Specifications, which were developed to the point of implementation, the Environmental Protection Plan (EPP) was developed. This is a document that contains Environmental Technical Specifications which are not related to water quality matters along with general environmental reporting requirements. Operating Licenses are now issued with an EPP rather than Environmental Technical Specifications.

The NRC's role in the water quality area is limited to the weighing of aquatic impacts as part of its National Environmental Policy Act (NEPA) cost-benefit balance in its licensing decision. That role does not extend to including any conditions of its own in the license for the protection of the aquatic environment. Rather, the Environmental Protection Agency (EPA) or those states to whom permitting authority has been delegated have been given exclusive responsibility for water quality protection and the regulation of water quality lies in the National Pollution Discharge Elimination System (NPDES) permit system. Operating conditions on nonradiological aquatic matters and other nonradiological aquatic monitoring requirements are now the exclusive concern of EPA and permitting states and are not the responsibility of the NRC.

For those existing licenses where the facility holds an effective NPDES permit, existing limiting conditions of operation or other nonradiological aquatic monitoring requirements may be deleted as a matter of law. Because the deletion of these conditions would be a ministerial action required as a matter of law, no environmental impact assessment need be prepared as a condition precedent to taking the action. However, it is appropriate to prepare a subsequent environmental impact assessment to determine what, if any, impact the removal of these conditions will have on the original cost-benefit balance.

Operating licenses that have an Appendix B, "Environmental Technical Specifications," may apply for an EPP and delete all Technical Specifications related to water quality as an administrative procedure with no fee. The issue as to whether all operating plants must have an EPP is up for review by the CRGR according to the procedure discussed in Section 3.3.4. Of course, Environmental Technical Specifications that are not related to water quality must be handled in the usual fashion (i.e., license amendment with the associated fee).

3.4.4 Review of Facility Modifications

After a reactor facility has been constructed and a license has been issued to operate the facility, the licensee may plan to modify the facility. If the licensee's review concludes that no unreviewed safety question or change to the Technical Specifications is involved, he may make the modifications without prior Commission authorization, pursuant to 10 CFR 50.59(a). Environmental considerations may be handled in a similar manner. The licensee is required by 10 CFR 50.59(b) to maintain records of these modifications. Such modifications are summarized in the licensee's annual operating report. Conversely, changes that involve revisions to the Technical Specifications or an unreviewed safety or environmental question do require prior Commission authorization as stated in 10 CFR 50.59(c). A Construction Permit is required for the modification if a substantial material alteration is involved. In those cases that require an authorization, the ORPM evaluates the planned modification and determines its acceptability. The ORPM also determines whether facility operation with the modification involves a significant hazards consideration or environmental question and whether there is reasonable assurance that the health and safety of the public or the quality of the human environment will not be endangered.

If the modification involves a significant hazards consideration, a Notice of Opportunity for Prior Hearing is required. If there is no request for a hearing and if it is found in the safety evaluation that there is reasonable assurance

that the health and safety of the public will not be endangered by the modification, a license amendment should be prepared for signature of the AD/OR, DL, authorizing the change. If there is a request for a hearing and a hearing is granted by the Commission, the action of the modification will be disposed of as directed by the Atomic Safety and Licensing Board (ASLB) appointed to hear the matter.

If the modification does not involve a significant hazards consideration and if it is found in the safety evaluation that there is reasonable assurance that the health and safety of the public will not be endangered by the modifications, a license amendment should be prepared for signature of the branch chief authorizing the change. Both types of modifications require a notice in the Federal Register at the time of issuance or in the monthly Federal Register notice, as required by DLOP-228.

If the modification involves a major Commission action significantly affecting the quality of the human environment for which an Environmental Impact Statement must be prepared, a notice of intent to prepare an Environmental Impact Statement must be published in the Federal Register.

If the modification involves a change in type or increase in amounts of effluents or an increase in the power level, either of which is significant, an Environmental Impact Statement may be required. If it is subsequently determined that an Environmental Impact Statement is not required, a Negative Declaration and a supporting Environmental Impact Appraisal must be prepared and included in the license amendment package for the signature of the AD/OR. This action does not require any prior notice or notice of intent but does require a notice at the time of issuance, called a Negative Declaration. This is usually included and combined with the Notice of Issuance of Amendment.

In some cases, neither an Environmental Statement nor a Negative Declaration need be prepared. If such is the case, the letter to the licensee approving the amendment must include an evaluation of the environmental impact or lack thereof. This action also requires a notice at the time of issuance.

3.4.5 Review of Operating Reports

Operating reports required to be submitted by the licensee take various forms and are specified in the reporting requirements section of the facility Technical Specifications. Because the Technical Specifications usually do not repeat those reports required by the Code of Federal Regulations, Regulatory Guide 10.1, "Compilation of Reporting Requirements for Persons Subject to NRC Regulations," has been prepared. This guide summarizes and lists all reports required by the various parts of Title 10, Code of Federal Regulations. The ORPM should study all operating reports submitted by the licensee and be alert for items that might require licensing action or that have an effect on a licensing action in process. In addition, he should read each inspection report prepared by the regional office for his assigned facility. The bulk of reports received from the licensee are in the form of Licensee Event Reports (LERs) and periodic operating reports, discussed individually below. On occasion, feedback is provided to NRR divisions of significant or potentially significant safety and environmental information. (See Appendix A-2.)

3.4.5.1 Reportable Events

10 CFR 50.73, "Licensee Event Report System," requires that those operational events defined as reportable events be reported to the NRC. The purpose of prompt notification to NRC is twofold. One purpose is to enable NRC to audit the actions of the licensee regarding resolution and corrective measures. The second is to enable NRC to conduct immediate inspection or take other actions deemed necessary for the protection of the health and safety of the public in light of the safety significance of the event or for the protection of the environment.

The regional office (RO) is responsible for the initial investigation and contact with licensees regarding reportable events. In cases where the licensee's operations can be returned to the preoccurrence status, the cause of the difficulty is understood, and no significant design or operational adequacy problems appear unresolved, the RO will retain responsibility for completing the evaluation of the occurrence. The ORPM should investigate significant occurrences to determine what NRR action is indicated and to remain aware of what action the RO is taking. If the ORPM believes an unreviewed safety consideration or an environmental consideration is involved, he should notify his branch chief.

If, during its investigation, the RO determines that problems have arisen that may involve changes in Technical Specifications, modes of operation different from those described in the FSAR or ER, unreviewed safety questions, or environmental considerations, the RO will so advise by memorandum and may request DL to assume lead responsibility for evaluating the occurrences and determining the safety or environmental significance (see Section 3.2.2).

In those cases where it is not clear whether Technical Specification changes, modes of operation different from those documented in the FSAR or ER, or unresolved safety or environmental questions are involved, the following procedure is usually followed. Normally, because of his surveillance of licensee operations and the immediate reporting obligation of licensees to the RO, the RO would be the first to be informed of an occurrence. The RO makes inquiries and inspections, performs independent measurements, if needed, and takes other fact-gathering actions as necessary. This collection of facts and identification of problem areas will be evaluated. It is appropriate for the ORPM to assist and provide the RO with pertinent staff positions or concerns which need to be considered. In cases where DL has first knowledge of a significant occurrence, that organization will inform the RO, thereby initiating the inspection process.

On the basis of the inspection findings, evaluation with respect to license requirements, and the importance of the safety or environmental issues involved, the RA may propose a transfer of lead responsibility. IE may also seek DL assistance to determine the acceptability of licensee actions or proposals.

Another important use of the Licensee Event Reports (LERs) is to provide data upon which trending or operational experience analysis can be performed. The Office of Analysis and Evaluation of Operational Data (AEOD) has the primary agency responsibility in this area, although important roles can be played by the ORPM and the Operating Reactors Assessment Branch (ORAB). Usually AEOD or ORAB will contact the ORPM for additional information on his plant to support ongoing reviews. In addition to providing this support function, the ORPM

should independently review the LERs and other sources of information to determine if a trend appears to be developing with his plant or class of plants. Any apparent trend should be reported to or discussed with ORAB for a possibility of one of three courses of action. If the trend is a serious safety problem requiring immediate attention, ORAB is expected to take the technical review lead, working closely with the ORPM. If the trend is of a less immediate concern and there is more time for a more detailed operational analysis, the effort may be transferred by ORAB to AOED, or if specific to a licensee or region, the transfer may be made to the appropriate regional office.

3.4.5.2 Periodic Operating Reports

The Technical Specifications in all licenses contain a section that delineates information required in the periodic operating reports. To this end, Regulatory Guides 1.16, 1.21, and 4.8 provide written guidance concerning the information that should be contained in the routine periodic operating reports and reportable events reports for power reactors.

The operating report is sent by the licensee to IE with copies to Headquarters for distribution to DL and others. As part of its responsibility for continuing reviews of safety of operations and of environmental impacts, IE has been assigned the overall responsibility for reviewing the report. IE may request from NRR a determination of whether specific changes to a facility or to procedures constitute either an unreviewed safety question or a change in the Technical Specifications. The ORPM has the responsibility for documenting and responding to these requests. If it is determined that an unreviewed safety question or a Technical Specification change is involved, the ORPM is responsible for taking action to ensure that the particular technical issue reflects the proper NRR staff review and that an SE is written, if necessary.

If consideration of the above reveals no unsafe or potentially unsafe condition, or no unacceptable environmental impact, no action by the ORPM is necessary except to document the results of the review by memorandum to the file. However, if modifications to the facility have been made that should have been submitted to DL for review, he should immediately advise his branch chief of the situation and propose appropriate actions. These actions might include discussions with the licensee or with the Resident Inspector, depending on the situation, or might consist of recommendations to DL management concerning remedial and investigative measures that should be taken. These measures may take various forms, such as requiring the licensee to submit additional analyses, changes to Technical Specifications, or recommending to licensing management that voluntary suspension of operations or direct suspension of operations be made.

3.4.5.3 Inspection Reports

The Regional Administrator's staff, including the Resident Inspector, perform numerous inspections at each facility. The ORPM receives copies of the inspection reports for review and information. These reports indicate the results of the inspections which may be related to a licensing action being processed. The Resident Inspector keeps track of all Licensee Event Reports (LERs) and indicates the disposition of these and any open items resulting from inspections. Close communication by the ORPM with the Resident Inspector and the project inspector will be of great help to all concerned in the regulation of the facility (see also Section 3.2.2).

3.4.6 Reactor Shutdown

The ORPM is continually reviewing items having safety significance. Most items will be judged to be of low relative significance. Occasionally the ORPM may conclude as the result of a review that the licensee should not continue to operate the facility. Changes to the limits of the license/Technical Specifications and/or initiation of safe and prudent operational practices may be required to attain the desired degree of safety. The ORPM should alert the branch chief to the facility condition and the reasons reactor operation should be terminated or curtailed. If the branch chief, with necessary management concurrence, agrees that reactor operation should be terminated, the ORPM should notify the licensee regarding the NRC staff concern and prepare the appropriate communication from NRC management.

Concurrent with this discussion, the ORPM should prepare a memorandum that describes the condition and safety considerations. If the licensee plans to shut the reactor down and/or corrects the condition, the memorandum should be appended to indicate the action proposed by the licensee and concurrence or nonconcurrence thereof. However, if the licensee plans to continue operation, the memorandum should be used to inform management of the safety concern, to recommend a course of action, and to justify management action that could result in shutdown of the reactor.

3.4.7 Safety Evaluation

Whenever a licensing action is reviewed and found acceptable to the staff, an amendment to the Technical Specifications is usually the end product. In any case, a report called the Safety Evaluation (SE) is prepared summarizing the staff findings (Section 3.3.1.2). This SE consists of at least three basic parts, although variations are certainly in order at times. Generally, the same principles apply as for Safety Evaluation Reports (SERs) for CPs and OLs (see Section 2.4.12) except that the number of issues in SEs is greatly reduced for operating plant actions. Usually only one or two issues are involved for most SEs on operating plant actions.

An introduction contains the pertinent reference material (i.e., date(s) of application and any supplements, the name of the licensee, the name of the facility, and the associated docket number(s) and license number(s)). A brief introduction to the subject of the action may be included. If the action involves a significant background, this may be included in the introduction or as a section titled "Background."

The discussion and evaluation of the action is the key element of the SE. This section must provide a basis for the staff approval of the actions. A summary paragraph emphasizing the basis for the approval is generally appropriate.

Finally, there must be a concluding section. This contains a safety conclusion, and if there is no Environmental Impact Appraisal, it may also contain an environmental conclusion. These conclusions both contain the necessary words to make issuance of the action legal. The results of the review must lead to and form the basis for these conclusions. Generally, the environmental conclusion is negative and is included in the SE for convenience. Both a safety and an environmental conclusion is necessary for each action.

The ORPM review of all SEs is essential. The purpose of such a review is to ensure that there is a proper technical basis to support the conclusion and that the SE is a coherent self-contained document. The ORPM should also check to see that terminology is consistent. In addition, the ORPM should check to see that the SEs have no open issues. Ideally, if additional information and/or a license commitment is needed, this requirement should be satisfied before the SE is issued. The ORPM should assist the technical reviewer in this aspect by ensuring that any such open issues are really essential to the safety of the facility and then obtaining the necessary information.

As for the CP or OL SER, the Project Manager's name and the reviewer's name(s) should appear at the end of the SE. Names of contractor reviewers are generally included in the TER which is incorporated as a part of the SE.

3.4.8 Environmental Impact Appraisals

As does the SE, the Environmental Impact Appraisal (EIA) contains at least three basic parts (see Section 3.3.1.3). The introduction and the evaluation follow the same principles. The conclusion varies depending upon whether a Negative Declaration is in order. An environmental review, required for all actions, may lead to the single conclusion of no impact, in which case no EIA is needed. If the impact is in question, an EIA must be prepared. In this case, the impact may be insignificant and then the EIA is the basis for a Negative Declaration (ND). The ND is usually combined with the Notice of Issuance. If there is no SE, the safety conclusion may be included in the EIA.

3.4.9 Environmental Impact Statements

Generally, Environmental Impact Statements (EISs) are not needed for environmental reviews of operating plants. In the special case that the impacts may be significant, an EIS may be necessary. Steam generator repair programs and decontamination have been subjects of EISs for operating facilities to date. Generally, when such an issue becomes apparent there will be much discussion with technical, management, and legal staff before the decision can be made. In any case, an EIA must be prepared as a necessary step in reaching the conclusion to prepare an EIS.

The discussions in Sections 2.4.15, 2.4.16, 2.4.17, and 3.3.1.3 in regard to the preparation of an EIS apply, except the number of issues involved is generally greatly reduced from those in the Operating License EIS. Probably the two most significant actions involved are (1) a pre-notice of the intent to prepare an EIS and (2) the requirement to circulate the draft EIS for comments. The comments must be responded to in the final EIS. The comment period and the preparation of the responses may add a couple of months to the preparation time, and, of course, no license action may be issued until the final EIS is issued or, if there is a hearing, after the Atomic Safety and Licensing Board decision is rendered. The Project Manager is identified in the front page of the EIS as the person to contact for further information. In addition, principal contributors are identified as for the SE.

3.4.10 Site Visits

The ORPM is expected to visit the site and nearby area soon after assignment to the facility in order to become familiar with the facility, the local area,

the staff of the licensee, and the Resident Inspector. Semiannual visits are encouraged to retain the awareness of the status of the facility. In addition, when technical reviews require the ORPM and/or the technical reviewer to visit the site, the ORPM should make all of the arrangements and coordinate the visit with the licensee, the regional office, and the Resident Inspector. The ORPM prepares the agenda for the visit, conducts any meetings associated with the visit, and prepares the meeting summary. The ORPM reviews and issues any subsequent requests for additional information arising from the visits.

From time to time, DL receives requests from other offices to make arrangements for nonregulatory site visits. Guidance for these arrangements is contained in NRR Office Letter No. 15.

There is a special group within the Division of Rules and Records for maintaining contact with the Local Public Document Room (LPDR) and supplying documents, assistance, and so forth. The ORPM may find it useful to become familiar with the LPDR and its personnel because the state of the LPDR may become an issue in any hearing that occurs regarding the facility. Also, questions concerning the LPDR may be directed to the ORPM (see also Section 3.2.2 and NRR Office Letter No. 15).

3.4.11 Appeals Meetings

If the licensee does not agree with the staff position on a given issue, the appeal procedure, which is normally described to each applicant when the application is docketed, applies to the review of actions for operating reactors (see Section 2.4.9). Briefly, the request should come through the ORPM, although this is not required. The ORPM should keep management informed and perform the usual ORPM functions as for any other meeting.

3.5 Project Management Control

In managing the various types of reviews among the groups within the NRC, the ORPM uses project management controls. These controls serve one or both of two functions. First, they allow the ORPM to identify significant technical issues and the schedule within which they must be resolved and/or provide a vehicle for their resolution. Secondly, they alert NRR management to existing or potential problems.

3.5.1 Project Initiation

The start of any review is accomplished by the ORPM issuing a Technical Assignment Control (TAC) form (see Section 3.5.5 and the RAM Users' Guide, NRR Office Letter No. 27). This is generally an application from the licensee or an NRR initiation of a Multi-Plant Action (MPA). In either case, the TAC form is filled out by the ORPM responsible for the facility, or the lead ORPM in the case of an MPA, and sent to the NRR Planning and Program Analysis Staff for the issuance of a TAC number(s). The TAC number will identify that action throughout the review and issuance of the licensing action. There should be a TAC number issued for each facility on each action, and in the case of MPAs, there should also be a separate TAC number for the lead ORPM activity. Among other things, the TAC form contains the first estimate of completion dates by the reviewer and the ORPM along with an estimated amount of effort by each. The TAC form includes the three-letter identification of the ORPM, lead ORPM (if

any) reviewers, the branches involved, and the docket number(s) of the facility(ies) involved.

When the TAC form is completed, the ORPM contacts the reviewers believed to be necessary for the review and verifies the completion date(s) and sends the TAC form with a concurrence sheet through the OR Branch Chief, AD/OR, the reviewing Division Director(s), Assistant Director(s), and branch chief(s). When this is accomplished, the review schedule is set. It may be changed by circumstances that occur after the schedule is issued, but only by negotiation with all parties concerned. Such changes are usually acknowledged by the reviewing division. As indicated earlier (Section 3.3.5), the preliminary fee form is usually completed at this time.

3.5.2 Project Manager's Update

Once each month, the ORPM reviews each project and corrects the Licensing Action Report (LAR) as necessary. Each reviewer should be listed on the right-hand side of the LAR. The reviewer's name is put on that sheet by listing on the original TAC sheet, by listing on a supplemental TAC sheet, or by the reviewer putting the TAC number at the bottom of the Regulatory Assessment of Manpower (RAM) system sheet. The ORPM will be in contact with the reviewer(s) so the project status is known. The project status is reported on the LAR under Status Code on the right-hand side of the sheet. The ORPM cannot write in changes on the right-hand side of the update sheet. The ORPM can and is expected to make appropriate changes on the left-hand side of the sheet. This contains, among other things, the target date for completion. Any changes on the right-hand side of the sheet must be made by issuing an amended TAC form or by reviewer action (i.e., addition of reviewer's name on the top of the reviewer's RAM sheet).

All licensing actions identified by a docket number will be listed on the update sheets whether plant specific or multiplant in nature. When the action is completed, the TAC may be closed out on the Licensing Action Report.

3.5.3 Lead Operating Reactors Project Manager Reports

Once each month the lead ORPM reports on the status of MPAs to the Director, DL. This report shows the number of completed actions, the facilities still under review, and the schedule for the completion of the actions.

3.5.4 Operating Reactor Licensing Action Summary

The Operating Reactor Licensing Action Summary (ORLAS) is issued monthly to inform management of the status of the licensing actions. These data are summarized from the LAR, the RAM sheets, and the monthly ORPM reports.

3.5.5 Regulatory Assessment of Manpower

The Regulatory Assessment of Manpower (RAM) system exists for the purpose of recording the staff effort applied to any given action. It also serves as one of several tracking numbers for licensing actions (e.g., MPAs, TMI No., Bulletin No., and Task Interface Agreement No.). The TAC number initiated by the ORPM to identify an action is used to track the number of hours applied to that

action. Each ORPM is issued a RAM Users' Guide (NRR Office Letter No. 27). This contains instructions so that the TAC form may be properly completed. The RAM form issued to each ORPM and reviewer weekly contains all the TACS numbers for which the ORPM or reviewer is responsible. Each ORPM records the weekly effort expended on each action on that RAM form. When the TACS form is completed, the completion date may be recorded on the RAM sheet. This date will be reflected on the LAR. Each reviewer also records weekly effort on the RAM form. The reviewer may close out this action on the RAM sheet and this is reflected on the LAR.

3.5.6 Operating Reactors Project Manager Information Sources

Numerous sources of information keep the ORPM informed. There is the Document Control System, which is managed by the Division of Technical Information and Document Control (see Section 5.3.1). The Document Management Branch receives all incoming information and distributes it to those on a predetermined distribution list. The Regulatory Information Distribution System (RIDS) prints the distribution on a cover sheet for each document so the ORPM can determine which reviewers have received the document. The documents are put on microfiche and can be located by a Document Control System terminal. Classes are available to train ORPMs in the use of the terminal, and newsletters are issued periodically to call attention to new features. Assistance is also available from experience peers and licensing assistants. In addition, a monthly print-out of titles received for each facility is provided to the ORPM for that facility. The ORPM should double check the titles to be sure each has been received and the proper action taken.

The ORPMs are on distribution lists for NUREG reports, pertinent Manual Chapters, and other documents and receive these kinds of items directly. These and other documents may be requested through Distribution Services. Other materials are issued to branch chiefs and circulated to the ORPMs.

Memoranda give policy guidance. The NRR Office Letter series is from the Office of the Director, NRR. The DL series is from the Director, DL. The AD/OR also issues an ORPM Information Notice series. The ORPM Information Notice series generally consist of a collection of items which are of a short-term nature. Copies may be obtained from the Office of the AD/OR.

3.5.7 Contract Assistance

Many licensing actions are reviewed by contractor personnel under the management of DL staff members. The ORPM must be aware of the status of the contractor review and must manage the aspects of the review that have to do with licensee contacts. All personnel should adhere to the following procedures related to the use of contract assistance in preparing safety evaluations.

- (1) Information obtained from licensees that is used as a basis for safety evaluations should be docketed. Exceptions can be made; however, these exceptions should be for matters of minimum substance and should occur only with the Project Managers' concurrence and the information should be recorded in the Project Managers' log book.
- (2) All telephone contacts with the licensee should be through the Project Manager. The Project Manager need not be present for the entire phone

call when matters of clarification are being discussed but must be present when the licensee is requested to provide additional information or commitments. If the Project Manager is unavailable, the backup Project Manager or the branch chief should be contacted.

- (3) If as a result of telephone discussions, additional information or commitments are deemed necessary for completion of the review, these should be prepared by the contractor/reviewer for transmittal to the licensee promptly upon completion of the telephone discussion. The Project Manager will determine whether to transmit the request to the licensee on the basis of the significance and complexity of the questions and the licensee's oral commitment to provide a timely response.

3.6 Other Operating Reactors Project Manager Responsibilities

Several areas of responsibilities for the ORPM either do not fall into any category previously considered or include several categories. In addition, general PM responsibilities listed in Section 4 also apply to the ORPM.

3.6.1 Inquiries Concerning an Operating Facility

Correspondence regarding operating facilities received by the NRC from external sources that are not considered routine fall into the category of principal correspondence. The major sources of principal correspondence include correspondence from Congressional sources, government agency heads, state and local officials, the general public, foreign officials, and various industrial and civic organizations.

Routine correspondence or other inquiries such as phone calls will be handled by the ORPM. In answering written or phoned inquiries the ORPM should keep in mind the responsibility of the NRC is keeping the public informed but also should be aware that release of preliminary information prematurely can become a serious problem at the time of hearings or other formal proceedings. Judgment is required in responding to inquiries of this type. The treatment of correspondence and public inquiry is also described in Section 4.8.

3.6.2 Advisory Committee on Reactor Safeguards

Generally, the ORPM does not meet with the Advisory Committee on Reactor Safeguards (ACRS) with any regularity. The ACRS responsibilities and interactions with the NRC staff relative to new reactor projects are presented in detail in Section 2.4.13. Those general procedures are applicable to the cases that are submitted for ACRS review regarding operating facilities. Such cases include (1) full-term license reviews, (2) review of testing facilities as defined in 10 CFR 50.2(r), (3) significant power increases for operating reactors (4) major modifications or unreviewed safety questions which the staff concludes warrant ACRS review, and (5) reviews performed for the U.S. Department of Energy (DOE) or Department of Defense on reactors greater than 10 MW or having unique or unusual safety considerations. In all cases involving an ACRS review, the safety evaluation should be submitted to the ACRS at least 2 weeks before the meeting.

As a result of their perusal of Category B documents (provided for information but not requiring action) and of reactor operating reports presented by IE,

the ACRS may request further discussion on details, analyses, and action taken on particular operating reactor problems. These discussions, which are held during the regularly scheduled ACRS monthly meetings, may involve the ORPM as the ORPM for a particular operating facility or as the ORPM with primary responsibility for a generic problem.

Usually the ACRS staff will provide the NRC staff a list of the subjects and facilities to be discussed with the Committee at the forthcoming monthly meeting. The items to be discussed are assigned to the responsible group within the NRC for presentation. If the subject or facility on which the ACRS has requested a discussion is a DL responsibility, the ORPM should get a list of the concerns of the ACRS and should prepare a presentation for the ACRS during the scheduled discussion period of the ACRS meeting. The ORPM will discuss the prepared answers on these subjects with the branch chief and the AD/OR before the ACRS meeting to ensure the adequacy of information, to obtain staff positions or recommendations, and to establish possible generic concerns. The ORPM should prepare a presentation that is brief, concise, and informative on the subject of concern to the ACRS and should present the planned program of action if the problem of concern has not been resolved. The ORPM should avoid discussions of nonrelated subjects for the same facility, and excessive details. The ORPM should be prepared to answer all reasonable questions about the subject or recent facility operations or ensure that cognizant NRC staff is present to answer such questions. If questions are asked by the ACRS which the ORPM is not prepared to answer or which involve policy or positions, these questions can be deferred for future response. Following the meeting, the ORPM is responsible for preparing a summary meeting report for DL management information purposes (and project files, if appropriate) and for any required followup.

3.6.3 Interpretation Responsibilities

The ORPM is often requested to provide interpretations of regulations, license conditions, Technical Specifications, and FSARs. For interpretations to be binding on the Commission according to 10 CFR 50.3, any interpretations of the regulations must be issued in writing only by the General Counsel. Less formal interpretations concerning day-to-day application of the regulations may be given by the ORPM after consultation with OELD and others, as needed.

Most of the interpretation requests received by the ORPM will be requests from either the Resident Inspector, the regional offices, or the licensee to interpret license conditions or Technical Specifications. When it is necessary to establish an interpretation, or when a given interpretation is challenged, NRR, as the organization which approved and issued the license and Technical Specifications, and the ORPM in particular, as the responsible individual, will provide the interpretation. If the licensee expresses concern about a difference in interpretation of Technical Specifications between NRR and the RI or the RO, the ORPM should first attempt to resolve the difference with the RI or the RO. If this cannot be accomplished to the extent of eliminating the licensee's concern, the licensee should be advised to submit a request for an interpretation to NRR.

FSARs are subject to NRR interpretation in that NRR ascribed a certain meaning during the licensing process and that meaning should be maintained.

3.6.4 Review of Safeguards Information

Industrial Security Plans, Guard Training Plans, Contingency Plans, and so forth provided by the licensees are considered information within the meaning of 10 CFR 73.21 and are customarily withheld from public disclosure. Such information must be stored by SSPB. Reviews are conducted by NMSS (see Section 3.2.8). No written evaluation of the withholding from disclosure is necessary. Requests for additional information from the licensee relating to Security Plans are also withheld from public disclosure. DL procedures for handling safety/safeguards material may be found in a DL procedure of May 24, 1982. (See Appendix A-5.)

To track the changes in Security Plans under review, the ORPM should issue a TAC for each request and include SSPB as reviewer. A fee form should also be completed. Generally, these changes tend to be changes under 10 CFR 50.54(p) which are exempt from fees. The preliminary fee form can state that it is exempt from a fee unless the review shows it to be otherwise. At the time that the action is completed, the fee, if any, can be evaluated and charged.

3.6.5 Operating Reactor Events Briefing

The ORPM reports the details of any significant event in the Operating Reactors Events Briefings for the Director of NRR. On a periodic basis, usually biweekly, a briefing of senior NRC management (including NRR, IE, and Office of the Analysis and Evaluation of Operational Data) is held to discuss operating reactor events. The intended function of the briefings is to inform senior management in a clear and concise manner of recent events that have important safety or license implications. To ensure that this objective is met, the following procedures will be used in preparation for future briefings.

- (1) The Operating Reactors Assessment Branch (ORAB) is responsible for determining when an operating reactor event appears important enough to be included in the next briefing and informs the ORPM accordingly. The ORPM should attend the briefing regardless of whether he is leading the discussion. This is necessary if the ORPM is to remain the principal headquarters spokesperson for operating reactors.
- (2) ORAB will determine which events are to be presented by IE, by the Project Manager, or by ORAB.
- (3) Upon request from ORAB, the ORPM will prepare a brief writeup for the briefing agenda by the Tuesday afternoon before the briefing (guidance on the agenda format has been previously published and will be made available to each Project Manager by ORAB on request). The PM will brief his AD at this time in preparation for the presentation.
- (4) The ORPM will prepare about a 5-minute presentation which briefly explains the event and which stresses the safety and licensing implications concentrating on the new or important safety issues. If visual aids are used, they should be simple and relevant to be effective.
- (5) A dry run of the presentations, including any visual aids, will be conducted by the ORAB Branch Chief on the morning of the briefing.

- (6) ORAB will continue to coordinate IE staff, Project Managers, and others for the briefings.

If followup actions are needed they are reported in the briefing summary. ORAB periodically monitors the assignments and verifies that they are completed. Use of these procedures will ensure that the briefings are an effective means of informing senior management of events and activities at operating reactors.

3.6.6 Hearings

As indicated earlier in Section 2.5, there is a mandatory hearing before a Construction Permit may be issued. An opportunity for a hearing is provided before issuance of the Operating License, and if no hearing is requested none is held. An opportunity for a hearing is also provided for licensing actions involving amendments to OLs. When an opportunity for a prior hearing is afforded, no licensing action can be taken until the hearing notice period (usually 30 days) is over, and more important, if a hearing is requested and granted, no licensing action may be taken until the Atomic Safety and Licensing Board has issued a decision. This could result in a significant delay before the licensee may proceed with the change involved. In some cases (e.g., fuel pool expansion or steam generator repair) time is of the essence.

The basic principles for a hearing on an operating facility are the same as those for the Construction Permit or Operating License. Of course, the potential number of issues is greatly reduced for an operating facility because only the issue noticed is available for intervention. As discussed in Section 3.2.4, the ORPM and the OELD attorney operate as a team in preparing the testimony and going to the hearing. Several witnesses may be needed and the ORPM works closely with them also. Testimony should be reviewed by the branch chief and AD/OR before filing.

The Director, NRR, should be personally and promptly informed by the PM of any hearing request by an elected official. (See Appendix A-9.) He should not rely on a daily highlight. During the hearing, the ORPM or a designated NRR representative is to be in attendance and will provide a daily status report to the Director, DL. (Memorandum dated March 4, 1983, to branch chiefs).

3.6.7 Director's Decision

Under 10 CFR 2.206, any person may file a request with the Director of the Office of Nuclear Reactor Regulation to institute a proceeding pursuant to 10 CFR 2.202 to modify, suspend, or revoke a license, or for such other actions as may be proper. If the Director agrees with the petitioner and takes the requested action, copies of the documents involved in the action are sent to the petitioner to indicate that the action was taken. If the Director does not agree to take the requested action, the ORPM, in consultation with an OELD attorney, will prepare a document called a Director's Decision, which contains the basis for the Director's refusal to take action in regard to the request. A Director's Decision contains the essence of the request and an evaluation of the requested action which forms a basis for the decision. A Director's Decision has a particular format which may be obtained from the

licensing assistant. A Director's Decision may be reviewed by the Commission. Procedures for handling requests for 10 CFR 2.206 actions may be found in NRR Office Letter No. 17.

3.6.8 Orders

When the staff finds that a certain action on the part of the licensee is deemed necessary to protect the health and safety of the public and the licensee refuses to comply with staff requirements in this regard, an Order for Modification of License (10 CFR 2.204) may be issued requiring the licensee to do as the staff requests. This Order is much like a Director's Decision in content in that the essence of the action is discussed and a safety evaluation is prepared as a basis. An Order, when issued, has the force of law behind it. It may require modification of the license, lowering power level while corrections are made, or even shutting down the reactor. (See Appendix A-21 for specific guidance on drafting these modifications.)

In addition to a direct Order, there are variations. If the licensee agrees in writing to the requested staff action and the staff finds that the written commitment needs enforcement strength behind it, a Confirmatory Order is issued. The basic difference is that the licensee is ordered to comply with the written commitment. Thus, any failure to live up to the commitment has a stronger enforcement penalty than if it were simply a written commitment.

Similarly, if the staff has reason to believe that an unsafe condition exists at a licensed plant, the licensee may be issued a Show Cause Order (10 CFR 2.202). The licensee will have to supply information and/or analyses that show that the unsafe condition does not exist or that it has been remedied. The facility may or may not be permitted to operate during this period depending on the severity of the conditions.

3.6.9 Exemptions

When a licensee finds that it is not possible to meet a requirement of a rule there are provisions for a request for an exemption (10 CFR 50.11, 10 CFR 50.12). The staff reviews the request and if it finds the request acceptable issues a document called an Exemption. Again, the elements of the document are similar to a Director's Decision and an Order in that an Exemption, when issued, must contain the request and a staff Safety Evaluation as a basis. An Exemption will exempt the licensee from the requirements of the rule involved. Denial of an Exemption must also be based on a staff Safety Evaluation.

3.6.10 Relief

On occasion, a licensee may propose a certain program that the staff finds acceptable. The staff may approve this program by a letter that does not incorporate the program in the license. Although the program is required by a rule, the details are not specified in the rule. In such a case, if the licensee subsequently finds that part of the program has become difficult or impossible for one reason or another, the licensee may request relief from that portion of the program. A possible example of such a program is an Inservice Inspection Program.

As in the case of Orders or Exemptions, and for that matter, all staff licensing actions, the staff must prepare a Safety Evaluation or equivalent that provides the basis for the approval or disapproval.

3.6.11 10 CFR 50.54f Letters

Under 10 CFR 50.54, certain conditions are listed which are deemed conditions to every license issued. Paragraph f of 10 CFR 50.54 states that the licensee will upon request of the Commission submit written statements, signed under oath or affirmation, to enable the Commission to determine whether or not the license should be modified, suspended, or revoked. Information that the staff needs to review situations that may involve a serious question regarding the safety of the plant (i.e., unreviewed safety issues and so forth) that may lead to modification, suspension, or revocation of the license can be requested under 10 CFR 50.54f. (See Appendix A-11.) Under this kind of request, the information must be supplied by the licensee.

3.6.12 Review of Proprietary Information

ORPMs have the responsibility of reviewing, and/or assisting the licensing assistants in the review of, requests pursuant to 10 CFR 2.790(b) for withholding of proprietary information from public disclosure. For some documents, such as vendor information supplied in response to letters generated within the technical divisions, information provided during meetings and rulemaking procedures, and generic reports, the technical division personnel may perform the proprietary review. Licensees should be required to submit proprietary information in one document with a nonproprietary version in another document.

In the proprietary review, the ORPM should attempt to achieve an effective balance between legitimate concerns for the protection of competitive positions and the right of the public to be fully appraised as to the bases for and effects of the proposed licensing action or involved safety issue. The ORPM must determine, from the information given and the justification provided by the licensee, that the information is indeed proprietary and its disclosure would adversely affect the interest of the company involved.

If the ORPM finds withholding to be justified, a letter to the licensee for the branch chief's signature granting the withholding will be prepared. The letter should identify the document where related nonproprietary information may be found. To the maximum extent possible, all Safety Evaluations should be based on the nonproprietary version.

If a request for withholding does not, in the ORPM's opinion, include sufficient justification for withholding or if it is felt that the information is already available in the public record or would not jeopardize the competitive position of the company, a letter is sent to the company requesting additional facts or justification for the withholding within 30 days. If a request for withholding is denied, the ORPM is responsible for sending a letter informing the licensee of the denial and stating the reasons for the action. This letter provides 30 days for the licensee to withdraw the document, or the document is placed in the Public Document Room. Additional guidance may be found in NRR Office Letter No. 42.

3.7 Systematic Safety Evaluation of Operating Reactors

The Systematic Safety Evaluation of Operating Reactors consists of two programs. The first program is the Systematic Evaluation Program (SEP), which is the detailed review of 10 of the oldest operating reactors against 137 safety topics using current licensing criteria. The second program is the Integrated Safety Assessment Program (ISAP), which is a comprehensive review that will address all outstanding safety issues for a given operating reactor to provide an integrated, cost-effective evaluation using both deterministic and probabilistic techniques.

Besides performing regular Project Manager functions, the ORPM whose plant is participating in either program will be a member of an Integrated Assessment Team for the respective plant. The ORPM will work closely with an Integrated Assessment Project Manager (IAPM) who has overall responsibility for the SEP/ISAP Project Manager function. Details of the Systematic Evaluation Program can be found in NUREG-0820 through NUREG-0828 and of the Integrated Safety Assessment Program in Commission Policy Issue SECY 84-133.

3.8 Reactor Decommissioning

Regulatory Guide 1.86, "Termination of Operating Licenses for Nuclear Reactors," provides guidance on the various decommissioning options available to the licensee. These options are:

- (1) in-place entombment/ENTOMB
- (2) conversion to a new fossil fuel system
- (3) mothballing/SAFSTOR
- (4) complete dismantling/DECON

One utility has started design of a fifth option - reactor pressure vessel annealing and system cleanup for license extension.

Each of the above activities leads to a modification of the Operating License of the facility in question. In some cases, this might involve a license amendment that would permit the licensee to possess but not operate the facility. This change would allow the licensee to considerably reduce the required surveillance activities. In other cases, the Operating License may be terminated, thus relieving the licensee of all surveillance requirements. The decision to terminate the license depends on the ability of the licensee to decontaminate the facility site to a level that would permit unlimited access. Facilities that cannot be sufficiently decontaminated can be retained, indefinitely, under a "Possession Only" license. Because potentially significant environmental considerations are involved with the type of decommissioning effort proposed, an environmental review to satisfy the Commission's NEPA responsibilities is performed concurrently.

3.8.1 In-Place Entombment/ENTOMB

In-place entombment involves the removal of all fuel and radioactive fluids and wastes and the possible removal of selected nuclear components. The remaining radioactive components are sealed into the containment structure, usually by backfilling with concrete. This technique was used on the BONUS Reactor (License No. 115-4). Early in the procedure, once fuel has been removed from the core, the facility license can be amended to the "Possession Only" status.

This allows the licensee to possess, but not operate, the facility. It is worth noting that no commercially licensed facility has been decommissioned in this manner. Those reactors that have been entombed have been either DOE-owned or small military power or research reactors.

3.8.2 Conversion to a New Fossil Fuel System

The second alternative, conversion to a fossil fuel system, represents an alternative for that part of the plant other than the nuclear steam supply system (NSSS). If a fossil system is to replace the NSSS, the nuclear system must still be disposed of. In this regard, Activities 1, 3, and 4 above represent viable alternatives to achieve disposition of the NSSS. An example of a successfully converted facility is Pathfinder.

3.8.3 Mothballing/SAFSTOR

Mothballing involves removal of all fuel and radioactive wastes and liquids followed by minimal decommissioning activity. In general, only those tasks are performed which are required to place the facility in a state of protective storage. The assigned ORPM should review the Decommissioning Plan submitted by the licensee to ensure that all proposed operations can be undertaken within the constraints of the license. If the Decommissioning Plan calls for major dismantling (system changes in excess of those authorized by the operating license), a Dismantling Order must be issued as described in 10 CFR 50.82(b). Like entombment, the "mothballed" facility is maintained in the "Possession Only" status.

3.8.4 Complete Dismantling

Removal of radioactive components and total dismantling of a facility is the most extensive type of decommissioning activity. The object is usually decontamination of the site to a level low enough to allow unrestricted access. In the case of the Elk River facility, this required the complete demolition of the facility. 10 CFR 50.82(b) requires that a Dismantling Order be issued after public notice has been given.

3.9 Research and Testing Reactors and Critical Facilities

This section of the handbook dealing with testing facilities (reactors) and research reactors and critical facilities is included because both the Atomic Energy Act of 1954, as amended, and the NRC regulations single out these facilities and treat them differently from power reactors.

In practice, many of the regulations either explicitly or implicitly exclude research reactors, and some parts (or subparts) of the regulations apply uniquely to research reactors and critical facilities. However, testing reactor facilities are generally treated in the regulations in the same way as power reactors. Because there is no separate listing of these parts of the regulations and there is nothing resembling a complete set of regulations applicable only to these nonpower reactor facilities, this section of the handbook presents current practice in NRC for handling license actions for such facilities. This is based primarily on the applicable regulations, but also on past interpretations of the regulations.

Nonpower reactors operate at much lower power levels than power reactors, have a much smaller inventory of fission products in the fuel, generally operate at low temperatures and pressures, and therefore present a much lower potential radiological risk to the environment and the public. Furthermore, there are many variations in reactor types and fuel types, and large ranges both in authorized power levels and in operating schedules.

Therefore, even though certain license-related questions can be resolved in a generic way for groups of research reactors with similar characteristics, each facility must be considered on the basis of its design, construction, site, use, and operating parameters.

There have been no new applications for Construction Permits or Operating Licenses for research reactors for several years, and there are no facilities currently under construction. Thus, the principal licensing actions anticipated in the near future will be concerned with the currently licensed operating reactors. These actions will involve license amendments of various types, including license renewals. In fact, most of the operating licensed research reactors received their licenses for a period of 20 years during the 1950s and 1960s. Therefore, by the end of the 1980s, most of the licenses will have expired and will have been candidates for renewal. Experience during the past several years indicates that most of the licensees will apply for a renewal of their license, and actions on these renewals will have constituted the major work load with respect to research reactors between about 1980 and 1984.

The present NRC position is that the renewal of an Operating License, although implemented as an amendment, is a reissuance of the license. Therefore, technical review of the facility comparable to that performed at the time of the original CP and OL stages should be performed. Among other things, this review should consider the possibility that regulations and acceptable practices might have been changed since initial licensing, that the likelihood or magnitude of radiological risk to the public or the environment might have increased as the age of the reactor increased, or that the use of the reactor has changed significantly.

Because license renewal is similar, both technically and administratively, to initial licensing of a research reactor, the following sections treat licensing first and in some detail, discuss operating license amendment actions other than renewals, and then discuss renewals and major differences from original licensing.

Both because of the wide diversity of types of research reactors and because the applicable regulations are not all encompassing, guidance to applicants has not been uniform concerning the acceptable content and format for SARs, requests for amendments, Technical Specifications, and other documentation. Specifically, the Standard Review Plan for power reactors is not applicable to nonpower reactors either for initial licensing or for license renewals. On the other hand, a sound written record on which to base the licensing action is necessary. To improve the guidance situation, NRC has developed a series of Regulatory Guides (Division 2) applicable to research reactors. The American Nuclear Society (ANS) has also established various standards committees (ANS 15, N-17) that develop consensus standards for guidance for both the licensees and regulatory Project Managers. Because NRC maintains active participation and a review and balloting role on the ANS standards committees,

it is expected that ORPMs will use the approved standards when applicable. In several instances, an NRC Regulatory Guide will endorse an American National Standards Institute (ANSI)/ANS standard.

Even though there are some technical differences in the details, the review and licensing of research and test reactor and critical facilities follow generally the same procedures as those for power reactors. There are, however, several distinctions that directly affect the licensing process. Following the definition given in 10 CFR 50.2(r), a "testing facility" means a nuclear reactor of a type described in 10 CFR 50.21(c) and for which an application has been filed for a license authorizing operation at

- (1) a thermal power level in excess of 10 MW or
- (2) a thermal power level in excess of 1 MW, if the reactor is to contain
 - (a) a circulating loop through the core in which the applicant proposes to conduct fuel experiments, or
 - (b) a liquid fuel loading, or
 - (c) an experimental facility in the core in excess of 16 square in. in cross-section.

The reference to 10 CFR 50.21(c) in the definition is to further define a reactor used primarily in research and development activities (Class 104 license) and excludes one used primarily for industrial or commercial purposes (Class 103 license).

The chief thrust of the above definition from a licensing standpoint is that, according to 10 CFR 50.58, an application for a reactor qualifying as a testing facility must be referred to the ACRS for review, and at that point the licensing process becomes virtually identical to that for a power reactor case.

10 CFR 50.2(r) references a reactor "of a type described in Section 50.21(c)" of the regulations. As mentioned previously, this section of the handbook concerns reactors used in research and development activities. Even though a reactor might be of a power level and design that would normally qualify it as a research reactor, the manner in which it is used may cause it to fall under 10 CFR 50.22 of the regulations, which is concerned with reactors used for industrial or commercial purposes. For example, a university reactor used primarily for the production and sale of radioisotopes other than for use in research and development would be considered a commercial reactor and therefore would be licensed under 10 CFR 50.22. Thus, 10 CFR 50.58 would require that the application be referred to the ACRS for review.

At this point, the regulations are unclear as to the process for licensing a commercial research reactor. Until now, no testing or research reactor has been licensed as a commercial facility. However, it is possible that a research reactor used for commercial purposes might require review to determine its status under antitrust law provisions. The branch chief and OELD should be contacted for guidance if this question arises.

Originally, the regulations provided no clear guidance for determining whether or not a research type of reactor was being used for industrial or commercial purposes. However, in a change to the regulations made in May 1973, 10 CFR 50.22 was modified to state that

...in the case of a production or utilization facility which is useful in the conduct of research and development activities...such facility is deemed to be for industrial purposes if the facility is to be used so that more than 50 percent of the annual cost of owning and operating the facility is devoted to the production of materials, products, or energy for sale or commercial distribution, or to the sale of services, other than for research and development or education or training.

Therefore, an applicant for a noncommercial, research reactor license must initially provide information as to the annual cost of owning and operating the facility, and an appropriate finding relative to industrial or commercial use must be made by the staff in issuing the Construction Permit. Note that Section 31 of the Atomic Energy Act of 1954 defines research and development in very broad terms.

It should be noted that the regulations make no distinction between research reactor facilities and critical facilities. Although a critical facility will generally operate at much lower power levels and with greater experimental flexibility than a research reactor, the licensing process is the same. In terms of the regulations, both types are research reactors because they can both attain a condition of criticality. Any differences in safety considerations would be handled routinely by the ORPM in the Safety Evaluation Report for the facility. Similarly, any differences in environmental consideration would be handled by the ORPM in his environmental review. Both a CP and an OL must be obtained for such facilities, pursuant to 10 CFR 50.10.

3.9.1 Construction Permit

10 CFR 2.101(a)(2) implicitly requires that notices of receipt of applications for CPs and OLs for research reactors be published in the Federal Register, because it makes no distinction among reactor types.

As noted in Section 3.9, the licensing process for a testing reactor is essentially the same as for a power reactor, including the requirement for an Environmental Statement (ES), 10 CFR 51(5)(a). The application must be referred to the ACRS for review, and a public hearing held before issuance of the CP. For research reactors, the regulations do not require that the application be sent to the ACRS, although it may be referred to the ACRS at the discretion of the staff. A public hearing is not explicitly required by the regulations for CPs for research reactors, but opportunity for hearing would be provided by the notice in the Federal Register. Thus, a hearing may be held at the discretion of the Commission or if interested parties are permitted to intervene in the matter. If a public hearing were to be held, the same procedures would be followed as for a power reactor.

10 CFR 2.101(a)(2) also makes no distinction between research reactors and other facilities with regard to the requirement of an acceptance review of the application before docketing. Consequently, a predocketing review of the

application for completeness and conformance with regulations is required for research reactors as well as for power and testing reactors.

At the CP stage in the licensing of research reactors, several important distinctions from power reactor cases arise. The first is the matter of an Environmental Statement (ES) for the facility. Research reactors are not among those facilities explicitly listed in 10 CFR 51.5(a)(1)-(9) for which preparation of an ES is required. The Division of Engineering has prepared a generic Environmental Impact Appraisal (EIA) concerning general environmental effects of research reactors up to and including 2 MWt. The ORPM should evaluate the environmental effect of the proposed facility and prepare an EIA and Negative Declaration (ND). If the environmental evaluation demonstrates that the generic environmental appraisal is applicable, it can be relied upon.

Although the construction and operation of a research reactor may have a small effect on the environment, any questions bearing on the environment would likely be reviewed and treated in the EIA and ND for the facility without the issuance of a separate ES (see Section 3.9.4).

A second consideration is the amount of construction work the applicant may undertake before issuance of the CP. Although the regulations require approval for an applicant for a power reactor CP to perform any work, such as site preparation, before issuance of the CP, greater latitude is permitted for research reactors. For example, a university seeking a CP for a research reactor to be housed in a building intended for additional use (such as a college laboratory building) is permitted by 10 CFR 50.10 to construct the building before issuance of the CP. In such a case, of course, the applicant may wish to design the building "around the reactor" but should be made aware that construction of the building does not preclude subsequent denial of the CP for the reactor.

In general, issuance of a CP does not permit loading of fuel into the core structure because a sufficient loading of fuel could allow the reactor to achieve criticality and this would require prior authorization by an OL. However, in certain instances research reactor applicants have been authorized to insert fuel-bearing components into the core structure during the construction phase of the facility. Such components have included control rods with fueled-follower sections, fuel elements containing thermocouples, and fission chambers. The insertion of such components before issuance of an OL must be determined by the ORPM to meet the following criteria as a minimum:

- (1) The amount of fissionable material involved must be well below the amount required to achieve criticality.
- (2) The purpose of the loading is to perform testing on the nonfueled aspects of the component, such as to determine proper alignment of a control rod or to fix the length of the lead wires from a fuel element thermocouple.
- (3) There will be no testing to determine the nuclear characteristics of the fuel in the particular component involved.
- (4) There must be no unacceptable environmental impact.

When these criteria have been met, specific authorization can be given in the CP to insert the components before issuance of the OL.

In accordance with 10 CFR 2.105(a)(1), notice of intent to issue a CP for a research reactor must be published in the Federal Register. At this point, an additional useful step may be taken that is not generally practicable for power reactors. This is the so-called Joint Notice. A Joint Notice basically states the following:

- (1) It is the Commission's intent to issue a CP for the subject facility, and interested parties have a 30-day period in which to request leave to intervene.
- (2) When construction of the facility is completed in accordance with the application, the Commission intends to issue an OL without further prior public notice.

This type of action, which can appreciably shorten the licensing process, hinges on one main point: in order to issue the joint notice, the ORPM must determine that, at the time of issuance, all the significant information required to issue the OL is available and has been evaluated. This means, for example, that there are no major research and development items to be resolved during the construction phase. Technical Specifications for the facility should be in their final form. Minor changes in design may be made during the construction phase, but at the end of the construction phase, the regional inspectors must find that the facility has been constructed substantially as described in the application.

The process of review and issuance of a Joint Notice (CP-OL) is summarized in Table 3.3 and Figure 3.3. Note that 10 CFR 2.106(a)(1) requires post-noticing of these actions that have been pre-noticed.

Following NRC regulations, the staff must make detailed findings at the CP stage with respect to the health and safety aspects of the reactor. This requires in-depth safety and environmental evaluations and an SER (10 CFR 50.40 and 50.41) and an EIA as a minimum (10 CFR 51.5(b)(1)). The SER for the CP need be related only to design and construction. However, it may also cover operations. Certain kinds of plans, such as Physical Security, Emergency, and Operator Requalification, must be submitted by research reactor applicants, but the requirements are scaled down considerably from those of power reactors.

3.9.2 Operating License

The issuance of an Operating License for a research reactor follows the same procedure as for any reactor except, as mentioned before, it is possible to issue it without a separate prior public notice if the Joint Notice procedure has been followed. In either case, if substantial changes in the facility design have not been made during construction, and if the CP findings and associated safety evaluation conclusions have adequately addressed operations also, these may be merely reiterated for the notice of issuance of the OL, without repeating the details included in the CP SER.

Table 3.3 Construction Permit and Operating License
for test or research reactors

Program Step ¹	Task description
1	A complete application is received. The proposed Technical Specifications are included.
2	A notice is placed in the <u>Federal Register</u> that announces the receipt of an application for a Construction Permit (10 CFR 2.101(a)(2)).
3	A Technical Assistance Request is formulated.
4	Review is performed by the appropriate review branches or contractor.
5	Operating Reactors Project Manager (ORPM) coordinates an environmental review and prepares an Environmental Impact Appraisal (EIA), and then the Environmental Statement (ES) or Negative Declaration (ND), whichever is appropriate.
6	A Joint Notice is placed in the <u>Federal Register</u> stating that a Construction Permit will be issued if there is no public intervention within 30 days, and following completion of the facility, an Operating License will be issued.
7	A Safety Evaluation Report (SER) and Technical Specifications are prepared.
8	A determination is made whether the matter is to be referred to the Advisory Committee on Reactor Safeguards (ACRS); if not, Program Steps 17, 18, and 19 are completed ² provided that the public has not intervened.
9	If the matter is referred to the ACRS or subsequently to a subcommittee, the ORPM usually presents the staff position. Coordination with technical reviewers is indicated if technical assistance is required for the ACRS presentation.
10	Following the ACRS meeting, the Committee makes its recommendations known by a letter to the Commission.
11	A supplement to the SER is prepared.
12	If a request to intervene has not been received, Program Steps 17, 18, and 19 are completed. If a request has been received, plans are made to conduct public hearings. ³

¹See Figure 3.3.

²A Construction Permit for a test facility (power in excess of 10 MWt or with circulating loop experiments) must be referred to the ACRS. Research reactors may be referred at the discretion of the staff.

³Public hearings on Construction Permits for test reactors are mandatory (10 CFR 50.58).

Table 3.3 (Continued)

Program Step	Task description
13	Coordination with the Office of the Executive Legal Director (OELD) is pursued to prepare testimony.
14	Public hearings are scheduled and subsequently held.
15	Findings of Fact and Conclusions of Law are prepared by OELD. The Atomic Safety and Licensing Board issues an Initial Decision after completion of the hearings.
16	A license package is assembled that contains the following: <ul style="list-style-type: none"> (1) A letter to the licensee (2) The SER and Technical Specifications (3) A copy of the notice to be published in the <u>Federal Register</u> (4) The Construction Permit (5) ES or ND and EIA or finding
17	Concurrence is sought from management, OELD, and technical reviewer (if appropriate). If concurrence fails, the license package may require revision.
18	Following concurrence, the package is transmitted to the licensee and the notice is published in the <u>Federal Register</u> .
19	Once the facility is complete, Office of Inspection and Enforcement (IE) performs and reports on the results of an inspection to verify that the facility has been constructed in accordance with the application.
20	The SER, the IE inspection report, and amendments to the construction permit, if any, are reviewed.
21	A license package is assembled that contains the following: <ul style="list-style-type: none"> (1) A letter to the licensee (2) The Operating License (3) A copy of the notice to be published in the <u>Federal Register</u> (4) Environmental impact evaluation.
22	Concurrence is sought from management, OELD, and technical reviewer (if appropriate). If concurrence fails, the license package may require revision.
23	Following concurrence, the package is transmitted to the licensee and the notice is published in the <u>Federal Register</u> .

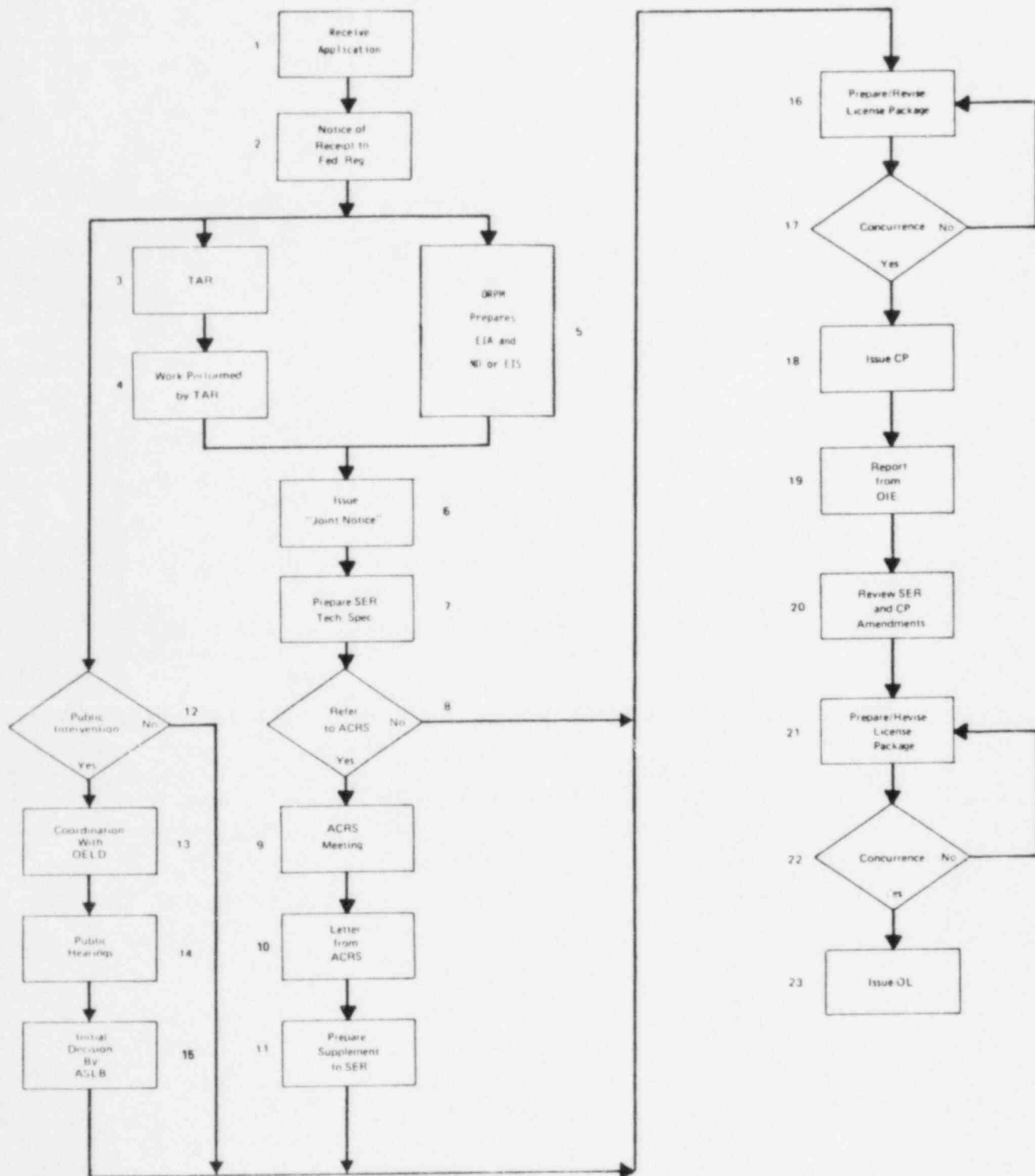


Figure 3.3 Construction Permit and Operating Licenses for Test or Research Reactors

3.9.3 Safety Evaluation

The safety evaluation for a research reactor should follow as closely as possible the format of those for power reactors. A modified format was adopted for research reactors in 1981/82. The following specific items require special attention:

(1) The Site

Research reactors generally do not have the large exclusion areas customary for power reactors and occasionally are located in highly populated urban areas. The unrestricted area normally begins where the reactor building ends but can sometimes include areas within the reactor building, as in university laboratory buildings.

(2) The Building

A research reactor building usually has no containment comparable to a power reactor, has a short or no ventilation stack, and may, within its own confines, contain unrestricted areas. Therefore, in many cases, establishing the bases for radiation dose calculations is more difficult than for power reactors. A method for calculating doses from effluents from small buildings will be established in a proposed Regulatory Guide.

(3) Routine Releases

Because of their possible proximity to inhabited areas, research reactors are usually not permitted to release fission products to the atmosphere routinely. Furthermore, if fission products escape from the fuel cladding, such a fuel element is defined in Technical Specifications as "damaged," and must be replaced in order to continue operations. Small amounts of airborne radioactive effluent, however, may be released, generally in the form of non-fission-product gases such as argon-41 and nitrogen-16 resulting from the neutron irradiation of air and/or water. Such releases are governed by the provisions of 10 CFR 20 for unrestricted areas. An ANSI standard, "Radiological Control at Research Reactors," has been prepared and may prove helpful to the ORPM in his review (ANSI/ANS 15.11-1977 (N628)).

(4) Accidental Releases

Accidental releases of radioactive materials to the environs of a research reactor could occur as the result of the failure of one or more fuel elements or of failure of an experiment in the reactor. Such accidents are usually considered in the safety evaluation at the CP stage. The guideline doses for siting purposes given in 10 CFR 100 do not apply to research reactors. Furthermore, the doses permitted under 10 CFR 20 for normal operations should not be used as criteria because they may be overly restrictive for accident situations. Both of these premises have been upheld by the ASLAB in the Columbia University reactor proceedings. ANSI has issued an industry standard on siting criteria for research reactors (ANSI/ANS 15.7-1977 (N379)), which may be helpful for the ORPM in making

an ad hoc determination in each case. In any event, the radiation doses deemed acceptable should be well within the guidelines of 10 CFR 100.

(5) Design-Basis Accident

For power reactors, various design-basis accidents are postulated to assess the design acceptability of different systems. For research reactors, a single design-basis accident or event is usually postulated for the purpose of judging the likelihood and the severity of an accidental fission product release. In the past, a range of credible accidents was postulated by the applicant and the most severe, termed "maximum credible accident," was chosen for detailed review. In the light of recent ASLAB decisions, an acceptable method for establishing the design-basis accident is to establish a range of credible events and then postulate an accident somewhat more severe than any considered credible. In certain types of reactors, the postulated accident may not lead to the release of fission products from the fuel. In any case, for research reactors, a postulated failure of an experiment must also be considered because it could lead to consequences more severe than a failure of reactor systems or components. Such an event is better referred to as a maximum hypothetical accident because it is neither directly related to facility design nor considered to be credible.

3.9.4 Environmental Evaluation

The National Environmental Policy Act of 1969 (NEPA), Section 102(c), requires all agencies of the Federal Government to prepare detailed environmental statements for "...major Federal actions significantly affecting the quality of the human environment..." Licensing and other regulatory actions involving research reactors are Federal actions that may fall under the Act if the consequences of such actions significantly affect the quality of the human environment.

For testing reactors, 10 CFR 51.5(a) requires preparation of an Environmental Impact Statement (EIS or ES) before a CP or an OL is issued regardless of the magnitude or type of expected environmental impact. The applicant must provide the basic input on which the EIS is based.

For licensing and associated regulatory actions for research reactors, 10 CFR 51.5(b)(1) requires that a determination must be made concerning whether or not the action would significantly affect the human environment. If so, an ES would be required. If not, and with certain exceptions, a Negative Declaration (ND) and supporting Environmental Impact Appraisal (EIA) would be required by 10 CFR 51.5(c). According to 10 CFR 51.5(c)(1)-(9), an ES is not explicitly required by regulation for licensing a research reactor.

For the purposes of NEPA, a major Federal action relating to research reactors is any action that affects the construction or operation of the facility including, but not limited to, actions to obtain

- (1) Construction Permits (for new or supplemental construction)
- (2) Operating Licenses
- (3) Amendments to Construction Permits and/or Operating Licenses

- (a) extension or terminations (including partial or total dismantling of the reactor) of permits or licenses
- (b) increases in authorized power levels
- (c) Technical Specification changes

For the above actions, a determination must be made as to the need for an ES. An ES will be required if the action results in the quality of the environment being affected in a significant manner. Because of the nature of research reactors, licensing actions for these facilities usually do not require preparation of an ES unless major construction or modification is involved. If an ES is required, it will be prepared in the same manner as other environmental reviews as provided for in 10 CFR 51.

In 1974, Environmental Projects prepared a generic EIA concerning the effects of research reactors authorized to operate at steady-state power levels up to and including 2 MWt. In 1980, this was reviewed and reissued. This EIA could form the basis for a decision as to whether an EIS is required for a particular reactor under review. However, the specific reactor must operate in the relevant power range, have no special features, and be generally similar to the reactors considered in the generic EIA. Furthermore, this generic EIA does not constitute an EIA for the reactor under review; instead, a separate EIA must be prepared that may show and conclude that there are no special considerations to preclude reliance on the generic EIA.

If it is determined that an ES is to be issued, there are certain actions required by 40 CFR 1500-1508 concerning scoping - that is, what will be covered in the document and in what detail. The scoping process normally leads to a scoping meeting, open to members of the public, that aims to determine the scope of the ES and to identify the significant issues involved. This process is undertaken with the intent of ensuring that the review leads to an adequate environmental analysis, including all reasonable alternatives and mitigation measures.

When it is determined that an ES is not required, it must further be determined whether an ND will be required.

- (1) An ND will be prepared for the licensing action if the action authorizes a significant change in effluent types or total amounts or an increase in power level but the quality of the environment will not be affected in a significant manner. Although not necessarily meeting these guidelines for requiring an ND, it may be prudent to prepare NDs for actions that are of a sensitive nature, such as decommissioning.

The ND will be prepared before the associated regulatory action is taken and will state that the Commission has decided not to prepare an ES for the particular action and that an EIA, setting forth the basis for that determination, is available for public inspection. NDs will be published and made publicly available in accordance with 10 CFR 51.50(d) and 51.55.

- (2) An ND will not be required if the results of the action (from the standpoint of environmental impact) are nonsubstantive and insignificant in nature, or do not involve changes in operation discussed in Item 1 above.

If it is determined that an ND is not required, then this finding must be so stated in the SER or in the letter notifying the applicant of the licensing action.

An EIA is prepared in support of all NDs to document and provide the basis for the ND. The EIA will include

- (1) a description of the proposed action
- (2) a summary description of the probable impacts of the proposed action on the environment
- (3) the basis for the conclusion that no ES need be prepared

Initially, the ORPM must determine the environmental nature of the action as discussed above. If the ORPM has determined that an ES is not required, he must determine if the action is such that an ND is required. The appropriate technical review branch should be consulted in cases of uncertainty. If an ND is not required, then the ORPM makes the appropriate statement in the letter advising the applicant of the action. If an ND is required, the ORPM prepares an ND and supporting EIA. Identification of these cases should be made at the earliest possible time so that the ND and EIA do not become the critical path in the licensing action.

The applicant should provide, as part of his application, appropriate documentation outlining the nature of the licensing action requested and an assessment of any environmental consequences, including a description of the facility, its surrounding environs, how the action requested will affect the quality of the human environment, and a listing of any effluents and other waste streams, waste storage facilities, and so forth, together with an evaluation of these items as far as expected environmental consequences are concerned. This information should provide the basis for the EIA and substantiate the ND, but should be supplemented, if necessary, by an appropriate request to the applicant.

Specific procedures relating to amendments for research reactor licenses are given in Division of Operating Reactors Memorandum No. 5.

3.9.5 Technical Specifications

Technical Specifications for research reactors follow the same general format as for power reactors. However, there exists a "Standard for the Development of Technical Specifications for Research Reactors" (ANS 15.1-1982) that NRC helped to develop and has committed to use as a standard guide for those aspects of operation specific to research reactors. Moreover, Regulatory Guide 2.2, "Development of Technical Specifications for Experiments in Research Reactors," November 1973, may be used for evaluating proposed experimental programs and establishing appropriate Technical Specification limits for research reactors. Additional Division 2 (Research and Test Reactors)

Regulatory Guides that may be of value in establishing Technical Specifications are "Operating of Fast Pulse Reactors" and "Performance of Critical Experiments." Additional Regulatory Guides for research reactors will be developed as consensus standards are proposed or developed by the ANS-15 Subcommittee.

Changes to Technical Specifications of research reactors are generally accomplished in the same way as for power reactors. One exception is that license amendments that do not involve a significant hazards consideration are not noticed in the Federal Register.

3.9.6 License Amendments

License amendment procedures for research reactors are generally similar to procedures for power reactors. Applications for amendments must be filed with the Commission in accordance with 10 CFR 50.90. If the amendment involves a significant hazards consideration, pre-notice of a proposed amendment to a research reactor license must be published in the Federal Register, in accordance with 10 CFR 2.105(a)(3) and 50.91. If the proposed amendment has not been pre-noticed, the SER must contain a statement that no significant hazards considerations are involved and the specific bases for that determination.

In accordance with 10 CFR 2.106(a)(1), notice of the issuance of an amendment must be published in the Federal Register if the proposed amendment was pre-noticed. If the proposed amendment was not pre-noticed, post-noticing of the issuance is not necessary. Based on 10 CFR 2.106(a)(2), this post-notice requirement for research reactors differs from that for power and testing reactors.

3.9.6.1 Safety and Environmental Considerations

For all license amendments having a potential impact on health and safety, an SER is required for research reactors as well as power reactors. The SER must describe the proposed change, evaluate the basis and consequences of the change, and support and justify any special conditions and the conclusions.

In relation to the environmental evaluation, issuance of a license amendment for a research reactor is not among the actions specifically listed in 10 CFR 51.5(a)(1)-(9) as requiring an EIS, nor is it expressly included in 10 CFR 51.5(b) as one of the actions for which 10 CFR 51.5(c) requires at least an EIA. Consequently, amendments to research reactor licenses appear to fall under 10 CFR 51.5(d)(4) unless they are covered by 10 CFR 51.5(a) and (b).

If it is determined that the research reactor license amendment does not constitute a major Federal action significantly affecting the quality of the human environment, the SER should contain a standard statement, with bases, that EIS, EIA, and ND are not required. However, according to 10 CFR 51.5(b)(2), a statement saying "does not involve a change in effluent types or total amounts, or an increase in power level" applies to Class 103 licenses, and is not appropriate for a Class 104 license amendment.

3.9.6.2 Power Level Increase

The regulations do not explicitly require either an EIS or EIA for a license amendment increasing the operating power level of a research reactor (see 10 CFR 51.5(b)(2)). Neither do the regulations limit the maximum power level nor maximum increase in power level for research reactors, until the level of a testing reactor facility is reached (10 CFR 50.2(r)). Because an increase in power level could change significantly the environmental impact previously evaluated, OELD recommends that an EIA be prepared for power increase amendments for research reactors.

3.9.7 License Renewals

The Atomic Energy Act of 1954 does not specify a limit on the period for which a Class 104 license can be issued. Nevertheless, 10 CFR 50.51 requires that all licenses be issued for fixed periods of duration, not to exceed 40 years. Thus, for research reactors, both CPs and OLs must be issued for specific periods of time. This means that eventually all OLs for research reactors will be candidates for renewal or for other action, such as decommissioning. The current NRC position is that renewal of a research reactor OL is equivalent to reissuance of the license. As such, pre-notice of the proposed reissuance is required by 10 CFR 2.105(a)(1), regardless of any determination of whether the proposed action involves a significant hazards consideration. Furthermore, according to 10 CFR 2.106(a)(1), post-noticing will be required on issuance of the renewed license. The pre-notice provides the opportunity for public intervention in the renewal action. Renewal of an Operating License for a nonpower reactor is accomplished as an amendment to the current license.

3.9.7.1 Timely Filing and Information Required

10 CFR 2.109 provides that if a licensee applies for renewal at least 30 days before expiration of the existing license, it will be deemed to remain valid until the application is acted upon by the NRC.

Because the action applied for is "reissuance" of an OL, the application should comply with the same general standards and criteria as an application for a new facility. Therefore, the licensee should update and resubmit the information required by 10 CFR 50.33 and 50.34. This may be a complete resubmittal or may be accomplished by incorporating previously filed applications and amendments by reference according to 10 CFR 50.32.

3.9.7.2 Safety and Environmental Considerations

The safety review performed for a license renewal will be equivalent to that performed upon initial licensing. This is necessary to evaluate whether the facility continues to meet all regulatory requirements, to determine if safety problems have resulted from years of operations, and to make appropriate environmental evaluations now, perhaps some 20 years since the initial licensing review. However, unless significant changes in operating parameters are also involved in the license renewal, it is likely that no new impact on the environment will be involved. Operating experience provides important input for both safety and environmental considerations.

As mentioned earlier, the current NRC practice is to perform these technical reviews and to issue an SER that is similar in form to an SER for a power reactor but is commensurate with the small potential risk to the public.

For a research reactor, an EIA should be prepared for a license renewal action, even though it does not appear to be specifically required by regulation. As in the case of other license amendments, an EIA associated with a license amendment that renews an OL may be based largely on the generic EIA if applicable.

3.10 Review of Government-Owned and -Operated Nuclear Facilities

Reactor facilities owned and operated by agencies of the Federal Government, primarily U.S. Department of Energy (DOE) and Department of Defense (DOD), are generally not licensed by NRC. However, if requested, NRC provides advice and comment on the safety or environmental impact of new reactors, major modifications to existing reactors, and other unreviewed safety or environmental questions to the organization responsible for the facility. NRC is also responsible for referring special cases to the ACRS for review. It is normally interpreted that if the steady-state power level of the facility is 10 Mwt or greater, or if the facility has unique design features, the case must be referred to the ACRS. This is analogous to the practice established by regulation with respect to testing reactors licensed by NRC.

The primary role of the ORPM during the review of these facilities is to coordinate the efforts of the various technical review (TR) branches, if required, and to perform the overall safety and/or environmental review.

The results of the review and evaluation effort are assembled and integrated by the ORPM and form the bases for a letter and Safety Evaluation Report that are transmitted to the cognizant agency. The majority of questions and problems can be resolved by meetings with the cognizant Government groups and their contractors. The ORPM arranges these meetings through the agency and issues a meeting notice containing the agenda to the cognizant Government agency and all NRC personnel participating in the review.

If the information provided at the meeting is important to the resolution of significant issues, the information should be provided in writing to the staff. Those issues not resolved by the time a staff letter and SER are prepared for transmittal to the requesting agency shall be included as unresolved safety or environmental issues. An attempt should be made to resolve as many issues as the time allowed for the review will permit. If possible, the ORPM will propose solutions to these unresolved safety issues that are acceptable to the staff. Unlike safety reviews performed for licensing action, the review of Government reactors requires only NRC staff comments and recommendations, not approval. It should be recognized, however, that the comments and recommendations, if related to significant safety or environmental concerns, may have nearly the same impact as approval or disapproval.

The schedule under which the review is performed usually is controlled by the program needs of the requesting Government group and not the review needs of the NRC staff. Therefore, the period of time over which the review is performed

may be minimal (sometimes less than 60 days), and the depth of the safety review will be, accordingly, less than in most licensing reviews. Any delay in the program requirements may be absorbed by the staff and some delays may be possible if significant safety issues are found during the NRC staff review.

When the review has been completed and all safety issues have been resolved or identified to the satisfaction of the NRC staff, the ORPM prepares an SER that may be a separate document or may be included in the memorandum to the Government agency. The cover letter (memorandum) will provide a summary of the comments and recommendations and should briefly describe the extent of the review. Because the review is usually limited to those safety or environmental aspects requested by the Government group, the overall depth and extent of the safety review is not intended to be completely comprehensive. If all safety and environmental issues have not been resolved to the satisfaction of the NRC staff, positions on these issues should be developed and discussed with NRC management for resolution of the position to be presented in the cover letter and SER. The cover letter and SER should then be prepared and should include the comments and recommendations presenting the NRC position to the Government agency. Upon completion of the review, the project is completed. The operating safety of the facility is not followed by the regional office or NRR as is required for a licensed facility, but is the responsibility of the cognizant Government group.

In general, a Project Manager will have been designated as the principal point of contact for recurring reviews of certain types of facilities, or for a cognizance role related to specific unique facilities.

4 GENERAL PROJECT MANAGER RESPONSIBILITIES

Section 2 describes the responsibilities of the Project Managers in general with detailed attention to those assigned to licensing reviews. Section 3 describes the responsibilities of the Operating Reactors Project Managers. This chapter describes the responsibilities common to both types of Project Managers (PMs).

4.1 Development of New NRC Positions

During the review and evaluation of an application, it is not unusual for the PM to encounter a new technical issue that requires the development of a staff position. The PM and associated review personnel should initially determine the extent to which the issue affects other proposed and licensed facilities. An issue that is peculiar to a single facility and with limited impact can most likely be resolved among the PM, associated review personnel, and their respective branch chiefs. Other issues of greater impact, including those that might have generic implications, may require decisions at higher levels of management and review by the Committee To Review Generic Requirements (CRGR).

The PM's responsibilities in the development of new positions are:

- (1) recognize that an issue is new and needs a staff position
- (2) pursue the development of a position with appropriate assistance from the technical specialists (assuming the issue is not of the complex variety requiring task force action)
- (3) keep the branch chief apprised of the status of the issue so that higher levels of management may be kept informed
- (4) appropriately document the issue under review and its resolution

If a new position is developed that represents a major increase or decrease in safety requirements or scope of review for any Standard Review Plan (SRP) section, a change to the SRP should be initiated. Such changes are processed by the Licensing Guidance Branch in the Division of Safety Technology. Before final approval, an SRP revision and an associated value-impact statement will be published as a "Proposed Revision to the Standard Review Plan" for public comment. The comment period permits the public to participate in the decision-making process before the SRP section is approved and issued in final form and encourages public input to the content of new requirements and to the value-impact statement associated with each new or revised section of the SRP. A procedure and guidelines for processing a proposed revision to the SRP can be found in NRR Office Letter No. 2. Proposed changes to the SRP for clarification, to correct errors, to update references to new or revised regulations and Regulatory Guides, and proposals for substantive revisions to the plan should be transmitted to the Chief, Licensing Guidance Branch, for processing.

4.2 Development of Regulations and Guides

The development of regulations that identify and define requirements imposed on applicants and nuclear facilities and Regulatory Guides that identify and define acceptable solutions to safety concerns are the responsibility of the Office of Research. However, to best obtain the benefit of experience gained through the review and evaluation process and through the operation of nuclear facilities, assistance in the development of these regulations and guides is usually requested from the Office of Nuclear Reactor Regulation (NRR). Specifically, PMs may be assigned the task of reviewing and commenting on draft regulations and guides prepared by the Office of Research. For example, a Division of Licensing (DL) branch chief may assign the review of a draft Regulatory Guide to a PM based on the PM's familiarity with the subject matter therein, or his availability. In other instances, the branch chief may elect to have more than one PM review a proposed guide or regulation. During these reviews, the attention of the PM should be directed primarily toward a determination of technical adequacy and of practicality of implementation. The comments are then returned to the Office of Research for consideration. Drafts of Regulatory Guides or positions taken for regulations or guides are made available to the public, upon request.

4.3 Development of Standards

A major effort in the development of standards and codes that provide guidance in many areas for the design, fabrication, construction, installation, and operation of a nuclear facility is undertaken by the various technical societies supported by both industry and government. The NRC has one or more persons on many of the committees established to develop standards. These individuals are usually personnel from the Office of Research, but several NRR specialists also participate. In some cases, PMs may be assigned to assist in the development of standards. Members of these standards committees serve as individuals and cannot commit the NRC; however, their contributions must reflect the NRC positions.

As draft standards are prepared by the technical committees, they are submitted to the NRC for review and comment. PMs may be assigned to assist the Office of Research in this review in the same manner as that described previously for regulations and guides.

4.4 Handling of Specific Technical Tasks

Other divisions and offices have prime responsibility for the review and evaluation of technical matters involved in the licensing process. However, on occasion, it may become necessary for a PM, assisted by other PMs if necessary, to perform the review and evaluation effort in a particular technical area. Such a situation could occur because of a temporary work overload in a technical review area, as an example. In this event, prior agreement must be obtained between DL and the organization normally responsible for the review. It is the responsibility of the PM to alert management of any impending situation of this sort so that a timely decision can be made and appropriate action initiated.

4.5 Topical Report Reviews

The topical report review program is designed to complement the normal regulatory review process for licensed facilities. PMs in the Standardization and Special Projects Branch may be assigned the responsibility to manage the review of specific topical reports. The PM decides what review assistance is required, and initiates a Technical Assignment Control (TAC) form to obtain the necessary input. It is possible that a series of questions and answers will be involved before an evaluation can be prepared by the PM. The review status is monitored by the Office of Resource Management (ORM). Upon conclusion of the review and the preparation of appropriate documentation, the vendor or architect-engineer should be notified in a very specific manner what the approval means and how the topical report will be used.

It should be noted that an applicant may make reference in the Safety Analysis Report (SAR) to previously filed topical reports even though such reports have not been approved by the staff. The status of all topical report reviews is summarized quarterly in the Topical Report Review Status document issued by ORM.

4.6 Participation On Ad Hoc Committees and Task Forces

One of the management techniques for performing a study or resolving a safety problem in an efficient and expeditious manner is to establish a committee or task force, composed of members from the affected NRC groups, with a charter to accomplish the assigned task. PMs can be assigned to such ad hoc groups, usually for a preplanned period, on either a full-time or part-time basis.

4.7 Special Licensing Evaluations

Occasionally, PMs are called on to perform special licensing evaluations that are not normally a part of the review and evaluation process for a Construction Permit (CP) or an Operating License (OL), or are in the nature of a preapplication review. An example is a preapplication review of an advanced reactor concept. These types of special evaluations are generally assigned to DL personnel with assistance from review branches as necessary. Specific personnel assignments are made by the Assistant Director and branch chief.

4.8 Handling of Principal Correspondence and Public Relations

Communications received by NRC from external sources that are not considered routine fall into the category of principal correspondence. These include communications from congressional sources, Government agency heads, state and local officials, the general public, foreign officials, and various industrial and civic organizations. For further description of principal correspondence and its handling, see NRR Office Letter No. 4.

Occasionally, it is necessary that a PM prepare the reply to principal correspondence because it relates directly to the project or because it involves technical considerations, generally of a broad nature, that are best handled by a PM. Assignment of a PM to handle a particular piece of principal correspondence is usually made through the branch chief by the Assistant Director who has been designated as the responsible action official.

In view of the NRC's responsibility for keeping the public well informed, it is necessary for PMs to participate in public meetings on occasion in connection with specific license applications. At such meetings, the PM may be required to describe the details of the license review process with emphasis on technical and procedural aspects.

4.9 Relationship to the Technical Assistant

Technical assistants serve as technical specialists and assistants to some Assistant Directors. As such, the technical assistant assists the branches in the coordination of technical reviews and the establishment of staff positions for special technical issues and for generic issues. This includes coordinating the requests for technical assistance from the Office of Research relative to development of regulations, Regulatory Guides and standards; identifying new problem areas and assisting in their resolution; ensuring consistency in the approach to safety reviews and the preparation of Safety Evaluation Reports (SERs); compiling and maintaining documentation on procedures, technical positions, and background information; and preparing memoranda that provide general guidelines for reviewing, processing, and establishing technical positions and important evaluation points. The technical assistant also performs a variety of technically related tasks including compiling and reviewing schedule information for NRC management and performing special assignments as directed by the assistant director. The technical assistant is available to provide assistance to PMs, and PMs should not hesitate to request assistance in any of the above areas.

4.10 Liaison With Other Project Managers

In addition to seeking guidance from the branch chief and the Assistant Director, one of the principal techniques that a PM can employ to determine how a particular safety or environmental issue was resolved on another application, whether specific analyses were performed in connection with the evaluation of an issue, or the details of the evaluation of the applicant's response to an issue is to contact other PMs who had to face the issue on another application. Not all of this type of information is always documented in a form that permits other regulatory personnel easy access, but rather is located in the PM's personal files in the form of handwritten notes and analyses. To increase the effectiveness and efficiency of PMs, extensive communication between PMs on common technical problems is encouraged. At times this may take the form of group discussion in which one or more of the PMs will relate experiences on a given new problem area. The dynamic nature of the review process and the constant evolution of reactor technology make all types of formal or informal liaison very important.

4.11 The Regulatory Activities Manpower System

The Regulatory Activities Manpower System (RAMS) is a system for recording time spent on specific activities. Each employee reviews a weekly preprinted reviewer level report to use in recording time for the week. It is important that time expenditures be reported conscientiously and accurately because information from this system forms the basis for regulatory fees, NRR budget justification, and manpower allocations within NRR.

The Technical Assignment Control (TAC) system is a subsystem within the RAM system. The TAC system is used primarily by Operating Reactor Project Managers (ORPMs) when review assistance is needed for a specific task to be performed by a technical review branch. More information on the ORPM's use of the TAC system is given in Section 3.5.1. Detailed instructions on RAM and TAC systems are given in the Users' Guide transmitted by NRR Office Letter No. 27.

4.12 Technical Assistance From Contractors

NRR often uses program support funds to contract with national laboratories or other organizations to provide technical assistance to the NRR staff. Most of these funds are administered by the branches performing technical reviews, but a PM may be called upon to administer a contract.

4.13 Differing Professional Opinions

During the normal course of NRR work, differing professional opinions on how to handle a given technical issue may arise. NRR is an open agency and it is important that such differing professional opinions be appropriately discussed and resolved. Procedures for handling differing professional opinions are given in Manual Chapter 4125 and are also discussed in NRR Office Letter No. 11.

4.14 Handling of Proprietary Data

Applicants sometimes submit information in support of an application that they request be withheld from public disclosure. Such requests are not always granted. A review must be conducted to determine whether the information is a trade secret or confidential or privileged commercial information and, if so, should be withheld. In most cases this review will be conducted or coordinated by the Project Manager. Procedures for processing requests for withholding are contained in NRR Office Letter No. 42.

4.15 Utility Commitments

Applicants or licensees often make written commitments to NRC to identify specific future actions they intend to take, usually in response to some NRC safety concern. Commitments of this type are not binding on the utility. To the extent that such commitments are judged to be a necessary element to support an acceptable finding, they should be clearly spelled out in the SER. It may be that such commitments also become license conditions in some cases. More information on this subject may be found in NRR Office Letter No. 34.

4.16 Reporting of Abnormal Occurrence Events

Section 208 of the Energy Reorganization Act of 1974 requires the Commission to (1) provide abnormal occurrence event information to the public within 15 days after receiving information regarding such an occurrence and (2) submit to the Congress a quarterly report listing any abnormal occurrences that have occurred during that reporting period. As defined in Section 208, an abnormal occurrence is an unscheduled incident or event, at or associated with any facility licensed or otherwise regulated by the NRC, which the Commission determines is significant from the standpoint of public health and safety. Criteria

for deciding whether an event is reportable and procedures for reporting such events may be found in NRR Office Letter No. 21. Abnormal occurrence reports are often referred to NRR for review and evaluation.

4.17 10 CFR 21 Notifications

10 CFR 21, "Reports to the Commission Concerning Defects and Noncompliance," requires directors and responsible officers of firms and organizations building, operating, or owning NRC-licensed facilities or conducting NRC-licensed activities to report defects in components and failures to comply with regulatory requirements that could create a substantial safety hazard. These notifications are usually sent to the regional office; however they are sometimes transferred to NRR for review. NRR Office Letter No. 18 gives the procedure for handling these reviews.

4.18 Requests To Modify, Suspend, or Revoke a License Under 10 CFR 2.206

10 CFR 2.206 states that any person may file a request for certain NRC officials, including the Director of NRR, to institute a proceeding to modify, suspend, or revoke a license or to take such other actions as may be proper. Project Managers are often called upon to handle such requests. Specific procedures for handling these requests may be found in NRR Office Letter No. 17.

4.19 Review of Inspection Reports

The regional offices prepare reports that summarize the results of inspections performed by field personnel at the reactor facility site; at the offices of the applicant, nuclear steam supply system vendor, and architect-engineer; and at the facilities of various manufacturers and suppliers. During the CP review, the inspection reports are concerned primarily with the applicant's implementation of the quality assurance program and with the adherence by various manufacturers to design and fabrication requirements for long lead items such as the reactor pressure vessel. During the post-CP phase and during the OL review, the inspection report covers substantially more areas of activity.

Inspection reports are distributed to the various groups in NRC and to the applicant for information. Inspection reports applicable to the PM's project should be reviewed in detail to assist in the review and evaluation of the application. This is one of the techniques available to the PM for continually improving the quality of the review. Those problem areas with implications for other plants eventually should be incorporated in the Standard Review Plan for consideration on all future projects.

4.20 Daily Highlights

A daily highlight is an item of information of such significance that the Commission or NRR management should be alerted to it. The PM has the responsibility to determine when a daily highlight will be written. Typical subject matter to be covered by highlights is listed below. The list is intended to be illustrative and not all inclusive. The philosophy is generally, "if in doubt, issue a highlight."

- (1) Exemptions and Orders
- (2) prospective exemptions 7 days before expected issuance (or as early as possible when this much time is not available)
- (3) major licensing actions, e.g., CP and OL issuance, authorization to increase power, or authorization to replace a major component
- (4) significant events related to a hearing, or that might lead to a hearing, or public meeting
- (5) component failure and/or operating problems that either cause a prolonged reduction in power capability or necessitate a plant shutdown
- (6) occurrences or issues that have the potential for becoming an abnormal occurrence or requiring a prompt resolution on a generic basis, or of significant public interest
- (7) conclusions regarding technical issues that have high visibility and interest, e.g., pipe cracks or qualification of electrical components
- (8) results of investigations of unusual occurrences
- (9) releases of chemicals or radioactivity that significantly exceeded Technical Specification limits (e.g., extended duration or large quantity)
- (10) significant staff activities with other agencies that have broad interest or when conclusions are reached (e.g., Council on Environmental Quality, 40 CFR 190)
- (11) meetings with all utilities or owner groups that have high visibility or significant impact on licensees
- (12) important meetings that might be of unusual interest to NRR management and Commissioners (e.g., meetings with NRC contractors regarding new information for hydrogen in ice condensor containments)

Each highlight should be as brief as possible but should to the extent possible

(1) describe the occurrence (issue or action), (2) the significance, (3) what is being done to resolve the occurrence, and (4) conclusions reached.

The PM originates the daily highlights memorandum. The memorandum shall be hand carried up through the branch chief (for concurrence). In addition, the copies for other DL personnel and for the NRR Office Director and his staff should be hand carried. The other copies should be mailed the same day as written.

Daily highlights are intended for the Commissioners and must be sent to them in a timely manner. Therefore, a highlight which describes one day's event must be received by the Director, DL, and the NRR Director's Office by 8:30 AM the morning following the day of the event. Each daily highlight that is sent to the Office of the Executive Director for Operations (EDO) is approved by

the Deputy Director of NRR and forwarded to the EDO by 9:00 AM for incorporation into the Daily Staff Notes. Such notes go to the Commission and receive a very limited distribution. The daily highlights should be limited to those items (past and future) of significance that the PM believes the Commission or NRR management should be alerted about.

4.21 Systematic Assessment of Licensee Performance

In late 1981, the NRC officially instituted a program to assess the overall performance of licensees. The program applies to all power reactors with Operating Licenses or Construction Permits.

The objectives of the Systematic Assessment of Licensee Performance (SALP) are to improve the NRC regulatory program with emphasis on resource allocation and to improve licensee performance. SALP is an integrated NRC staff effort to collect available observations on an annual basis and evaluate licensee performance based on those observations. Positive and negative attributes of licensee performance are considered. Emphasis is placed upon understanding the reasons for the licensee's performance in important functional areas and sharing this understanding with the licensee.

The SALP process is oriented toward furthering NRC's understanding of the manner in which (1) the licensee management directs, guides, and provides resources for ensuring plant safety and (2) such resources are used and applied. The integrated SALP is intended to be sufficiently diagnostic to provide a rational basis for allocating NRC resources and to provide meaningful guidance to licensee management.

Licensee performance is assessed by a SALP Board set up by the regional office. The PM must attend SALP Board meetings or be represented by the branch chief. In these meetings the PM participates in the discussions and provides opinions as applicable on all parts of the evaluation and the SALP Board report. Such meetings are held at the regional headquarters and utility offices.

The PM must prepare an integrated NRR evaluation of the licensee's performance. This report should include input received in response to DL solicitations from the Division of Human Factors Safety (to at least include reactor operator qualification results) and other divisions that interacted with the utility during the period being evaluated. For OL reviews, this will encompass most of the elements in the NRR organization.

More detailed information on the PM's SALP duties may be found in Manual Chapter 0516 and in NRR Office Letter No. 44.

4.22 Notification of Licensing Boards of Relevant and Material New Information

It is NRC policy that any new information which is material and relevant to licensing proceedings is provided promptly to appropriate licensing boards. The PM may play a key role in ensuring that any such issue or information is identified early and brought to management's attention immediately. NRR Office Letter No. 19 and Appendices A-6, A-8, A-12, and A-20 contain procedures for ensuring prompt and appropriate action on notifying licensing boards, the Appeal Panel, and the Commission of new information which is considered by the

staff to be relevant and material to one or more licensing proceedings. These revised procedures reflect the experience gained since the original NRR Office Letter No. 19 was issued on July 6, 1978.

This Office Letter places an obligation on all NRR staff members to be alert to the significance of new information that is developed in the course of their review and to consider whether this information could reasonably be regarded as putting a new or different light on an issue before boards or as raising a new issue after publication of the staff's principal evidentiary documents. This is the central theme of the procedures and requires the exercise of good judgment to ensure that boards will not be burdened with material beyond that potentially significant to the individual licensing proceedings. Each PM should be familiar with the content of NRR Office Letter No. 19 and the appropriate appendices.

4.23 Technical Assistance to Regions

NRR often receives requests from the regional offices to provide technical assistance to the region. Examples of the type of assistance requested are:

- (1) The regional office may decide that a specific plant event, inspection finding or licensee notification involves the need for a licensing action.
- (2) An event of the type just discussed may have short-term generic implications for other plants.
- (3) A regional office may need additional expertise or manpower in the exercise of its normal activities.
- (4) Other types of assistance may be requested.

The requests for assistance will normally be in the form of memoranda from the regions addressed to the Director, Division of Licensing, and are referred to the Assistant Director for Safety Assessment who has the overall responsibility for the response. A Project Manager is usually assigned to manage the task.

In most cases, the PM should initiate a Task Interface Agreement (TIA). The TIA should contain an action plan that outlines the actions to be taken and assigns specific actions to various NRR and regional organizational units. The principal function of the TIA is to ensure a clear understanding of which office is responsible for various elements of the NRC response, thereby avoiding duplication of effort. The TIA must be approved by the appropriate managers.

A procedure for the handling of technical assistance requests from regional offices is in preparation and will eventually be issued as a DL Operating Procedure.

The overall responsibility for the response should be assessed. A Project Manager is usually assigned to manage the task.

4.24 Processing Allegations

The procedure for processing allegations made involving NRC licensed facilities or activities is discussed in NRR Office Letter 41.

5 PROJECT MANAGEMENT SUPPORT FUNCTIONS

A support system has been developed to minimize the administrative workload of the Project Manager (PM) and to assist in the administrative aspects of the licensing process.

The internal support available within the Division of Licensing (DL) branches includes secretarial personnel and licensing assistants. In addition, the Planning and Program Analysis Staff issues memoranda and Office Letters that provide instructions and guidance applicable to PMs. The Office of Administration provides support services in the areas of maintenance of official NRC files, typing support, dictating services, graphics, reproduction, and library services. Further, the NRC Manual Chapters, which are prepared by the Office of Administration, are directly related to the responsibilities of the PMs.

Other administrative support is provided by the Office of Resource Management, which provides overall research management planning and develops and implements management information systems. (See Section 2.7.2.)

5.1 Licensing Assistant

During the course of the processing of an application for a Construction Permit (CP) or an Operating License (OL), a considerable number of administrative duties must be performed. So that PMs can work in a more effective manner, a licensing assistant is provided in each DL project branch with the specific responsibility for handling most of these administrative duties.

The various duties for which the licensing assistant is responsible include:

- (1) Review applications for a facility license, or where appropriate, a CP or amendment thereof, to ensure that the nontechnical data submitted and its format conform to applicable regulations (principally 10 CFR 50.30 and 50.33) and that the necessary information is provided.

Should additional information be required, the PM or licensing assistant prepares the correspondence to applicants and licensees.

- (2) Originate and process correspondence to Federal, state, and local officials on matters relating to safety, environmental, and antitrust reviews.
- (3) In some cases, assist branch PMs in monitoring project schedule status and initiating for their approval, necessary reports, correspondence, and corrective action. Provide data input for regulatory management information systems.
- (4) Prepare drafts of CPs, OLs, Limited Work Authorizations (LWAs), and CP and OL amendments when it has been determined that the applications meet applicable regulations; prepare the necessary checklists; and process these CPs, OLs, LWAs, and amendments until they are issued.

- (5) Assist in compiling technical staff testimony and consultant's reports for CP and OL hearings.
- (6) Prepare notices on safety, environmental, and antitrust aspects of the licensing actions, proposed or taken, for publication in the Federal Register.
- (7) Review safety evaluations and environmental appraisals and statements developed by the technical staff to determine that necessary procedural and organizational provisions and administrative requirements, conditions, and limitations as necessary for compliance with Commission regulations and policy have been incorporated.
- (8) Prepare routine replies to correspondence received from public and various organizations requesting status of projects.
- (9) Prepare chronologies for Safety Evaluation Reports.
- (10) Prepare and maintain, in current status, service lists of all parties to a hearing and state and local officials to be notified of facility license applications received and licensing actions taken or proposed.

In addition to duties associated with the processing of license applications, the licensing assistant serves as the administrative assistant for the branch and performs the following duties:

- (1) assists branch chief in his administrative duties and coordinates branch clerical workload to meet established deadlines and priorities
- (2) assists in training all branch personnel in administrative and management procedures and requirements
- (3) in some cases, assists the branch chief in developing audit systems to ensure that administrative and management procedures are being implemented in the branch
- (4) prepares replies to routine principal correspondence, as directed by the branch chief

The licensing assistant prepares certain documents, issues correspondence, and distributes information at appropriate points within the review cycle. The PM receives copies of all correspondence issued by the licensing assistant and, in turn, provides schedule status information to the licensing assistant as appropriate because certain events initiate other activities on the part of the licensing assistant in accordance with the regulations.

As a result of their active role in the project correspondence, the licensing assistants are up to date on the administrative status of their assigned projects and can be relied on by the PM to ensure that all required steps are being taken in terms of the issuance of legal notices and notifications to appropriate parties at the proper times, and that regulations are being met in terms of both format and timeliness.

The licensing assistant makes routine transmittals of the application to organizations within Federal and state agencies that will be involved in the review. The licensing assistant maintains appropriate information concerning activities with regard to the applications themselves and monitors correspondence files.

The result of the public hearing for a CP is an Initial Decision by the Atomic Safety and Licensing Board. The licensing assistant verifies that the certificate of service as prepared by the Office of the Secretary of the Commission provides the Initial Decision to all parties concerned. Before a CP can be issued, the licensing fee must be paid; the licensing assistant is responsible for following the status of fee payment. The licensing assistant coordinates with the Office of the Executive Legal Director in preparing the CP based upon the findings in the Initial Decision after Commission approval has been received. This package, including the CP itself, must include a notice for publication in the Federal Register and a letter to the applicant with copies to state and local officials.

The same processes are repeated for the OL application, whether for full power or a license conditioned to a lower power level. The PM should keep the licensing assistant informed on the pending status of the hearing and Commission approval action.

5.2 Office of Resource Management

The Office of Resource Management is responsible for overall agency budget development and execution and the development and application of financial control and accounting systems. It also provides for consolidated agency resource management planning and analysis including management information systems. The Office is also responsible for all Commission automated data processing policy and systems development, including long-range requirements and budget planning.

One of the most important functions of this Office, which is of interest to PMs, is the preparation, publication, and updating of the Rainbow Books, the NUREG series of summary reports characterized by various colored covers. This series includes:

- (1) the Operating Reactors Licensing Actions Summary (NUREG-0748 - the Orange Book, also referred to as ORLAS), which contains current data on licensing actions
- (2) the Facilities License Application Record (NUREG-0652 - the White Book), which contains a record of all plants in terms of when their applications were made, when they received a permit, and their present status
- (3) the Unresolved Safety Issues Summary (NUREG-0606 - the Aqua Book), which describes Unresolved Safety Issues and the steps planned to resolve these issues
- (4) the Nuclear Power Plants - Construction Status Report (NUREG-0030 - the Yellow Book), which gives information on plants under construction.

- (5) the Licensed Operating Reactors Status Summary Report (NUREG-0020 - the Gray Book), which provides data on licensed operating reactors
- (6) the Standards Development Status Summary Report (NUREG-0566 - the Green Book), which contains schedules for development of regulations, Regulatory Guides, and NUREG reports developed by the Office of Research
- (7) the Summary Information Report (NUREG-0871 - the Brown Book), which provides an overview of licensing projects and statistical summations of production and capacity of all operating power plants as well as information on cancelled applications for nuclear power plants

The Office of Resource Management has developed an NRC Manual Chapter System which provides for codification, issuance, control, and maintenance of certain internal operating policies and procedures pertaining to NRC activities. These operating policies and procedures are evolving continuously and are issued as they are developed. The NRC Manual Chapter System sometimes is referred to as the NRC Management Directives System.

5.3 Office of Administration

The Office of Administration provides central services in the areas of mail and messenger service; records services; distribution operations; word processing and electronic distribution of documents; printing and graphics; records management; reports and forms management; space and property management and building services; telecommunications services; and library reference and research services and general logistical support for the Nuclear Regulatory Commission.

Another source of information for PMs is the NUREG/BR series of documents published for internal use by the Office of Administration. This series covers a wide variety of material including some technical data, various handbooks and manuals, and directories.

5.3.1 Division of Technical Information and Document Control

There are two purposes for documentation in the licensing process. First, certain records, information, and material must be prepared in accordance with the regulations to present a record of the application, its review, and subsequent actions. Second, the documentation shows the depth of technical review to which the application was subjected and the detailed bases upon which the technical licensing decisions were made. The latter purpose makes inclusion of factual material most important not only to provide a record of the problems encountered but also to provide a positive demonstration of the level of review. The PM is the primary individual in the NRC who is in a position to ensure that the review has been adequately documented. To ensure that this documentation is then properly published and distributed, the PM must be familiar with the support services offered by the Division of Technical Information and Document Control (TIDC) as well as with the procedures that must be followed in document handling and distribution.

TIDC is responsible for technical editing and writing functions and information exchange programs; document control and dissemination programs; and production

evaluation, storage, distribution, and retrieval of documents. These functions are carried out through six branches: Records Services, Document Management, CRESS, Library, Printing and Graphics, and Policy and Publications Management.

5.3.1.1 Records Services Branch

5.3.1.1.1 Docket 50 File

About 6 months to a year before an application is tendered at the CP stage, a project number is assigned by the Records Services Branch. When the application is accepted, it is assigned a docket number by the Document Control Section. The docket number is retained throughout the existence of the project and the lifetime of the plant to assist in project identification. The docket or project number is affixed to each document generated internally or externally on that project. Copies of all documents so generated, as qualified below, are entered in the Document Control System (DCS). The DCS provides a chronological record of their receipt. The DCS is the official NRC record for that project or docket. Docket files are maintained for each 10 CFR 40, 50, 60, and 70 project. Documents entered in the DCS as a record of the project include:

- (1) application, amendments, and related correspondence
- (2) Preliminary Safety Analysis Report (PSAR) with all supplements and amendments
- (3) Final Safety Analysis Report (FSAR) with all supplements and amendments
- (4) Safety Evaluation Report with all supplements and related correspondence with the applicant
- (5) CP, amendments, and related correspondence
- (6) OL, amendments, and related correspondence
- (7) Orders
- (8) Limited Work Authorizations
- (9) memoranda to the Commission and Advisory Committee on Reactor Safeguards
- (10) internal memoranda
- (11) correspondence to and from state and other government officials
- (12) correspondence to and from consultants
- (13) antitrust information
- (14) proprietary information and reports
- (15) operating reactor correspondence - amendment requests, amendments, approvals, orders, exemptions, and so forth

- (16) operating reports (effluent report, annual environmental report, annual operating report)
- (17) correspondence relating to license fees
- (18) environmental information including correspondence and reports (Environmental Report, Draft Environmental Statement, and Final Environmental Statement)
- (19) insurance and indemnity information
- (20) miscellaneous inquiry and protest letters
- (21) action items related to the application (yellow ticket and green ticket correspondence)
- (22) hearing records

The record of a project, for filing purposes, includes any book, paper, map, photograph, brochure, punch card, magnetic tape, paper tape, sound recording, pamphlet, slide, motion picture, or other documentary material regardless of form or characteristics made by, in the possession of, or under the control of the NRC pursuant to Federal law or in connection with the transaction of public business as evidence of NRC organization, functions, policies, decisions, procedures, operations, programs, or other activities. Any identifiable record, whether in the possession of the NRC, its contractors, its subcontractors, or others, may be made available for inspection and copying pursuant to the provisions of 10 CFR 9 upon the request of any member of the public, with the exception of exempt records as discussed below.

Certain types of records contained in the DCS are exempt from public disclosure. (Classified data and unclassified safeguards information are not placed in the DCS.) In addition to material designated as proprietary and information relating to industrial security, these include, in certain cases, information protected by the Privacy Act and notations or memoranda that reflect advice, opinion, or recommendations rather than statements of fact. However, it should be noted that documents that reflect opinion, advice, or recommendations may on occasion be released to the public under the Freedom of Information Act.

5.3.1.1.2 Document Control Section

The Document Control Section is responsible for the physical receipt, distribution, location, and inventory of Docket 50-related material. This section is responsible for receipt and distribution of incoming documents in accordance with NRC Manual Chapter 0232.

5.3.1.1.3 Technical and Generic Correspondence Section

The Technical and Generic Correspondence Section establishes and maintains official records of general correspondence or documents (classified and unclassified) received or generated by NRC officials. This is the official repository for all nondocketed correspondence for the Executive Director for

Operations, NRR, and other major program offices. These files include all written material, principally typed or reproduced in printed form, that is generated internally or externally. This includes proprietary information, topical reports, staff or Commission papers, and reactor project files.

The material in the Technical and Generic Correspondence files includes information on

- (1) budget, accounting, and finance
- (2) communication and records
- (3) industrial development and regulation
- (4) information and publications
- (5) international affairs
- (6) isotopes development
- (7) legal issues
- (8) materials
- (9) medicine, health, and safety
- (10) organization and management
- (11) personnel
- (12) plants, laboratories, building, and land
- (13) procurement and contracts
- (14) reactor development
- (15) research and development
- (16) security
- (17) transportation

These major file categories as adapted to the file Manual Chapter 0232 have over 600 subcategories.

5.3.1.1.4 Reactor License Authority File

The Reactor License Authority File section establishes and maintains License Authority files on all operating reactors licensed under 10 CFR 50. It is responsible for the establishment of a single document that constitutes the authority granted by the Commission setting forth the licensee's rights, privileges, and limitations under a particular license. This file contains all current documents of an authoritative nature that represent the license authority granted to each reactor licensed by the Commission. Files are kept up to date as changes and amendments occur. Two copies of each file are maintained. Typically, each binder contains the following:

- (1) current Operating License
- (2) Technical Specifications
- (3) Orders
- (4) Safety Evaluations and supplements (at the CP and OL stage)
- (5) all amendments to the OL with supporting staff evaluation

5.3.1.1.5 Classified Information

A document accountability system is maintained for classified research and development reports that are originated by the NRC, Energy Research and Development Administration/Department of Energy (ERDA/DOE), Atomic Energy Commission (AEC)/NRC Commission papers, and classified nonlicensed ERDA/DOE

and Department of Defense reactors (operated on a Government-controlled site). Information on this system is available in NRC Manual Chapter 2101.

5.3.1.2 Document Management Branch

The Document Management Branch is responsible for the physical receipt, distribution, location, and inventory of NRC publications.

This group provides centralized NRC publication distribution services to NRC personnel, Federal agencies, private industry, and the general public in accordance with 10 CFR regulations and as directed by the TIDC staff. It also maintains reserve stock of principal documents related to NRC activities for internal and external distribution. The various categories of documentation made available by the Document Management Branch include

- (1) regulatory, licensing, and procedural guides
- (2) NUREG reports
 - (a) NRC staff or contractor reports
 - (b) Safety Evaluation Reports and supplements
 - (c) Environmental Statements (draft and final)
- (3) 10 CFR rules and regulations
- (4) Technical Specifications
- (5) reports to the Advisory Committee on Reactor Safeguards
- (6) NRC Manual Chapters
- (7) miscellaneous subjects (over 100 categories)

Staff reports including Safety Evaluation Reports and Final Environmental Statements are sold to the public through the NRC/U.S. Government Printing Office Sales Program, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555 and through the National Technical Information Service, Springfield, Virginia 22161.

5.3.1.3 CRESS Branch

A substantial number of documents are prepared by the PM during the course of the review and evaluation of an application. These include, at a minimum, meeting notes and summaries, requests for additional information to the applicant, trip reports, the Safety Evaluation Report (SER), the Draft Environmental Statement (DES), the Final Environmental Statement (FES), hearing material, and miscellaneous memoranda. To facilitate the typing and subsequent revision of these reports, a Central Regulatory Electronic Stenographic System (CRESS)

under the Division of Technical Information and Document Control was established. Word processing provides a means for systematizing the transfer of words to paper with the greatest possible speed and accuracy and at the least cost.

The CRESS sections use a shared logic system for storage and revision of reports, which are then printed on laser or ink-jet printers at speeds up to 120 lines per minute. Word processing specialists trained in the use of these systems permit draft revisions to be made with relatively little additional effort with a rapid response time. The CRESS Branch has undertaken special procedures, training techniques, and quality control to provide the fastest turnaround time possible. In addition, desk-type and portable dictation recorders are available for the PM's use.

Stored data are communicated between the CRESS sections and other NRC offices, regions, laboratories, and contractors over telephone lines by means of modems connected to word/data processing equipment with communications capability. An optical character reader (OCR) in CRESS scans material typed by secretaries into the shared logic system. At present, only OCR-B type styles can be read by the scanner. These OCR-B typing elements are available in CRESS for use by division secretaries.

The priorities for licensing documents are established by the Assistant Director for Licensing (AD/L). LPMs should provide the schedule for production of a document to the technical assistant for the AD/L by Friday of each week for incorporation into the priority list. Figure 5.1 is an example of such a priority list. CRESS requests a forecast of work from NRR on a bimonthly basis.

Sufficient notification for priority work must be given to the CRESS section supervisor so that priority schedules can be prepared and any special arrangements for handling the workload can be made. NUREG/BR-0023, "Make the Most of Your Word Processing Center," is available from CRESS sections.

5.3.1.4 Library Branch

The NRC library provides a wide range of library and information services to the NRC staff. In addition to published resources of books, journals, and technical reports contained in the collection, the library can provide, through interlibrary loan, access to materials and information held in other libraries. Reference services and research assistance are readily available.

The main library, located in the Phillips Building in Bethesda, Maryland, has installed an automated integrated library system to access and service the NRC holdings. The reference section also includes computerized information retrieval systems containing multiple bibliographic data bases that permit a PM to rapidly gain access to the latest information in his field of interest.

The library maintains and makes available the permanent collection of codes and standards referenced in the licensing process.

PLEASE UPDATE & RETURN TO ED WEINKAM BY 10:00 AM, WEDNESDAY, May 1, 1985

CRESS/REPRO WORKLOAD FORECAST

DATE PREPARED: April 24, 1985

FOR THE TIME PERIOD FROM APRIL 1985 THRU JUNE 1985 FOR BRANCHES LB#1, LB#2, LB#3, LB#4, SSPB, SEPB, TSRG

PLANT NAME/PM	JOB DESCRIPTION	RELATIVE PRIORITY	TYPE OF JOB	DATE TO GO TO CRESS	REQUIRED DATE BACK FROM CRESS	NO. OF PAGES	NO. OF COPIES REQUIRED	DATE COPIES REQUIRED	PRINT DATE
Diablo Canyon 2 RPerch, 27235	Tech Specs (Final Draft) (M. Harwell)	1	A	04/18	04/19	100			04/25
Diablo Canyon 2 H. Schierling X27100	SSER#31	2	A	04/18	04/26	100			04/25
River Bend DHouston	Tech Specs (Final Draft) (M. Harwell)	3	A	04/15	04/22	250	30	4/26	04/22
Comanche Peak RCTang, 28986	SSER #10	4	A	04/25	04/26	300			04/30
Beaver Valley BSingh, X28423	SER (M. Mejac)	5	B	04/16	04/23	200			04/26
Comanche Peak RCTang, 28986	SSER #11	6	B	03/20	03/25	500			05/03
Watts Bar RPerch, 27235	Tech Specs (Final Draft) (M. Harwell)	7	B	04/18	04/19	20			04/30
Watts Bar TKenyon, 27266	SSER#5 (MMejac)	8	B	04/18	04/19	100			04/30
Limerick RMartin, 24937	SSER #4	9	C	04/26	04/30	100			05/03
San Onofre, 1 MBoyle, 26935	IPSAR, Draft (M. Mejac)	10	A	04/05	04/23	70			04/30

Key

A Final Draft

B Correction/Revisions

C Initial Submittal

Figure 5.1 Sample of CRESS/REPRO Workload Forecast

5.3.1.5 Printing and Graphics Branch

The Printing and Graphics Branch (P&GB) performs a variety of functions, including printing, graphics, copying, audiovisual services, and photography.

(1) Graphics

The Graphics Section prepares charts, graphs, and/or other items that must be drawn. (Items that consist only of words, such as word vignettes, word slides, and organization charts, must be prepared by the originating office.)

(2) Copying

Staffed copying facilities in the Phillips, Willste, and Nicholson Lane Buildings can print up to 50 copies of a document. In addition, there are 71 self-service copiers located throughout the NRC buildings; copy limitations are posted near each machine.

(3) Printing

All requests for printing of NUREG documents must go through PPMB. Other requests for printing must be sent to P&GB, Rm. P-034. If more than 50 copies of a document are required, regardless of the number of pages, it is considered a printing request. Fewer than 50 copies will be reproduced on copying machines (see above). When a larger document, such as an SER, is to be reproduced with several hundred copies and several hundred pages in each document, contractor printing services are used. Arrangements for these reproduction services are made through P&GB. Large documents also can be reprinted by multilith in the Phillips Building.

(4) Audiovisual

The Audiovisual Section provides service for video recording, duplication, and playback assistance; sound recording and duplication; audiovisual library; and support and maintenance of audiovisual equipment.

(5) Photography

Arrangements for local photography work (e.g., shooting and processing) are made by P&GB. This includes enlarging or reducing, as necessary, images onto film (for slides) or paper.

P&GB may be used by the PMs for the preparation of presentations to management and the Advisory Committee on Reactor Safeguards.

5.3.1.6 Policy and Publications Management Branch

5.3.1.6.1 Editorial Section

The Editorial Section assists the PM in the production of Safety Evaluation Reports, Safety Evaluation Report Supplements, Environmental Statements, and other NRC documents. The editors are professionals experienced in the production of technical documents and will, when scheduled upon request, provide the following services:

- (1) Advise the PM on establishing review schedules so publications deadlines are met.
- (2) Determine if material is written according to established editorial standards (see NUREG-0650, "Technical Writing Style Guide"), flows logically, and is comprehensible to the informed layperson. Time permitting, the editor can compile and arrange the material according to established format and rewrite text, as necessary.
- (3) Ensure that the style of the document is consistent within itself.
- (4) Ensure that all acronyms are properly defined and query the PM about any that cannot be defined through standard sources (see NUREG-0544, Rev. 2, "A Handbook of Acronyms and Initialisms").
- (5) Review references and format the bibliographic material provided by the PM. Where data are missing from a reference citation, the editor will so inform the PM, who is responsible for supplying the missing material. The PM is also responsible for ascertaining that all references are publicly available (see NUREG-0650, Supp. No. 1, "An Alternative Reference System for NRC Publications").
- (6) Coordinate the flow of material from the PM through the various TIDC support and production functions, such as word processing and printing and graphics.

5.3.1.6.2 Publishing and Translations Section

The Publishing and Translations Section is responsible for the production processing of formal reports in the NUREG series, translation services, and page charges. This section assigns an identification number to published reports (NUREG-XXXX, NUREG/CR-XXXX, NUREG/CP-XXXX, and NUREG/BR-XXXX). The Project Manager should contact the Publishing and Translations Section to request a NUREG identification number during the initial draft development stage of the report. From that point on, all material submitted to CRESS, P&GB, or PPMB should carry the NUREG identification number. Publication specialists provide guidance in the development and preparation of a formal report for publication based on NUREG-0650, "Technical Writing Style Guide," NRC Manual Chapters 1102, 3201, 3202, 3205, 3206, 3207, and 3211. Help is provided regarding

- (1) format requirements
- (2) conference proceedings
- (3) reference availability
- (4) copyright problems
- (5) distribution requirements

Printing requirements are developed by this section from the information provided by the PM on NRC Form 426/426A, "Publications Release Form," and the accompanying Form 335, "Bibliographic Data Sheet," which must contain an abstract of 200 words or less.

This section also provides translations service by processing requests for foreign-language documents into English. This service is secured through the

submission of the report accompanied by NRC Form 430, "Request for Translation of Foreign Document." See Manual Chapter 3211 for further guidance.

The section will make arrangements for payment of page charges for publication of summaries or abstracts of speeches in transactions or proceedings as well as publication of journal articles. The author must submit

- (1) two copies of the speech
- (2) NRC Form 34, "Requisition for Supplies, Equipment, or Labor"
- (3) NRC Form 426, "Publications Release Form"

5.4 Office of the Secretary

The Office of the Secretary of the Commission provides complete secretarial services required for the discharge of Commission business and implementation of Commission decisions. This office controls the scheduling of Commission business. It also plays a key role in providing Commission documentation to the public. The PM must be familiar with two key functions of this office as discussed below.

5.4.1 Docketing and Service Branch

This group is responsible for several activities in the regulatory and adjudicatory areas. It performs the following activities:

- (1) develops and maintains official dockets of the Commission on matters involving hearings before the Commission, ASLBs, Hearing Examiners, Atomic Safety and Licensing Appeals Board, and the Board of Contract Appeals, and releases orders from such hearings
- (2) receives for the Commission and distributes requests for intervention in licensing proceedings
- (3) coordinates issuance of all orders or promulgations of the Commission in such matters, ensuring notification of parties and appropriate public officials
- (4) coordinates for the Secretary's signature all Notices of Rulemaking approved by the Commission for public issuance
- (5) files with the Office of the Federal Register for publication all rules, notices, orders, and decisions required to be published in Title 10 of the Code of Federal Regulations
- (6) performs policy research in above areas for the Commission, Secretary, General Counsel, the Executive Director for Operations, and other principal staff
- (7) arranges for staff-generated reports to be incorporated into hearing transcripts and for reproduction of these transcripts

5.4.2 Public Document Branch

For the convenience of the public in obtaining NRC public documents, the NRC Public Document Room (PDR) is established at 1717 H Street, N.W., Washington, D.C. As part of the regular procedure to facilitate the availability of information to the general public relative to an application, a local PDR (LPDR) is established at one or more locations in the general vicinity of the proposed facility as soon as there is significant documentation pertaining to the proposed site and plant. Establishment and maintenance of the LPDRs is the responsibility of Rules and Records in the Office of Administration. The NRC PDR is assigned to the Office of the Secretary of the Commission.

The NRC PDR provides services to members of the public who appear with requests for personal access to all available public documents on file. A contractor-operated copying service is also maintained for reproduction of documents. Charges for this service vary according to the type of document copied. A minimum fee plus postage is required for mail orders. The NRC PDR provides individuals access to information on the Commission's activities. Private individuals, the press, and representatives from industry visit this room daily to copy documents and obtain information on a variety of subjects, including all licensing matters, records of litigation on contract appeal, and general information available pursuant to the Freedom of Information Act or otherwise made available in accordance with Commission policy. This facility includes a reading room, a bibliography computer terminal, microfiche reader-printer machines, and desks. The staff has access to the computer files through several special terminals in the Bethesda complex. In addition to Division of Licensing staff, trained researchers are available in the Operating Reactors Assessment Branch and the Systematic Evaluation Program Branch. At the local PDR, the application (including PSAR and the FSAR), the SER, the Environmental Report, the DES, the FES, and other pertinent official records also are made available to the public.

5.5 Division of Licensing Secretarial Support

DL has specialized typewriting equipment in the form of cathode ray tube typewriters and magnetic tape and disk typing equipment having recording and editing capability with a visual display, and correcting typewriters, which have no recording or editing capability but which produce error-free original copy. Branch secretaries are trained in the use of these machines. NRR also has magnetic tape typing equipment for letters which are to be signed at the Commissioner level. Some of this equipment can interface with similar equipment in CRESS, other offices, and the regions.

6 REFERENCES

Atomic Safety and Licensing Appeal Board, "Yellow Creek Decision," ALAB-515 (8 NRC 702 (1978)), Dec. 27, 1978.

Code of Federal Regulations, Title 10, "Energy" (10 CFR); Title 40, "Protection of Environment" (40 CFR); and Title 43, "Public Lands; Interior" (43 CFR), U.S. Government Printing Office, Washington, D.C.

Combustion Engineering, "Combustion Engineering Standard Safety Analysis Report," Dec. 21, 1979.

Executive Order 11988, Flood Plains Management - provisions of which can be found in 42 FR 26951, 43 FR 6030, 1978.

Executive Order 11990, Protection of Wetlands - provisions of which can be found in 42 FR 26961, 43 FR 6030, 1978.

Federal Register, 43 FR 38954, "Statement on Standardization of Nuclear Power Plants," U.S. Nuclear Regulatory Commission, Aug. 31, 1977.

---, 45 FR 13739, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions and Related Conforming Amendments," U.S. Nuclear Regulatory Commission, Mar. 1980.

General Electric, "General Electric Standard Safety Analysis Report," Feb. 22, 1982.

Letter, Aug. 9, 1982, from D. G. Eisenhower (NRC) to All Reactor Licensees, Holders of Construction Permits and Applicants, Subject: Submittal of Documents to the Nuclear Regulatory Commission (Generic Letter 82-14).

Memorandum, Jan. 7, 1982, from D. G. Eisenhower (NRC) to All Operating Reactors Project Managers, Subject: Tracking of Multi-Plant Action Status.

---, Mar. 4, 1983, from G. Lainas (NRC) to S. Varga, D. Vassallo, R. Clark, and J. Stolz, Subject: Hearing Status Reports.

---, Apr. 5, 1983, from D. G. Eisenhower (NRC) to T. Novak, Subject: Scheduling OL Reviews.

Prettyman, E. B., "A Manual on Trial Techniques in Administrative Proceedings," in A Manual on Trial Techniques in Administrative Proceedings and Illustrative Federal Administrative Agencies, Vol. I, Bar Association of the District of Columbia, Washington, D.C., 1958.

U.S. Department of the Interior, National Park Service, National Register of Historic Places, Vols. 1 and 2 (and subsequent listings as they appear in the Federal Register), 1976.

U.S. Nuclear Regulatory Commission, Manual Chapter 0232, "Placement of Documentation in the NRC Document Control System," Jan. 20, 1982.

---, Manual Chapter 0516, "Systematic Assessment of Licensee Performance (SALP)," Mar. 23, 1982.

---, Manual Chapter 1102, "Procedures for Placement of Work with the Department of Energy," Oct. 2, 1979; revised Nov. 25, 1981.

---, Manual Chapter 2101, "NRC Security Program," Sept. 14, 1977.

---, Manual Chapter 3201, "Publication of Unclassified NRC Staff-Generated Regulatory and Technical Documents," June 3, 1981.

---, Manual Chapter 3202, "Publication of Unclassified Regulatory and Technical Reports Prepared by NRC Contractors," Apr. 29, 1982.

---, Manual Chapter 3205, "NRC Staff Speeches, Papers and Journal Articles on Regulatory and Technical Subjects," Apr. 30, 1979.

---, Manual Chapter 3206, "NRC Contractor Unclassified Papers, Journal Articles and Press or Other Media Releases on Regulatory and Technical Subjects," July 7, 1982.

---, Manual Chapter 3207, "Conferences and Conference Proceedings," Apr. 30, 1979.

---, Manual Chapter 3211, "Handling and Disposition of Foreign Documents and Translations," Sept. 11, 1981.

---, Manual Chapter 4125, "Differing Professional Opinions," Sept. 19, 1980.

---, NRC Rules and Regulations, Vol. III, Commission Notices and Statements of Consideration.

---, NUREG-0020, "Licensed Operating Reactors Status Summary Report, Gray Book," issued monthly.

---, NUREG-0030, "Nuclear Power Plants - Construction Status Report, Yellow Book," issued quarterly.

---, NUREG-0103, "Standard Technical Specifications for Babcock and Wilcox Pressurized Water Reactors," Aug. 1976; Rev. 4, Oct. 1980.

---, NUREG-0123, "Standard Technical Specifications for General Electric Boiling Water Reactors," Oct. 1976; Rev. 3, Dec. 1980.

---, NUREG-0212, "Standard Technical Specifications for Combustion Engineering Pressurized Water Reactors," Mar. 1977; Rev. 2, Dec. 1980.

---, NUREG-0325, "U.S. Nuclear Regulatory Commission Functional Organization Charts," Rev. 7, Jan. 1985.

---, NUREG-0427, "Review of the Commission's Program for Standardization of

Nuclear Power Plants and Recommendations To Improve Standardization Concepts," May 1978.

---, NUREG-0452, "Standard Technical Specifications for Westinghouse Pressurized Water Reactors," June 1978; Rev. 4, Nov. 1981.

---, NUREG-0544, "A Handbook of Acronyms and Initialisms," Rev. 1, Apr. 1981.

---, NUREG-0555, "Environmental Standard Review Plans for the Environmental Review of Construction Permit Applications of Nuclear Power Plants," May 1979.

---, NUREG-0566, "Standards Development Status Summary Report," issued quarterly.

---, NUREG-0606, "Unresolved Safety Issues Summary, Aqua Book," issued quarterly.

---, NUREG-0650, "Technical Writing Style Guide," Nov. 1979.

---, NUREG-0650, "Technical Writing Style Guide: An Alternative Reference System for NRC Publications," Suppl. 1, Feb. 1982.

---, NUREG-0652, "Facilities License Application Record, White Book," Mar. 1980.

---, NUREG-0728, "Report to Congress: NRC Incident Response Plan," Sept. 1980.

---, NUREG-0729, "Report to Congress on NRC Emergency Communications," Sept. 1980.

---, NUREG-0730, "Report to Congress on the Acquisition of Reactor Data for the NRC Operations Center," Sept. 1980.

---, NUREG-0737, "Clarification of the TMI Action Plan Requirements," Nov. 1980.

---, NUREG-0748, "Operating Reactors Licensing Actions Summary, Orange Book," issued monthly.

---, NUREG-0770, "Glossary of Terms: Nuclear Power and Radiation," June 1981.

---, NUREG-0800, "Standard Review Plan for the Review of Safety Analysis Reports for Nuclear Power Plants," July 1981 (includes Branch Technical Positions).

---, NUREG-0820, "Integrated Plant Safety Assessment, Systematic Evaluation Program, Palisades Plant," Draft, Apr. 1982; Final, Oct. 1982.

---, NUREG-0821, "Integrated Plant Safety Assessment, Systematic Evaluation Program, R. E. Ginna Nuclear Power Plant," Draft, May 1982; Final, Dec. 1982.

---, NUREG-0822, "Integrated Plant Safety Assessment, Systematic Evaluation Program, Oyster Creek Nuclear Generating Station," Draft, Sept. 1982; Final, Jan. 1983.

- , NUREG-0823, "Integrated Plant Safety Assessment, Systematic Evaluation Program, Dresden Nuclear Power Station, Unit 2," Draft, Oct. 1982; Final, Feb. 1983.
- , NUREG-0824, " Integrated Plant Safety Assessment, Systematic Evaluation Program, Millstone Nuclear Power Station, Unit 1," Draft, Nov. 1982; Final, Feb. 1983.
- , NUREG-0825, "Integrated Plant Safety Assessment, Systematic Evaluation Program, Yankee Nuclear Power Station," Draft, Feb. 1983; Final, June 1983.
- , NUREG-0826, "Integrated Plant Safety Assessment, Systematic Evaluation Program, Haddam Neck Plant," Draft, Mar. 1983; Final, June 1983.
- , NUREG-0827, "Integrated Plant Safety Assessment, Systematic Evaluation Program, La Crosse Boiling Water Reactor," Draft, Apr. 1983; final, June 1983.
- , NUREG-0828, "Integrated Plant Safety Assessment, Systematic Evaluation Program, Big Rock Point Plant," Draft, Sept. 1983; Final, May 1984.
- , NUREG-0845, "Agency Procedures for the NRC Incident Response Plan," Mar. 1982.
- , NUREG-0871, "Summary Information Report, Brown Book," issued quarterly.
- , NUREG/BR-0021, "Directory of Services, Division of Technical Information and Document Control," May 1981.
- , NUREG/BR-0023, "Make the Most of Your Word Processing Center," Jan. 1982.
- , SECY 84-133, "Integrated Safety Assessment Program," Mar. 23, 1984.

APPENDIX A-1

NRF/NMSS MEMORANDUM OF UNDERSTANDING

FOR REACTOR SAFEGUARDS MATTERS

(DRAFT)



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

January 10, 1980

MEMORANDUM FOR: Richard H. Vollmer, Acting Assistant Director
Systems Evaluation Programs, DOR

William P. Gammill, Acting Assistant Director
Operating Reactor Projects, DOR

James R. Miller, Acting Assistant Director
Site and Safeguards, DOR

FROM: Darrell G. Eisenhut, Acting Director
Division of Operating Reactors

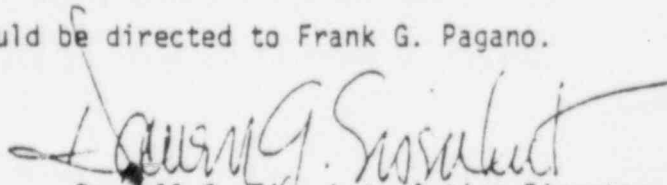
SUBJECT: NRR/NMSS MEMORANDUM OF UNDERSTANDING FOR REACTOR SAFE-
GUARDS MATTERS

Attached is a copy of a draft NRR/NMSS Memorandum of Understanding (MOU) to handle Reactor Safeguards Matters. Since it is anticipated that this MOU will not be finalized for some time, you are requested to instruct all project managers and operating branches to institute the MOU for handling of reactor safeguards matters in the interim. All safeguards licensing actions will be sent to the:

NRR Safeguards Interface Group
Mail Stop Phillips 233
Attn: Frank G. Pagano

This group will receive a copy of each incoming reactor safeguards document at the same time NMSS receives the document. Project managers should provide TACs to the interface group requesting any required actions, noting any potential safety issues. The interface group will then forward any required actions to NMSS along with the TAC number. All reactor safeguards interactions between NRR and NMSS will be through the NRR Safeguards Interface Group.

Any questions regarding the MOU should be directed to Frank G. Pagano.


Darrell G. Eisenhut, Acting Director
Division of Operating Reactors
Office of Nuclear Reactor Regulation

Attachment:
As stated

cc: D. Vassallo
ORB Branch Chiefs
DOR Project Managers

SEP 21 1979

MEMORANDUM FOR: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

William Dircks, Director
Office of Nuclear Material Safety
and Safeguards

FROM: Darrell Eisenhut, Acting Director
Division of Operating Reactors

SUBJECT: PROPOSED NRR/NMSS MEMORANDUM OF UNDERSTANDING REGARDING
DIVISION OF RESPONSIBILITY FOR REACTOR SAFEGUARDS

Enclosed is a proposed memo to document the division of responsibility between
NRR and NMSS for reactor safeguards.

We have attempted to include as many of the routine items as possible in order
to ensure that items are not dropped. If you have any additions or comments,
please provide them to me as soon as possible as we would like to finalize this
agreement prior to October 1, 1979.

Original signed by
Darrell G. Eisenhut

Darrell Eisenhut, Acting Director
Division of Operating Reactors

Enclosure:
As stated

cc: J. Davis
E. G. Case
R. Burnett

OFFICE	RSDB	C. RSDB	AD:SS	D:006		
SURNANE	JRoe:cb	FGPagano	JRMiller	DEisenhut		
DATE	9/19/79	9/19/79	9/19/79	9/19/79		

MEMORANDUM FOR: Lee V. Gossick
Executive Director for Operations

FROM: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

William F. Dircks, Director
Office of Nuclear Material Safety and Safeguards

SUBJECT: AGREEMENT ON NRR/NMSS INTERFACE AND DIVISION OF RESPONSIBILITY

The Office of Nuclear Reactor Regulation (NRR) and the Office of Nuclear Material Safety and Safeguards (NMSS) are now assigned responsibilities which require both Offices to deal with reactor safeguards matters-NRR from a safety standpoint and NMSS from a safeguards standpoint. The purpose of this memorandum is to document the agreement on the division of responsibility between the Offices in those specific areas where interfaces or common responsibilities exist in the functions assigned to the respective organizations.

The principal NRR responsibility is to assure the safety of the facility, an aspect that must remain paramount in all licensing actions. NRR also has responsibility for evaluating the performance of licensed facilities to establish the adequacy of or need for change in NRC requirements. The principal responsibility assigned to NMSS is the evaluation of license and amendment applications to ascertain compliance with NRC requirements. The agreed-upon division of responsibility between NRR and NMSS where their functions interface is as specified below.

A. Coordination for all Licensing Actions

NRR has responsibility for all NRC licensing actions related to reactor facilities licensed under 10 CFR Part 50. NMSS has the responsibility for making safeguards technical findings with respect to licensee/applicant activities as pre-requisites for licensing actions. NMSS will keep NRR informed of progress made toward reaching the required findings.

B. Technical Review

NMSS is responsible for evaluating facility programmatic plans (security, contingency, guard training and qualification plans), as described in the Safety Analysis Report (SAR), and other documents for conformance with NRC requirements. NMSS will inform NRR of the results of such evaluations. To enhance their understanding of the design commitments described in the SAR, NMSS personnel may need to visit reactor sites. NMSS will coordinate all site visits with NRR. NMSS will inform NRR on a timely basis of any SAR commitments NMSS believes are not consistent with NRC criteria. NRR will inform NMSS of special emphasis that should be placed on criteria for evaluating SAR commitments.

NRR needs current information on licensee commitments; therefore, NMSS will forward to NRR for appropriate action any proposed approvals, agreements or other actions with licensees. This is all to include copies of minutes of meetings held with licensees or contractors.

C. Technical Specifications and License Conditions

NRR is responsible for developing and issuing licenses, including radiological-safety and environmental technical specifications (TS), for operating facilities and for review and approval of licensee amendments including TS changes. NMSS will inform NRR of any TS items requiring revision as the result of NMSS reviews. NRR will inform NMSS regarding the disposition of all such items identified.

D. Enforcement Action

Significant enforcement actions may have a bearing on pending licensing actions. IE notifies NRR of all proposed enforcement actions that involve monetary penalties or more severe sanctions. NRR will in turn notify NMSS of these categories of enforcement actions.

E. 10 CFR 50.59 Determinations

NMSS is responsible for reviewing changes to the facility and to procedures that are sent to NRR in accordance with 10 CFR 50.59 requirements.

NMSS is responsible for review and NRR is responsible for the approval of licensee-requested license amendments or technical specification changes relating to changes to the facility which require prior review and approval by NRC.

F. 10 CFR 50.54(p) Determinations

NMSS is responsible for reviewing changes to the facilities' security plan that were made by the licensee and considered not to decrease the effectiveness of the security plan and documented in accordance with 10 CFR 50.54(p) requirements. If NMSS disagrees with or questions the validity of the licensee's conclusion that effectiveness is not decreased, NMSS will refer the matter to NRR for resolution. NRR will provide timely feedback to NMSS indicating whether or not the issues identified by NMSS constitute a decrease in effectiveness of the security plan.

G. Handling of Safety and Safeguards Problems

Significant safety and safeguards related problems beyond those reported formally by licensees may be identified as a result of site visits, inspections allegations, informal communications with the licensee, or other sources. The resolution of such matters should normally be achieved

through the IE enforcement procedures where possible. When resolution cannot be accomplished in this manner, responsibility will be formally transferred to NRR.

NRR will inform NMSS of the resolution of such matters and will provide periodic status information for items requiring an extended period of time for resolution.

H. Response to Licensee Event Reports

IE makes the initial review of and response to notification of reportable events received from reactor licensees. IE also provides information regarding significant events to NRR. If the corrective action cannot be accomplished under the existing license requirements, if an unreviewed safety or safeguards question is identified, or if technical issues requiring special expertise are not available within IE, responsibility for resolving the matter is formally transferred to NRR. NRR will inform NMSS of any such matters.

I. Generic Letters

NRR has the responsibility for requesting information needed for review of generic issues. If the issue can be expected to impact on the NMSS technical review program, NRR will give NMSS an opportunity to comment prior to issuance of such letters and will inform NMSS of all letters issued. If NMSS specifically requests that a Generic Letter not be issued as proposed, the matter will be resolved at the Division Director level.

J. Meetings with Licensees

NMSS will be notified in advance of all NRR meetings pertaining to licensing actions which could impact on the technical review program. NRR will arrange all NMSS meetings with reactor licensees.

For NRR/NMSS interface matters, the NMSS point of contact within NRR will be a Safety/Safeguards Interface Section under the office of the Assistant Director for Site and Safeguards. Within NMSS the principal point of contact is the Director, Division of Safeguards, or his designee.

K. Commission Papers Dealing with Reactor Safeguards

Whenever a paper concerning reactor safeguards is initiated by an office, or assigned to an office, that office will notify the other office. Papers on reactor safeguards will not be forwarded directly to the Commission without the involvement of each office, and where appropriate, these papers will be jointly signed. In cases where the offices have unresolvable differences, the views of the two offices will be reflected in the paper forwarded to the Commission.

L. Implementation of US/IAEA Safeguards Agreement

An intra-agency group has been established to oversee the implementation of the US/IAEA Safeguards Agreement. NMSS chairs this group, consisting of representatives from NMSS, NRR, ELD, IE, and IP. NRR will continue to be represented in this group to review any policy issues that may arise in the implementation of the Agreement and to discuss areas concerning reactor safeguards.

M. Intelligence Information Coordination

The Information Assessment Team is the primary point of contact for levying requests for domestic terrorist threat type information and receiving such information. The IAT concentrates its intelligence liaison work with the FBI and local and state law enforcement agencies. NRR will continue to serve on the IAT.

On an ongoing basis, IE will continue to provide NRR with any intelligence information which comes to attention and which would be significant to NRR.

The matters described above will be reviewed at regular intervals to assure they represent current positions, and NRR/NMSS interface Meetings will be held at approximately monthly intervals to discuss matters involving the two Offices.

Harold R. Denton, Director
Office of Nuclear Reactor Regulation

William Dircks, Director
Office of Nuclear Material Safety
and Safeguards



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

JAN - 4 1980

MEMORANDUM FOR: Robert F. Burnett, Director
Division of Safeguards, NMSS

FROM: Darrell G. Eisenhut, Acting Director
Division of Operating Reactors, NRR

SUBJECT: NRR/NMSS MEMORANDUM OF UNDERSTANDING REGARDING DIVISION
OF RESPONSIBILITY FOR REACTOR SAFEGUARDS

My memorandum of September 21, 1979, forwarded a "straw man" NRR/NMSS Memorandum of Understanding (MOU) concerning the division of responsibility for reactor safeguards matters. In our view the draft MOU reflects the intent and purpose of the agreement reached between NRR and NMSS with respect to the functions of the proposed NRR Safety/Safeguards Interface Group and our relationship to NMSS.

Please recall that I requested that your comments be provided to me so that we could finalize the agreement prior to October 1, 1979. Since we have not received any response from your office, I am directing the DOR staff to utilize the draft MOU as NRR interim practice. All safeguards correspondence between NRR and NMSS should be sent to the:

NRR Safeguards Interface Group
Mail Stop Phillips 233
ATTN: Frank Pagano

We would like to finalize this agreement as soon as possible and therefore again request your review and approval of my September proposal.

Darrell G. Eisenhut
Darrell G. Eisenhut, Acting Director
Division of Operating Reactors

cc: H. R. Denton
E. G. Case

APPENDIX A-2

FEEDBACK OF OPERATING EXPERIENCE



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

JUN 12 1980

MEMORANDUM FOR: R. H. Vollmer, Director, Division of Engineering
D. F. Ross, Director, Division of Systems Integration
S. H. Hanauer, Director, Division of Human Factors Safety
R. J. Mattson, Director, Division of Safety Technology

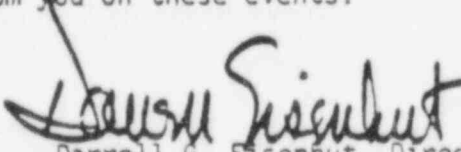
FROM: Darrell G. Eisenhut, Director, Division of Licensing

SUBJECT: FEEDBACK OF OPERATING REACTOR EXPERIENCE

This memorandum establishes one method that will be used to provide feedback to the NRR Divisions of significant or potentially significant safety and environmental information from operating reactors shortly after they occur. This vehicle will be mainly aimed at highlighting the significant events and will not contain all answers or even all questions concerning an event. This method is somewhat of a continuation of the process for issuance of Operating Experience Memoranda that was promulgated by DOR Memorandum No. 2 of July 6, 1976. The NRR reorganization required the re-establishment of a feedback process for operating reactor experience. The object is to ensure that relevant information from operating reactors is summarized and transmitted to all NRR Divisions and to specify any identified followup actions.

These memoranda will include a brief description of the problem with all pertinent background information. A brief assessment of the safety significance of the problem including generic implications will be provided. Short term actions that either have been taken or are being taken will be identified. Where time permits, recommendations for long term actions as deemed necessary will be made.

Operating Reactor Event Memorandum No. 80-1, which is attached, illustrates the format, content, and scope of this new series of memoranda. Again, the emphasis will be towards informing you in a short time period and will in fact anticipate some feedback from you on these events.


Darrell G. Eisenhut, Director
Division of Licensing

Enclosure:
As Stated

cc:w/enclosure
H. Denton
E. G. Case
B. Grimes
B. Snyder

ENCLOSURE

MEMORANDUM FOR: R.H. Vollmer, Director, Division of Engineering
D.F. Ross, Director, Division of Systems Integration
S.H. Hanauer, Director, Division of Human Factors Safety
R.J. Mattson, Director, Division of Safety Technology
B.J. Snyder, Program Director, TMI Program Office
B.K. Grimes, Program Director, Emergency Preparedness
Program Office

FROM: Darrell G. Eisenhut, Director, Division of Licensing

SUBJECT: OPERATING REACTOR EVENT MEMORANDUM NO. 80-1: REACTOR
COOLANT PUMP STUD CORROSION AT FORT CALHOUN, UNIT 1

PROBLEM

On May 16, 1980, after filling and venting the RCS following an extended refueling outage a small leak was observed at the "C" RCP during a 200 psi leak check. Upon visual examination, the closure studs were noticed to be corroded. Visual examinations of the A, B, and C RCP closure studs showed corrosion on some studs in each pump, with indications of wastage in the 3-1/2" diameter down to 1-1/2". This is the first known instance of extreme wastage in reactor coolant pump closure studs.

BACKGROUND

The RCPs are Byron Jackson pumps with a stainless steel casing and 16 carbon steel closure studs per pump. The studs on pumps A and B had been ultrasonically examined as required by the inservice inspection program during the current refueling outage by Southwest Research Institute (SWRI). As a result of corrosion discovered visually, Omaha Public Power District requested SWRI to perform the UT examinations again. SWRI's conclusion was that the test was not sensitive to this type of corrosion problem. This was the first time the pump insulation has been removed for visual examination in the seven years of plant operation. The licensee is currently disassembling the pumps and will remove and replace the corroded studs. The corroded studs will be metallurgically examined to ascertain the cause of corrosion and other wastage mechanisms if present.

OPPD inspected all four RCPs and has replaced a total of 23 closure studs in three RCPs (D-RCP was acceptable) with available spares and Byron-Jackson (RCP vendor) supplied replacements. The installed studs all meet the acceptance criterion established originally by the pump vendor. OPPD has redesigned the insulation used on the RCP (replaced block with stainless steel blanket type) and installed an interim seal leakoff monitoring system to provide indication of leakage through the inner seal of the double flexitallic gasketed flange connection.

NRR Division Directors

- 2 -

SAFETY SIGNIFICANCE

Significant undetected corrosion of the RCP studs could result in stud yielding or failure during operation and result in a loss of coolant accident. Combustion Engineering in a recent telephone discussion has confirmed that this is a potentially serious problem, and have notified their clients with Byron Jackson pumps.

SHORT TERM ACTIONS

The cause of the corrosion at Fort Calhoun must be determined and an assessment made as to its applicability to other PWR plants with Byron Jackson reactor coolant pumps. At IE's suggestion, PMs contacted several licensees with Byron Jackson pumps that are currently shutdown to have them investigate the feasibility of pulling the insulation for visual examination, considering their restart schedules. Preliminary reports provided by these licensees shown no indication of corrosion problems.

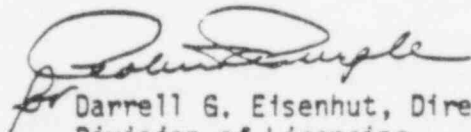
All licensees with Byron-Jackson RCPs are being contacted and asked to provide information on their installations. OPPD and OIE are to have further evaluations performed on the removed closure studs to provide more information on the wastage mechanism. OIE is also planning to issue an information notice to all power reactor licensees.

I&E has retained lead responsibility for resolution of this issue.

RECOMMENDED LONG TERM ACTIONS

Based on the information available to date, one action might be to investigate the capability of UT examinations to detect the type of damage discovered at Fort Calhoun and upgrade the ISI requirements for pressure retaining bolted connections in general. Further actions may be recommended as more information becomes available. The Division of Engineering is actively pursuing this event.

Lead DL Manager: P. Wagner, ORB#3


Darrell G. Eisenhut, Director
Division of Licensing

Contact:
J. Fair, X27262

cc: See next page

APPENDIX A-3

AGREEMENT ON NRR AND IE EMERGENCY PLANNING
RESPONSIBILITIES



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

AGREEMENT ON NRR AND IE

NOV 6 1980

EMERGENCY PLANNING RESPONSIBILITIES

MEMORANDUM FOR: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Victor Stello, Jr., Director
Office of Inspection and Enforcement

FROM: Darrell G. Eisenhut, Director
Division of Licensing

Brian K. Grimes, Program Director
Emergency Preparedness Program Office

SUBJECT: CONSIDERATIONS REGARDING TRANSFER OF EPPO FROM
NRR TO I&E

In the near future EPPO will transfer from NRR to I&E. We are recommending the following to provide continuity and continued effectiveness of the emergency preparedness and related safety programs:

1. Staff and management dedicated to NRR licensing actions and support should not be less than that being currently applied and allocated for FY 81.
2. Signature authority for licensing actions and communications with licensees and applicants with regard to these actions should remain with NRR (DOL).
3. Emergency preparedness tasks need to remain in the NRR tracking system for licensing actions.
4. The question of whether emergency preparedness review work on new OLs and CPs should return to NRR should be reconsidered in about a year.
5. Functional responsibility for the technical management of the emergency preparedness reviews should transfer with EPPO to I&E.
6. Management of Emergency Response Facilities and Systems:
 - a. Technical and contractual management of the Nuclear Data Link will remain with OIE in the new Division of Emergency Preparedness (EPD). Program management will remain with NRR.
 - b. Technical management of the near-site Emergency Operations Facility and the Technical Support Center will transfer with EPPO to OIE (EPD). Program management will remain with NRR. Overall program management and contractual will remain with NRR management.

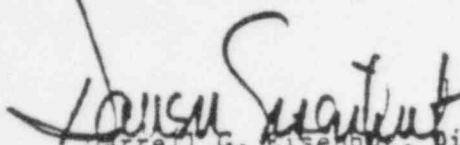
Harold R. Denton
Victor Stello

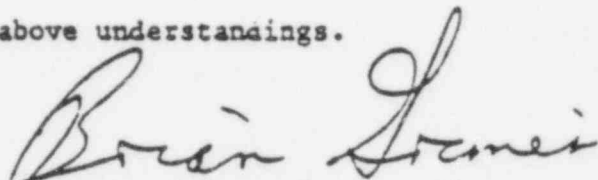
NOV 6 1980

- 2 -

- c. Technical and contractual management of the Safety Parameter Display System will remain in NRR.
- d. Technical management of the requirements of the licensees Operations Support Centers will remain in NRR. Post implementation reviews will be conducted by OIE (EPD).

We are proceeding on the basis of the above understandings.


Darrell G. Eisenhut, Director
Division of Licensing


Brian K. Grimes, Program Director
Emergency Preparedness Program Office

APPENDIX A-4

TRACKING OF MULTI-PLANT ACTION STATUS



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
January 7, 1982

MEMORANDUM FOR: All Operating Reactors Project Managers

FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: TRACKING OF MULTIPLANT ACTION STATUS

At a meeting I recently held with Project Managers, I stressed the need for each of you to be responsible for full knowledge of the status of actions to which you have been assigned lead responsibility and for taking action as necessary to assure schedules for completion are met. At that meeting, a package was distributed that summarized the operating reactors licensing action completion plan for fiscal year 1982. To assure that progress is being made toward meeting this plan, I am directing each of you to provide a monthly report on your assigned multiplant actions for which the plan indicates that work is to be done in FY 1982. (Current lead P1 assignments are shown in Enclosure 1.) The monthly report is to provide a summary of the status of each action, including:

1. What is to be completed in FY 1982,
2. If under contractor review, how many TERs have been received by the review branch,
3. How many completed SERs (no open items) have been forwarded to DL, and
4. How many licensing actions have been completed since the beginning of the fiscal year.

The form in Enclosure 2 is to be used in providing this summary. An example of what a completed form might look like is given in Enclosure 3.

The first of these reports will be due by close of business January 14, 1982. Thereafter, reports are due within the first ten working days of each month. The reports are to be forwarded by memorandum directly to me and your Assistant Director. Copies should be provided to H. Denton, E. Case, J. Funches, other affected Division Directors, your branch chief, and D. Garner. The first report is also to provide a list of plants for each multiplant action with TAC numbers for which licensing action is not complete. You should see to it that RAMS indicates these TAC numbers as active and that all other TAC numbers under the multiplant action are closed out.

January 7, 1982

There are several sources of information available to assist you in putting together your reports. The lead technical reviewer is one such source. In addition, the contract manager for actions receiving technical assistance can be contacted for information tracked by the Licensing Action Tracking System (LATS). This information is updated by each contractor monthly and will be useful in assuring the accuracy of your reports. Enclosure 4 lists the contract managers for actions receiving technical assistance under DL. Finally, monthly printouts of the status of multiplant action TACs are available and will be provided to the Assistant Directors for your use.

In the future, it will be your responsibility to keep RAMS up to date for all of your lead items. To assure that you have sufficient control over your lead actions, I am instituting a procedural change such that multiplant action TAC numbers may only be opened (or reopened) by the lead PM, and that closing out a multiplant action TAC number may only be done with the full knowledge and concurrence of the lead PM. This procedural change is effective immediately.

- Consul [Signature]
Darrell G. Eisenhut, Director
Division of Licensing

Enclosures: As stated

cc: R. Tedesco
T. Novak
G. Lainas
S. Varga
T. Ippolito
R. Clark
J. Stolz
T. Wambach
D. Crutchfield
K. Herring
J. Donohew
W. Koo

<u>MP Action Task No.</u>	<u>Title</u>	<u>Lead Engineer</u>	<u>Status</u>
A-01	10 CFR 50.55 A(g) - ISI	D. Chaney	Active
A-02	Appendix I - ALARA	P. Wagner	Active
A-03	Security Reviews - Modified Amendment Plans	None	Complete
A-04	Appendix J - Containment Leak Testing	W. Paulson	Active
A-05	GE Mark I Containment Tech Specs - Short Term	B. Siegel	Complete
A-06	Respiratory Protection System	J. Shea	Complete
A-07	Appendix G - Fracture Toughness	R. Caruso	Complete
A-08	ECCS Evaluation - Generic Per 50.46 Compliance	D. Garner	Complete
A-09	Pressure Vessel Beltline Material Surveillance	P. Erickson	Complete
A-10	Contingency Planning	J. Miller	Active
A-11	Guard Training Plans	J. Miller	Active
A-12	Vital Area Analysis	J. Miller	Active
A-13	Non Power Reactor Safeguards Plan	None	Inactive
A-14	10 CFR 50.55 A (G)- Inservice Testing	D. Chaney	Active
A-15	Quality Assurance Request Regarding Diesel Generator Fuel Oil	G. Vissing	Active
A-16	Qualification of Inspection, Examination, Testing and Audit Personnel	D. Jaffe	Active

<u>MP Action Task No.</u>	<u>Title</u>	<u>Lead Engineer</u>	<u>Status</u>
B-01	Diesel Generator Lockout	T. Wambach	Active
B-02	Fire Protection	T. Wambach	Complete
B-03	PWR Moderator Dilution	C. Nelson	Complete
B-04	Reactor Vessel Overpressure Protection	A. DiAgazio	Active
B-05	Stress Corrosion Cracking - BWR RCSPB	R. Clark	Active
B-06	BWR Relief Valve	J. Hannon	Complete
B-07	Steam Generator Feedwater Flow Instability	S. Nowicki	Complete
B-08	PWR HPSI-LPSI Flow Resistance	P. Wagner	Complete
B-09	Charging Systems Pipe Vibrations	D. DiIanni	Complete
B-10	Burnable Poisson Rod Failure - B&W	P. Erickson	Complete
B-11	Flood of Equipment Important to Safety	D. Verrelli	Complete
B-12	Steam Generator Tube Inspection	M. Fairtile	Complete
B-13	Fuel Rod Bow	W. Ross	Complete
B-14	CEA Guide Tube Wear	M. Conner	Complete
B-15	C-E Poisson Rod Growth	None	Complete
B-16	Emergency Planning and Revisions	None	Complete
B-17	Tech. Spec. Surveillance for Hydraulic Snubbers	L. Engle	Active
B-18	Worthington RHR Pump Shaft Integrity	C. Nelson	Complete
B-19	Neutron Shielding - CE Reactors	L. Engle	Complete
B-20	Containment Leakage Due to Seal Deterioration	E. Reeves	Complete
B-21	Loss of 125-V DC Bus Voltage with Loss of Annunciator System	S. Nowicki	Active
B-22	Tech Spec Surveillance Requirements for Mechanical Snubbers	L. Engle	Active
B-23	Degraded Grid Voltage	S. Nowicki	Active
B-24	Venting and Purging Containment While at Full Power and effect on LOCA	E. Reeves	Active
B-25	BWR Feedwater Nozzle Cracking	R. Snaider	Active
B-26	Inadvertant Safety Injection During Coldown	R. Martin	Complete
B-27	Review Responses to IE Bulletin 78-03 (Offgas Explosions)	J. Shea	Complete
B-28	BWR Jet Pump Flow Indication Elimination	R. Bevan	Complete

<u>MP Action Task No.</u>	<u>Title</u>	<u>Lead Engineer</u>	<u>Status</u>
8-29	BWR Feedwater Pump Trip	P. O'Connor	Complete
8-30	Steam Generator Replacement Program	R. Martin	Complete
8-31	Long Shift LHSI and Outside Recirc. Degradation	D. Neighbors	Active
8-32	<u>Blocked SI Signal During Cooldown</u>	M. Grotenhuis	<u>Active</u>
8-33	Iodine Spiking	None	Complete
8-34	BWR-Weld Failure of Jet Pump Retainer Bolt	R. Bevan	Active
8-35	Orifice Rod Assembly Integrity - B&W	G. Vissing	Complete
8-36	Resistance Temperature Detector (RTD) Response - CE	E. Conner	Complete
8-37	Steam Generator Tube Denting and Support Plate Modifications - CE	G. Requa	Complete
8-38	Tendon Surveillance - Bechtel Containments	G. Vissing	Active
8-39	PWR Pressure - Temperature Limit Tech Specs	M. Fairtile	Complete
8-40	Pipe Support Base Plates	L. Olshan	Complete
8-41	Fire Protection - Final Tech Specs (Includes SER Supplements)	T. Wambach	Active
8-42	TMI Follow Up-All Plants	M. Fairtile	Complete
8-43	PWR Feedwater Line Cracks	S. Miner	Complete
8-44	Lessons Learned Implementation	None	Complete
8-45	WASH 1400 Event V, "Primary Coolant Pres. Isolation Valves"	P. Polk	Complete
8-46	Analysis of Turbine Disc Cracks	W. Ross	Active
8-47	ECCS; Clad Swelling and Rupture	L. Olshan	Complete
8-48	Adequacy of Station Electric Distrib. Voltage	J. Lombardo	Active
8-49	PWR Control Rod Misalignment	P. Wagner	Active
8-50	Auxiliary Feedwater System Evaluation	G. Requa	Complete
8-51	Evaluation of Bulletin 79-05, 79-06 79-08	M. Fairtile	Complete
8-52	Review of Safety Aspect of Inadvertent Safety Actions During Surveillance Test	C. Trammell	Active
8-53	Lessons Learned Category B (Items)	None	Complete

<u>MP Action Task No.</u>	<u>Title</u>	<u>Lead Engineer</u>	<u>Status</u>
B-54	Lessons Learned Category A Tech Spec	D. Neighbors	Complete
B-55	B & O Report on BWRs	D. Verrelli	Complete
B-56	Control Rods Fail to Insert BWR	K. Eccleston	Complete
B-57	DHR Capability	D. Garner	Active
B-58	SDR Capability	K. Eccleston	Active
B-59	Masonry Wall Design	C. Trammell	Active
B-60	Environmental Qualification of Electrical Equipment	M. Williams	Active
B-61	Loss of Non Class IE Instr and Control Power	M. Fairtile	Active
B-62	ESF Reset Design Deficiency-IE Bulletin 80-06	S. Miner	Active
B-63	Interim procedures for Station Blackout	C. Nelson	Active
B-64	B&W Induced Flux Errors	M. Fairtile	Active
B-65	Safety Concerns Assoc. with Pipe Breaks in the BWR Scram System	K. Eccleston	Active
B-67	60 Day Response Concerning Pressurized Thermal Shock Letter Dated 8/21/81	G. Vissing	Active
B-68	ECCS Pump Deadheading	None	Inactive
B-69	IEB 80-4 Mainsteam Line Break with Continued Feedwater Addition	J. Donohew	Active
B-70	Monitoring of Fatigue Transient Limits for ECCS	W. Koo	Active

<u>MP Action Task No.</u>	<u>Title</u>	<u>Lead Engineer</u>	<u>Status</u>
C-01	PWR Secondary Water Chemistry Monitoring Requirements	R. Licciardo	Active
C-02	BWR - Recirc. Pump Trip (ATWS)	V. Rooney	Complete
C-03	Qualifications of Radiation Protection Manager	D. DiIanni	Active
C-04	Filter Tech Specs	R. Caruso	Active
C-05	Conversion to Standard Tech Specs.	P. Wagner	Complete
C-06	Pump Support - Lamellar Tearing	R. Snaider	Inactive
C-07	Fuel Handling Accident Inside Containment	W. Paulson	Active
C-08	BWR Post LOCA H-2 Control	J. Van Vliet	Active
C-09	PWR Aux. FW Pumps	M. Grotenhuis	<u>Complete</u>
C-10	Control of Heavy Loads Over Spent Pool	G. Requa	Active
C-11	RPS Power Supply	J. Van Vliet	Active
C-12	Boron Solubility During Long Term Cooling Following LOCA	T. Colburn	Active
C-13	Loss of Offsite Power	J. Lombardo	Complete
C-14	Aux. Feedwater Seismic Qualification	K. Herring	Active

<u>MP Action Task No.</u>	<u>Title</u>	<u>Lead Engineer</u>	<u>Status</u>
D-01	GE Mark I Containment Evaluation Long Term	B. Siegel	Active
D-02	ECCS Circ. Clad Model Error - Compliance with 10 CFR 46	D. Neighbors	Complete
D-03	Pressurizer Heatup Rate Error	D. Neighbors	Complete
D-04	PWR Reactor Vessel Cavity Seal Ring Missile Potential	C. Trammell	Active
D-05	Plant UPI Model Problem	R. Licciardo	Active
D-06	Peaking Model Change for CE Reactor Core	E. Conner	Complete
D-07	PWR Power Level for RWM	R. Clark	Complete
D-08	Deficiency in Chem Addition to Containment Sprays	R. Caruso	Complete
D-09	GE ECCS Input Errors	V. Rooney	Complete
D-10	Asymetric LOCA Loads	J. Shea	Active
D-11	Fission Gas Release		
D-12	Non-Jet Pump BWR Core Spray Performance	P. Polk	Active
D-13	B&W Small Break Error	M. Fairtile	Complete
D-14	Reactor Vessel Weld - Wire Deficiency	M. Fairtile	Complete
D-15	<u>High Energy Line Break and Consequential System Failure</u>	M. Grotenhuis	<u>Active</u>
D-16	Review of Corporate Management Capability	S. Miner	Active
D-17	Definition of Operable	S. Miner	Active

MP Action
Task No.

Title

Lead Engineer

Status

E-01	Spent Fuel Pool Expansions	R. Clark	Complete
E-02	Fuel Cask Drop	D. Neighbors	Complete
E-03	Core Reloads Requiring Prior NRC Approval	W. Ross	Complete
E-04	BWR Single Loop Operation	R. Clark	Active
E-05	WN-1 Loop Operation	L. Olshan	Active
E-06	CEA Position Indication Failures - CE	E. Conner	Active
E-07	Reactor Protection System Logic - CE	E. Conner	Active

MULTIPLANT ACTION NUMBER ASSIGNMENTS FOR THE
THI ACTION PLAN REQUIREMENTS AND ASSIGNED
LEAD PROJECT MANAGERS

<u>Multiplant Action Number (Lead PM)</u>	<u>Title</u>
MP F-1 (J. Neighbors)	I.A.1.1 Shift Technical Advisor
MP F-2 (W. Ross)	I.A.1.3 Shift Manning
MP F-3 (D. Wigginton)	I.A.2.1 Upgrading of RO and SRO Training
MP F-4 (D. Chaney)	I.D.1.2 Inadequate Core Cooling Guidelines and Procedures
MP F-6 (M. Grotenhuis)	I.C.5 <u>Feedback of Operating Experience</u>
MP F-7 (R. Licciardo)	I.C.6 Correct Performance of Operating Activities
MP F-8 (R. Caruso)	I.D.1 Control Room Design Review
MP F-9 (R. Snaider)	I.D.2 Safety Parameter Display System
MP-F-10 (J. Van Vliet)	II.B.1 RCS High Point Vents
MP F-11 (L. Engle)	II.B.2 Plant Shielding

Multiplant Action
Number (Lead PM)

Title

MP F-12 (L. Engle)	II.B.3 Post accident Sampling
MP F-13 (D. Wigginton)	II.B.4 Training for Mitigating Core Damage
MP F-14 (C. Nelson)	II.D.1 RV and SV Testing
MP F-15 (P. Wagner)	II.E.1.1 AFW System Evaluation
MP F-16 (D. Garner)	II.E.1.2.1 AFW System Initiation
MP F-17 (D. Garner)	II.E.1.2.2 AFW System Flow Indication
MP F-18 (M. Fairtile)	II.E.4.1 Dedicated Hydrogen Penetrations
MP F-19 (E. Reeves)	II.E.4.2 Containment Isolation Dependability
MP F-20 (E. Conner)	II.F.1.1 Noble Gas Monitor
MP F-21 (E. Conner)	II.F.1.2 Iodine/Particulate Sampling
MP F-22 (M. Fairtile)	II.F.1.3 Containment High Range Monitor

Multipiant Action Number (Lead PM)	Title
MP F-23 (D. Dianni)	II.F.1.4 Containment Pressure Instrument
MP F-24 (P. Erickson)	II.F.1.5 Containment Water Level Instrument
MP F-25 (P. Erickson)	II.F.1.6 Containment Hydrogen Monitor
MP F-26 (J. Shea)	II.F.2 Instruments for Detection of Inadequate Core Cooling
MP F-27 (M. Padovan)	II.K.2.9 FMEA on ICS
MP F-28 (M. Padovan)	II.K.2.10 Safety Grade ARTS
MP F-29 (M. Padovan)	II.K.2.11 Continued Operator Training and Drilling
MP F-30 (G. Vissing)	II.K.2.13 Thermal-Mechanical Report
MP F-31 (D. DiIanni)	II.K.2.14 Lift Frequency of PORVs and SVs
MP F-32 (G. Vissing)	II.K.2.16 RCP Seal Damage
MP F-33 (D. DiIanni)	II.K.2.17 Potential for Voiding in RCS

Multiplant Action
Number (Lead PM)

Title

MP F-35
(M. Fairtile)

II.K.2.20 System Response to SB LOCA

MP F-36
(T. Colburn)

II.K.3.1 Auto PORV Isolation

MP F-37
(T. Colburn)

II.K.3.2 Report on PORV Failures

MP F-38
(T. Colburn)

II.K.3.3 Reporting SV and RV Failures and Challenges

MP F-39
(R. Martin)

II.K.3.5 Auto Trip of RCPs

MP F-40
(C. Trammell)

II.K.3.9 PID Controller

MP F-41
(C. Trammell)

II.K.3.10 Anticipatory Trip Modifications

MP F-42
(C. Trammell)

II.K.3.12 Anticipatory Trip on Turbine Trip

MP F-43
(P. Polk)

II.K.3.13 HPCI and RCIC Initiation Levels

MP F-44
(J. Heyner)

II.K.3.14 Isolation Condenser Isolation Modification

MP F-45
(M. Williams)

II.K.3.15 Isolation of HPCI and RCIC Modification

Multiplant Action Number (Lead PM)	Title
MP F-46 (R. Clark)	II.K.3.16 Challenges and Failures of Relief Valves
MP F-47 (V. Rooney)	II.K.3.17 ECCS Outages
MP F-48 (R. Bevan)	II.K.3.18 ADS Actuation
MP F-49 (K. Eccleston)	II.K.3.19 Interlock Recirculation Pump Modification
MP F-50 (V. Rooney)	II.K.3.21 Restart of CSS and LPCI
MP F-51 (P. Polk)	II.K.3.22 RCIC Suction
MP F-52 (M. Williams)	II.K.3.24 Space Cooling for HPCI/RCIC Modifications
MP F-53 (P. Polk)	II.K.3.25 Power on Pump Seals
MP F-54 (J. Van Vliet)	II.K.3.27 Common Reference Level
MP F-55 (K. Eccleston)	II.K.3.28 Qualification of ADS Accumulators

Multiplant Action
Number (Lead PM)

Title

MP F-56 (J. Hegner)	II.K.3.29 Performance of Isolation Condensers
MP F-57 (J. Hannon)	II.K.3.30 SB LOCA Methods
MP F-58 (B. Siegel)	II.K.3.31 Compliance with 10 CFR 50.46
MP F-59 (B. Siegel)	II.K.3.44 Anticipated Transients with Single Failures
MP F-60 (R. Bevan)	II.K.3.45 Manual Depressurization
MP F-62 (R. Clark)	II.K.3.57 Manual Actuation of ADS
MP F-63 (R. Caruso)	III.A.1.2 Technical Support Center
MP F-64 (S. Nowlicki)	III.A.1.2 Operational Support Center
MP F-65 (T. Wambach)	III.A.1.2 Emergency Operations Facility
MP F-66 (R. Snaider)	III.A.1.2 Nuclear Data Link

Multiplant Action Number (Lead PM)	Title
MP F-67 (W. Paulson)	III.A.2.1 Emergency Plan Upgrade to Meet Rule
MP F-68 (J. Lombardo)	III.A.2.2 Meteorological Data Upgrade
MP F-69 (G. Requa)	III.D.3.3 Implant Radiation Monitoring
MP F-70 (P. O'Connor)	III.D.3.4 Control Room Habitability

Multipiant Action Summary Report

Enclosure 2

Date of report _____

Covers period Oct. 1, 1981 through _____

Multipiant Action Number
and Title

Scheduled Number of SERs from
Technical Review Branch

1'st Qtr 2'nd Qtr 3'rd Qtr 4'th Qtr

Scheduled Number of
TERs to be received
from Contractor

Scheduled Number of
Licensing Actions
to be completed

TERs received to date _____

SERs received to date _____

Licensing Actions
completed to date _____

Comments:

Multipiant Action Summary Report

Enclosure 3

Date of report Jan. 12, 1982Covers period Oct. 1, 1981 through Dec. 31, 1981

Multipiant Action Number and Title	Scheduled Number of SERs from Technical Review Branch				Scheduled Number of TERs to be received from Contractor	Scheduled Number of Licensing Actions to be completed
	<u>1st Qtr</u>	<u>2nd Qtr</u>	<u>3rd Qtr</u>	<u>4th Qtr</u>		
B-23 Degraded Grid Voltage	4	7	12	12	30	35

TERs received to date 6SERs received to date 3Licensing Actions
completed to date 2

Comments:

Contract Managers for Multiplant Actions Receiving
Division of Licensing Technical Assistance

Harley Silver	Room 414	Ext. 28995
Singh Bajwa	Room 508	Ext. 28287
Jack Donohew	Room 550	Ext. 28543
Bev Barnhart	Room 529	Ext. 28675

<u>MP Action</u>	<u>Contract Manager</u>
A-01	H. Silver
A-02	S. Bajwa
A-04	S. Bajwa
B-03	S. Bajwa
B-23	J. Donohew
B-24	S. Bajwa (electrical only)
B-48	J. Donohew
B-57	J. Donohew
B-58	S. Bajwa
B-59	S. Bajwa
B-60	S. Bajwa
B-62	J. Donohew
B-69	S. Bajwa
B-70	S. Bajwa
C-10	S. Bajwa
C-11	J. Donohew
E-07	J. Donohew
F-03	H. Silver
F-10	B. Barnhart
F-11	B. Barnhart
F-12	B. Barnhart
F-13	H. Silver
F-16	S. Bajwa
F-17	S. Bajwa
F-19	B. Barnhart
F-20	B. Barnhart
F-21	B. Barnhart
F-22	B. Barnhart
F-23	B. Barnhart
F-24	B. Barnhart
F-25	B. Barnhart
F-31	S. Bajwa
F-32	B. Barnhart
F-37	S. Bajwa
F-47	S. Bajwa
F-50	B. Barnhart
F-51	J. Donohew
F-60	B. Barnhart
F-69	B. Barnhart

APPENDIX A-5

DIVISION OF LICENSING OPERATING PROCEDURE FOR HANDLING
SAFETY/SAFEGUARDS INFORMATION



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

MAY 24 1982

MEMORANDUM FOR: Robert F. Burnett, Director
Division of Safeguards, NMSS

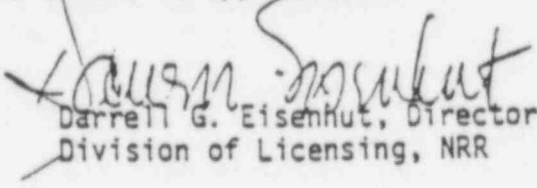
FROM: Darrell G. Eisenhut, Director
Division of Licensing, NRR

SUBJECT: DIVISION OF LICENSING OPERATING PROCEDURE FOR
HANDLING SAFETY/SAFEGUARDS INFORMATION

As outlined in the enclosed memorandums a new procedure has been developed for the handling of Safeguards Information within the Division of Licensing, NRR.

The only change involving NMSS is contained in item 4 of the procedure.

We plan to implement this procedure beginning on June 7, 1982. Your cooperation and assistance in this effort is appreciated.


Darrell G. Eisenhut, Director
Division of Licensing, NRR

Enclosures:
As stated

cc: H. Denton
E. Case
T. Novak
R. Tedesco
G. Lainas



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

MAY 24 1982

MEMORANDUM FOR: Thomas M. Novak, Assistant Director
for Operating Reactors

Robert L. Tedesco, Assistant Director
for Licensing

Gus C. Lainas, Assistant Director
for Safety Assessment

FROM: Darrell G. Eisenhut, Director
Division of Licensing

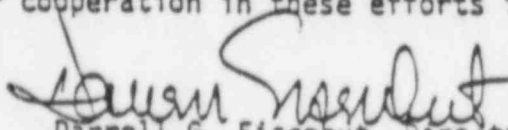
SUBJECT: DIVISION OF LICENSING OPERATING PROCEDURE FOR
HANDLING SAFETY/SAFEGUARDS INFORMATION

To maintain better control over safety/safeguards issues and to ensure compliance with the provisions of NRC Appendix 2101, "NRC Security Program Part XVII, Protection of Unclassified Safeguards Information" the enclosed Division of Licensing Operating Procedure (DLOP), has been developed.

The implementation of this DLOP will necessitate the following actions:

- a) Have each Project Manager and Administrative Staff Personnel search their files to assure that no Safeguards Information is left unsecured. For guidance on types of information to be protected see the enclosed instructions.
- b) Take all unsecured safeguards information to the Standardization and Special Projects Branch (SSPB) for immediate storage.
- c) The NMSS licensing determination will be documented by correspondence addressed to the SSPB, beginning on June 7, 1982.

A training session on the requirements of the Safeguards Information Program is being developed with the Division of Security for assigned NRR Division Safeguards Coordinator. The contacts for this DLOP are Jane Gibson (x24777) and Eugene McPeck (x24782). Your cooperation in these efforts is appreciated.


Darrell G. Eisenhut, Director
Division of Licensing

Enclosure:
As stated

2.0 Scope of the Rule

2.1 Facilities and Material Type Covered

Safeguards Information is limited to information regarding the physical protection of :

- Operating power reactors,
- Spent fuel shipments, and
- Activities involving formula quantities of strategic special nuclear material (for information not otherwise classified as National Security Information or Restricted Data under 10 CFR Part 95)

In regard to facilities that possess formula quantities, the rule applies to both fresh and irradiated material or combinations thereof and includes HEU fuel fabricators, non-power reactors, away-from-reactor spent fuel storage, and laboratories.

Information concerning the physical protection of special nuclear material of moderate and low strategic significance is not covered by the rule.

2.2 Types of Information Included

Safeguards Information is information that discloses equipment, procedures, communications, or response plans used by a licensee to protect certain special nuclear material or facilities. It includes:

- The overall physical security and safeguards contingency plan
- Drawings, sketches and diagrams that show locations of site safeguards features
- Details of the intrusion alarm system
- Guard orders and procedures

- Details of on-site and off-site response forces
- Drawings that explicitly identify certain areas or equipment at power reactors as being vital for purposes of physical protection.
- Portions of guard training and qualification plans that disclose specific safeguards features or response procedures
- Correspondence, inspection reports and audits that contain any of the above or that disclose weaknesses in the protection system.

Matter other than documents and drawings that contain Safeguards Information, such as alarm system computer programs, data processing storage disks, microfilms or photographs, should be afforded the same level of protection. (All items described in 10 CFR 2.4(q) should be protected.)

Certain types of information, even though possibly regarded as Safeguards Information, do not fall within the scope of the rule. Most notably are generic studies, reports or analyses conducted by or on behalf of the NRC, licensees, or applicants which concern the safeguarding of nuclear materials or facilities. Additional types not included in the rule are:

- Documents, drawings, or reports submitted by applicants or licensees, or produced by the staff, in response to the environmental and safety requirements contained in Parts 50, 51, 70, and 71.
- Routes and quantities for spent fuel shipments.
- Information concerning licensee control and accounting procedures or inventory differences for special nuclear material, or source material and byproduct material.
- Any information already in the public domain including commercial safeguards equipment specifications, catalogues and equipment buying data.
- Portions of guard qualification and training plans that do not disclose facility safeguards features or response procedures.

Normally the composite (i.e. sum of all parts) physical security and safeguards contingency plans would be considered single entities for protection purposes. However, licensees and applicants may find it more appropriate to segregate general or non-sensitive information into unprotected appendices or attachments. Also, guard orders and standard operating procedures may

be segregated into protected and unprotected portions. (Note that the rule requires guard qualification and training plans to be segregated)

In regard to engineering or construction drawings, all the revisions that substantially represent the final design features of the physical protection system would be considered to contain Safeguards Information. Initial requests for bids or proposals and original design sketches, for example would probably not qualify as Safeguards Information. Specific items of design that should be protected include:

- Location and types of alarm devices
- Alarm system schematic and wiring diagrams (but not wiring lists)
- Defensive positions and guard posts
- Alarm system emergency power location and capability
- Response and patrol routes
- Details of alarm station and guard post bullet resistant construction features
- Location of alarm stations (when it does not conflict with other submittal requirements)
- Vehicle alarm and immobilization features

In addition to physical protection measures, the rule requires protection of documents or drawings that identify certain safety related equipment as being vital for the purpose of physical security. Normal engineering or construction drawings that show the locations of safety-related equipment are not Safeguards Information. In order to be Safeguards Information, the drawing must explicitly state that the equipment or area is vital from the standpoint of physical protection. (Unless a drawing is specifically made, overlaid, or annotated for purpose of the physical protection of the facility, it cannot be considered Safeguards Information.)

Arrangements made with State or local police forces for response to safeguards emergencies are Safeguards Information. Specific information to be protected include:

- Size and armament of initial responding force
- Response times
- Primary and alternate routes
- Identity (e.g., does the response force come from a road unit or Hq building)

- Specific response plans upon arrival
- Availability of reserve forces

General information concerning State or local police forces, such as total complement, shift size etc., that is already in the public domain is not Safeguards Information and not subject to the rule requirements.

Arrangements made with telephone companies regarding dedicated, fail-safe, leased land lines used for security purposes should be protected to the extent possible. (A licensee would only be responsible for the control of the documentation in his possession.)

2.3 Persons Subject to the Rule

Any person, whether or not a licensee of the NRC, who produces, receives, or acquires Safeguards Information is subject to the requirements (and sanctions) of the rule. Firms and their employees that supply services or equipment to power reactors would fall under the rule if they possess facility Safeguards Information. While a licensee would not be directly responsible for the protection of Safeguards Information in the hands of others, a licensee should as a matter of prudence inform contractors and suppliers of the existence of the regulatory requirements and the need for proper protection. (See more under Conditions for Access)

State or local police units who have access to Safeguards Information also are subject to the rule. However, these organizations are deemed in the rule to have adequate information protection systems. The conditions for transfer of information to a third party, ie, need-to-know, would still apply to the police organization as would sanctions for unlawful disclosure. Again it would be prudent for licensees who have arrangements with local police to advise of the existence of the rule.

3.0 Conditions for Access

There are no personnel security clearances or specific determinations of trustworthiness needed for access to Safeguards Information. The conditions for access are set forth below.

3.1 Need-to-Know

Need-to-know is defined in §73.2 of Part 73 as a determination that a proposed recipient's access to Safeguards Information is necessary in the performance of official, contractual, or licensee duties of employment. A licensee or his contractor, or any other person having possession of Safeguards Information has significant discretionary authority under the rule in making these determinations. The recipient should be made aware that the information is sensitive and subject to NRC regulations.



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

MAY 24 1982

ALL DIVISION OF LICENSING PERSONNEL

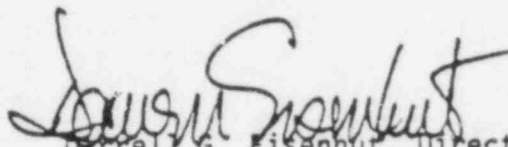
SUBJECT: DL OPERATING PROCEDURE FOR HANDLING SAFETY/SAFEGUARDS
INFORMATION

The following procedures are intended to establish and maintain better control over safety/safeguards issues and to ensure compliance with the provisions of 10 CFR 73.21, which places restrictions similar to that of "Confidential Material," such as telecommunications and ADP systems (must be over secure telecommunications and approved ADP systems), storage (must be in approved containers when unattended), information (must be properly marked), for Physical Security Plans, Contingency Plans, Guard Training Plans, and Security Inspection Reports.

1. All incoming reactor safeguards documents, e.g., Physical Security Plans, Contingency Plans, Guard Training Plans and Security Inspection Reports will go directly from the Document Room to the Standardization and Special Projects Branch. Copies of the RIDs sheet and cover letter, if it does not contain Safeguards Information, will be provided to the appropriate Operating Reactor or Licensing Branch.
2. For all such incoming correspondence, the SSPB will inform the PM of such correspondence.
3. If a submittal requires a review and approval, the PM will be requested by SSPB to initiate a TAC number, unless the issue is connected with another ongoing review. The necessary safeguards records will be accessible to the PM.
4. Following NMSS/SG review, the NMSS licensing determination will be documented by memorandum from NMSS to the Chief, SSPB. A copy of the cover memorandum and proposed letter to licensees, if it does not contain Safeguards Information, will be provided by NMSS to the appropriate NRR Licensing or Operating Reactors Branch. Any enclosures containing Safeguards Information will be forwarded only to SSPB. For actions requiring transmittals to licensees or applicants (question lists, staff positions, license amendments, etc.), the correspondence package will be prepared by the SSPB and concurrence will be obtained in all cases from assigned PM's. When the transmittal is signed by appropriate Project Branch Chiefs, enclosures containing Safeguards Information will be attached by SSPB, and the package will be dispatched in accordance with current procedures for dealing with this type of information.

MAY 24 1982

5. After receipt of such correspondence, SSPB will resolve any identified safety impacts in conjunction with the PM. If resolution cannot be achieved at this level, the matter will be jointly addressed by the appropriate NRR and NMSS management personnel.
6. All Safeguards Information will be stored in a central location in the ~~Phillips Building in Rooms 336 and 338.~~
7. A secure telecommunications circuit, which can be used by all NRR staff, is located in Room 336.


Darrell G. Eisenhut, Director
Division of Licensing

cc: H. Denton
Regional Administrators

APPENDIX A-6

BOARD NOTIFICATIONS

2/15/83



FEB 15 1983

MEMORANDUM FOR: T. Novak, Assistant Director for Licensing
G. Lainas, Assistant Director for Operating Reactors
F. Miraglia, Assistant Director for Safety Assessment

FROM: Darrell G. Eisenhut, Director
Division of Licensing

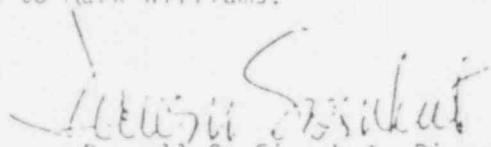
SUBJECT: BOARD NOTIFICATIONS

In order to provide uniformity to the distribution of board notifications the format of Enclosure 1 should be used on notifications addressed to the Commission. (i.e., for my signature).

Notifications sent to the Commission we will always cc the ASLB and ASLAB (by members name) on the cover memorandum to the Commission.

The words "service list" or similar words should not appear on the cover memorandum, nor should the service list itself accompany the notification to the Commission. The cognizant branch should send the notification to all appropriate parties on the service list with priority distribution to those on the memorandum.

Previous guidance (Enclosure 2) still applies relative to such notification. Any questions should be directed to Mark Williams.


Darrell G. Eisenhut, Director
Division of Licensing

Enclosures:
As Stated

cc: S. Black
R. Messman
J. Thoma

MEMORANDUM FOR: Chairman Surname
Commissioner Surname
Commissioner Surname
Commissioner Surname
Commissioner Surname

FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: BOARD NOTIFICATION 83-_____

Start body here, 3 SPACES after "SUBJECT".

The signature block is at page center at the end of the text. The contact appears on the first page regardless of the length of the memorandum.

Darrell G. Eisenhut, Director
Division of Licensing

Enclosures:
As Stated

cc: SECY
OPE
OGC
EDO
Name, ASLB
Name, ASLB
Name, ASLB
Name, ASLAB
Name, ASLAB
Name, ASLAB



NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

JAN 7 1983

MEMORANDUM FOR: Thomas Novak, Assistant Director for Licensing
Gus Lainas, Assistant Director for Operating Reactors
Frank Miraglia, Assistant Director for Safety Assessment

FROM: Mark Williams, Technical Assistant
Division of Licensing

SUBJECT: BOARD NOTIFICATIONS

This memo clarifies the DL procedures for issuance of Board Notifications. In cases where the Commission and an Appeal Board and/or a Licensing Board have jurisdiction over a proceeding it will be our practice to address the Board Notification to the Commission only with a copy to the appropriate Board. Also, whenever an issue involves Commission notification, (e.g. a Generic BN), the only notification issued, for all Boards, will be the one addressed to the Commission. Other appropriate Boards will receive copies, and be listed on the distribution on the notification. This single notification will be signed by the Director, DL. When this is done, or when notifications are issued to the ASLB or ASLAB please ensure that the names and addresses of the board members are on the distribution list for mailing. We have had several complaints where notifications addressed to a particular board were not received by board members, or where the Commission did not receive their copies until long after the other Boards received theirs. Also, note that the board members should not be normally on the service list since they should not receive all correspondence.*

Mark Williams Technical Assistant
Division of Licensing

cc: DGEisenhut
RAPurple
SBlack
JThoma
RWessman

UPDATE - 2/10/83

* Exceptions to this practice (ie. adding the Board to the Service List) may be authorized the the Office of the Dir. DL based on a written request from the Director and Chief Hearing Counsel, Hearing Division ELD (Ed Christenbury.).

APPENDIX A-7

ROUTING OF AMENDMENTS



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

NOV 2 1993

MEMORANDUM FOR: DL Assistant Directors
DL Branch Chiefs
DL Licensing Assistants

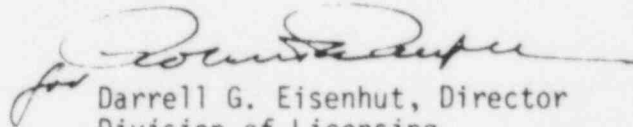
FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: ROUTING OF AMENDMENTS

It is no longer necessary to route all amendments through my office. However, they should continue to be routed through the appropriate Assistant Director's office for approval of the SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION INFORMATION contained on the lower half of the routing form.

It should no longer be necessary for the AD to make the determination to request OELD to review the Safety Evaluation. That responsibility should hereby be delegated to the responsible Branch Chief.

A revised form, which can be made branch specific, is attached.


for Darrell G. Eisenhut, Director
Division of Licensing

Attachment:
Amendment Route Slip

OPERATING REACTORS/LICENSING BRANCH NO.

AMENDMENT ROUTE SLIP

1. _____, LA - concurrence
2. _____, Project Manager - concurrence
3. _____, Branch Chief - concurrence (OELD review is/is not requested for the enclosed Safety Evaluation) _____
4. OELD - concurrence
5. _____, - signature
6. _____, Assistant Director - approval
7. _____, Branch Chief - signature
8. _____, LA - assign Amendment No. and date
9. _____ - dispatch

Letter to: _____ Amendment No(s). _____

Subject: _____

SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION INFORMATION

Initial Determination: Significant Hazards Consideration (Circle one)
 No Significant Hazards Consideration

Notice Period _____ Days. Comment period expires _____ (date)

If less than 30 days or hearing request received: Final No Significant Hazards

Consideration Determination enclosed: Yes _____ Emergency or Exigency _____

Input for Monthly FR Notice Enclosed: Yes _____ No _____

Date Consulted with State: _____ Comments: Yes _____ No _____

Date checked with SECY for public comments or Petitions for Leave to Intervene: _____

Petitions filed: Yes _____ No _____

Comments filed: Yes _____ No _____

Remarks _____

_____, Assistant Director, approval _____

FROM: _____ EXT. _____ Mail Stop _____

APPENDIX A-8

BOARD NOTIFICATIONS

11/7/83



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

November 7, 1983


MEMORANDUM FOR: All Division of Licensing Personnel

FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: BOARD NOTIFICATIONS

The purpose of this memorandum is to provide instructions to be followed concerning items that are recommended for board notification by or to any member of the DL staff from any source.

NRR Office Letter No. 19 provides that any such recommendation is to be forwarded, through management, within two working days, to the Director, DL. No concurrences, other than that of the DL originator (or receiver), are necessary. The recommendation is to be hand-carried through the management chain and such recommendations should not be delayed for the concurrence of any other DL staff member. Intermediate management should act promptly so that the two-day limit can be met. The purpose of routing such recommendations through management is for their information, not for their judgments as to whether the recommendation should or should not be a Board Notification. That judgment rests solely with the Director of Licensing. In this regard, all staff members are reminded that such recommendations must contain the information prescribed in Office Letter No. 19 so that a prompt decision can be made.


Darrell G. Eisenhut, Director
Division of Licensing

APPENDIX A-9

REQUEST FOR HEARING FROM ELECTED OFFICIALS



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

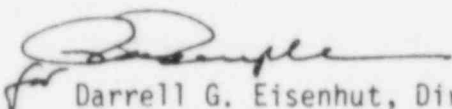
NOV 8 1983

MEMORANDUM FOR: DL ADs
DL BCs
DL PMS

FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: REQUEST FOR HEARING FROM ELECTED OFFICIALS

Please advise Harold Denton's office directly and promptly of any request for hearings by elected officials (i.e., Congressional, State or local). Do not rely on a daily highlight.


Darrell G. Eisenhut, Director
Division of Licensing

APPENDIX A-10

SHORT NOTICE POLICY



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

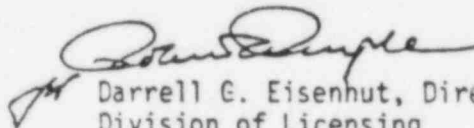
NOV 14 1963

MEMORANDUM FOR: Thomas Novak, Assistant Director for Licensing
Gus Lainas, Assistant Director for Operating Reactors
Frank Miraglia, Assistant Director for Safety Assessment

FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: SHORT NOTICE POLICY

To assist in the orderly management of the day-to-day work load, we have been asked to establish a procedure for processing short term high priority issues that occur with little or no advance planning. For the future, when an issue develops that requires a response from other NRR Divisions within the next five (5) working days you are to obtain my clearance before requesting the action. Once cleared for issuance, this Office will notify the receiving Division Director that a request is coming and you will cause it to be hand carried to the receiving party.


Darrell G. Eisenhut, Director
Division of Licensing

APPENDIX A-11

SIGNATURE AUTHORITY FOR 10 CFR 50.54 LETTERS



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

Nov. 14, 1983

MEMORANDUM FOR: Division of Licensing Assistant Directors,
Branch Chiefs and Licensing Assistants

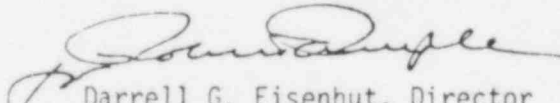
FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: SIGNATURE AUTHORITY FOR 10 CFR 50.54 LETTERS

The current signature authority (NRR Office Letter 26) does not clearly identify the appropriate signature level for 50.54 (f) letters. In light of the Commission's interest in controlling the use of regulatory tools, I consider it prudent to establish the following guidance:

- Letters to Applicants/Licensees - Lowest Signature Level
- (1) Plant specific letters issued under the provisions of 10 CFR 50.54 (f) - Assistant Dir. DL /w/ conc. of Dir. DL
 - (2) Generic Letters to Licensees including those under 50.54(F)- Director of Licensing

This guidance is effective immediately. By copy of the memorandum, PPAS is requested to include it in the next revision of Office Letter 26.


Darrell G. Eisenhut, Director
Division of Licensing

CC: J. Funches
H. Berkow

APPENDIX A-12

DISTRIBUTION OF BOARD NOTIFICATIONS TO
COMMISSIONERS AND COMMISSION-LEVEL OFFICES



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


December 19, 1983

MEMORANDUM FOR: DL Assistant Directors
DL Branch Chiefs
DL Licensing Assistants

FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: DISTRIBUTION OF BOARD NOTIFICATIONS TO COMMISSIONERS
AND COMMISSION-LEVEL OFFICES

The attached memorandum from SECY indicates that they (SECY) are not receiving board notifications in a timely manner. Effective immediately, please ensure that all Commission Offices designated to receive a copy of a board notification are provided an expedited copy at the same time that delivery is made to the Commissioners (i.e., delivery within one day of the date of the BN). SECY should receive two copies. If a courier is used to deliver a BN to the Commissioners, it should also be used to deliver the BN to Commission-level offices (including after-hours deliveries). In addition, please have available, on a continuing basis, a set of mailing labels for your hearing-related dockets. This will eliminate delays in BN processing.


Darrell G. Eisenhut, Director
Division of Licensing

Enclosure: As stated

cc: R. A. Purple
G. E. Edison
T. Combs, SECY



OFFICE OF THE
SECRETARY

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

November 9, 1983

MEMORANDUM FOR: Darrell Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

FROM: Tom *RC* Conds, Chief
Correspondence and Records Branch

SUBJECT: DISTRIBUTION OF BOARD NOTIFICATIONS TO COMMISSIONERS AND
COMMISSION-LEVEL OFFICES

Several recent Board Notifications (e.g., Diablo Canyon and TMI-1) were issued by the staff but not received or brought to the attention of the Commissioners and/or Commission-level offices prior to a Commission meeting on the subject. This, of course, precluded any discussion of the information contained in the Notifications at those meetings. In both cases, and in some others where the subject was not discussed at a Commission meeting, the dates of issuance for the Board Notifications was a week to two weeks prior to receipt by the Commission.

The purpose of this memorandum is to call your attention to this problem and to request that the Commissioners and Commission-level offices be afforded copies of Board Notifications on an expedited basis. It is also requested that the Office of the Secretary be afforded two copies of each Notification and that they be sent to the Correspondence and Records Branch. One of the copies will be provided to the Docketing and Service Branch for its docket files.

APPENDIX A-13

PROJECT MANAGER'S BRIEFING BOOK



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

JAN - 4 1984

MEMORANDUM FOR: All DL Project Managers

FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: PROJECT MANAGER'S BRIEFING BOOK

Background

It has been recognized that NRC Headquarters representatives involved in the coordinated agency response to an accident at a nuclear power facility should have an accurate understanding of certain plant-specific information. The Division of Licensing Project Manager (PM) is an invaluable source of plant-specific information. When the operations center is activated, the PM or his backup will usually be asked by the Chairman to provide the Executive Team with a briefing on the plant. This briefing should be concise and provide a current and accurate "snapshot" of the facility. Additional guidance regarding PM functions in incident response is provided in a memorandum from E. Jordan to Project Managers of Operating Plants, dated October 11, 1983 (Enclosure 1).

In accordance with the PM Handbook, DL Project Managers may have a "Project Managers Data Log," containing useful statistics regarding the facility and NRR licensing history. Much of this information is related to the facility's OL review. Also, the DL Branch may have "Plant Data Log" sheets, containing useful administrative information for communications with the licensee in the branch. These records may be of limited use in the incident response environment, however.

Action

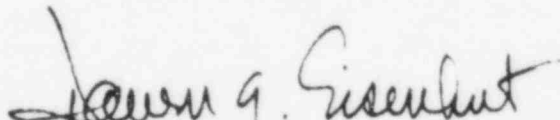
By February 29, 1984, each operating plant PM is requested to prepare a Project Managers Briefing Book for use by the PM (or his backup), during activation of the Headquarters Operations Center. This briefing book will be maintained in a distinctive bright-colored binder (to be provided) in a prominent location in the PM's office. (The Fort St. Vrain Briefing Book will be prepared and maintained by the Oversight PM with assistance from Region IV.) Insofar, as possible, the briefing book should contain the information specified in Enclosure 2 to this memorandum. Typical formats for selected pages are shown in Enclosure 3.

The PM's Briefing Book is not expected to be equivalent to the facility data notebooks maintained by the Regions and the Headquarters Operations Center; however, most of the data for the briefing book may be obtained from the Operations Center notebooks. Also, the PM's Briefing Book is not expected to substitute for detailed plant P&ID drawings, large local area maps and photos, or other information sources maintained in the Headquarters Operations Center. The PM's Briefing Book should contain enough information to enable the PM or his backup to make an articulate briefing to management and answer many common questions about the facility.

In January, the Headquarters Operations Center will be scheduling training seminars which will be attended by all NRR Operating Plant PMs. This will provide the opportunity for the PM to familiarize himself with the Operations Center, his role in an emergency response situation, and to obtain pertinent information to insert in his briefing book. Additional information may be available from the Site Analysis Branch/Division of Engineering, the FSAR, the facility emergency plan, or the licensee directly. The PM should explore "in-house" sources before contacting the licensee.

OL PMs will be expected to prepare their Project Managers Briefing Book prior to the issuance of the facility's full power license. PMs should record any significant changes as they occur and review their briefing books at least annually to insure they are still up-to-date.

Any questions should be directed to R. Wessman, SA, at X28432.


Darrell G. Eisenhut, Director
Division of Licensing

Enclosures: As stated

cc w/enclosures:
DL Branch Chiefs
DL Assistant Directors
E. Jordan, IE
J. Hickman, IE
W. Regan
P. Wagner, R-IV
H. Denton



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

Enclosure 1

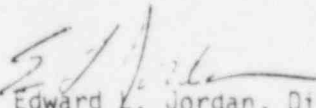
October 11, 1983

MEMORANDUM FOR: Project Managers of Operating Plants
(See attached list)
Division of Licensing
Office of Nuclear Reactor Regulation

FROM: Edward L. Jordan, Director
Reactor Safety Team
Incident Response Center
Office of Inspection and Enforcement

SUBJECT: PROJECT MANAGER FUNCTIONS IN INCIDENT RESPONSE

The NRC Headquarters Operations Center is part of a coordinated agency response to an accident at a nuclear power facility. As part of this response, the Reactor Safety Team (RST) is responsible for assessing the status of the core and containment. As part of the RST, the project manager provides an invaluable source of plant-specific information. In addition, the Chairman typically expects the project manager to provide him and the Executive Team with a briefing on the plant. So that you may be aware of the general operation of the Operations Center and what will be expected of you in particular, we request that you review the attached response procedure and the Agency's Emergency Response Plan, NUREG-0728, Rev. 1. To further explain the Operations Center and your functions, we plan to conduct a training seminar in the near future. Should you have any questions, please contact the RST Coordinator, John Hickman, at X24948.


Edward L. Jordan, Director
Reactor Safety Team
Incident Response Center
Office of Inspection and Enforcement

Enclosure:
RST Project Manager
Procedure

Distribution for memorandum dated October 11, 1983 :

D. G. Eisenhut, D/DL
T. M. Novak, AD/L
G. C. Lainas, AD/OR

ORB #1

P. Tam
D. Wigginton
E. Reeves
P. Polk
M. Grotenhuis
G. Requa
D. Fisher
D. Neighbors
D. McDonald
J. Norris

ORB #2

R. Clark
S. MacKay
B. Siegel
F. Apicella
J. Hegner
V. Rooney
H. Nicolaras
R. Hermann
K. Eccleston
R. Bevan
V. Rooney

ORB #3

O. Lynch
D. Jaffe
E. Tourigny
K. Heitner
P. Leech
L. Engle
T. Colburn
D. DiIanni
D. Sells
C. Trammell

ORB #4

G. Vissing
M. Fairtile
A. DeAgazio
ii. Currier
S. Miner
J. Van Vlier
G. Rivenbark
G. Gears

ORB #5

R. Gilbert
P. Erickson
R. Emch
T. Wambach
D. Dudley
J. Lombardo
J. Shea
G. Dick
W. Paulson
J. Lyons

POSITION: REACTOR SAFETY TEAM (RST) PROJECT MANAGER

DUTY STATION: Reactor Safety Team Room, Room No. 345

PROCEDURE: RST-11

Rev.: 0

Dated: 04/20/83

Team Objectives

Develop NRC assessment of current and projected core and containment conditions and/or confirm the licensee's assessments of the same. Provide these assessments to the Protective Measures Team and to the Executive Team with advice and direction for the licensee if appropriate.

Member Function

Serve as the technical expert for the team on plant specific information for the subject facility.

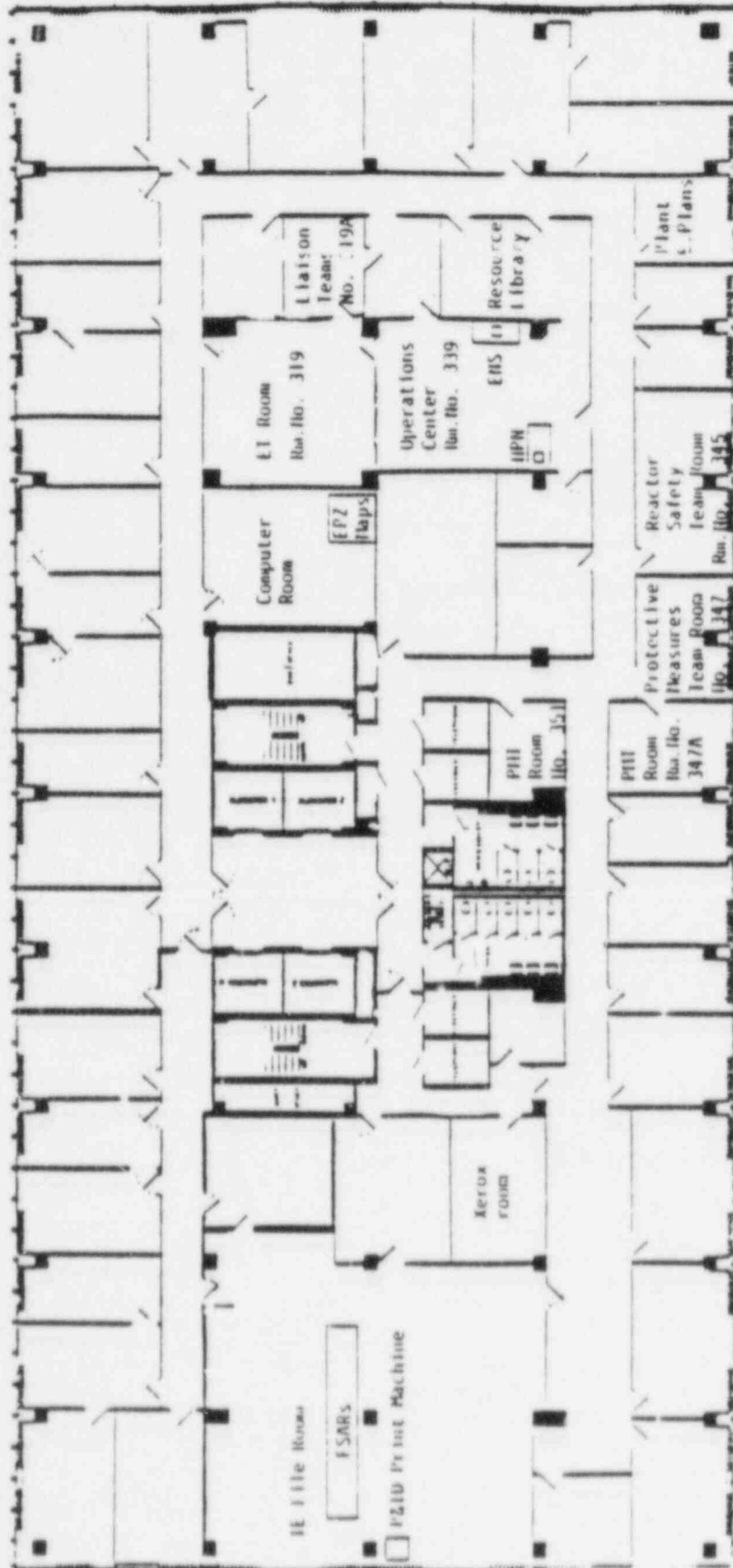
Tasks

1. Indicate on the Team Manning Board your name.
2. Provide information on the subject facility as requested.
3. Every 1/2 hour conference with the team members to determine current and projected core and containment status.
4. Assist the Director as requested.
5. Brief the Reactor Safety Team and the Executive Team on the history of the plant using the attached guidance.

PLANT BRIEFING

1. Type of Plant (e.g., BWR-4, etc.)
2. Location of Plant (e.g., on Tennessee River in northern AL, ~30 miles SW of Huntsville, AL)
3. Description of Environs (e.g., low population density, farm land, nearest town ~populations)
4. Brief Summary of what happened (e.g., plane crash, consequences)
5. Plant Status (use data sheets)
6. Possible Scenarios (e.g., core melt, loss of containment)
7. Describe systems involved in accident (e.g., HPCI, RHR, etc.).
Use diagrams on plant or typical BWR/PWR.

APPENDIX 3



BRL Incident Response Center, 3rd floor, East-Mest Towers West

CALCULATION SHEET

DATE _____

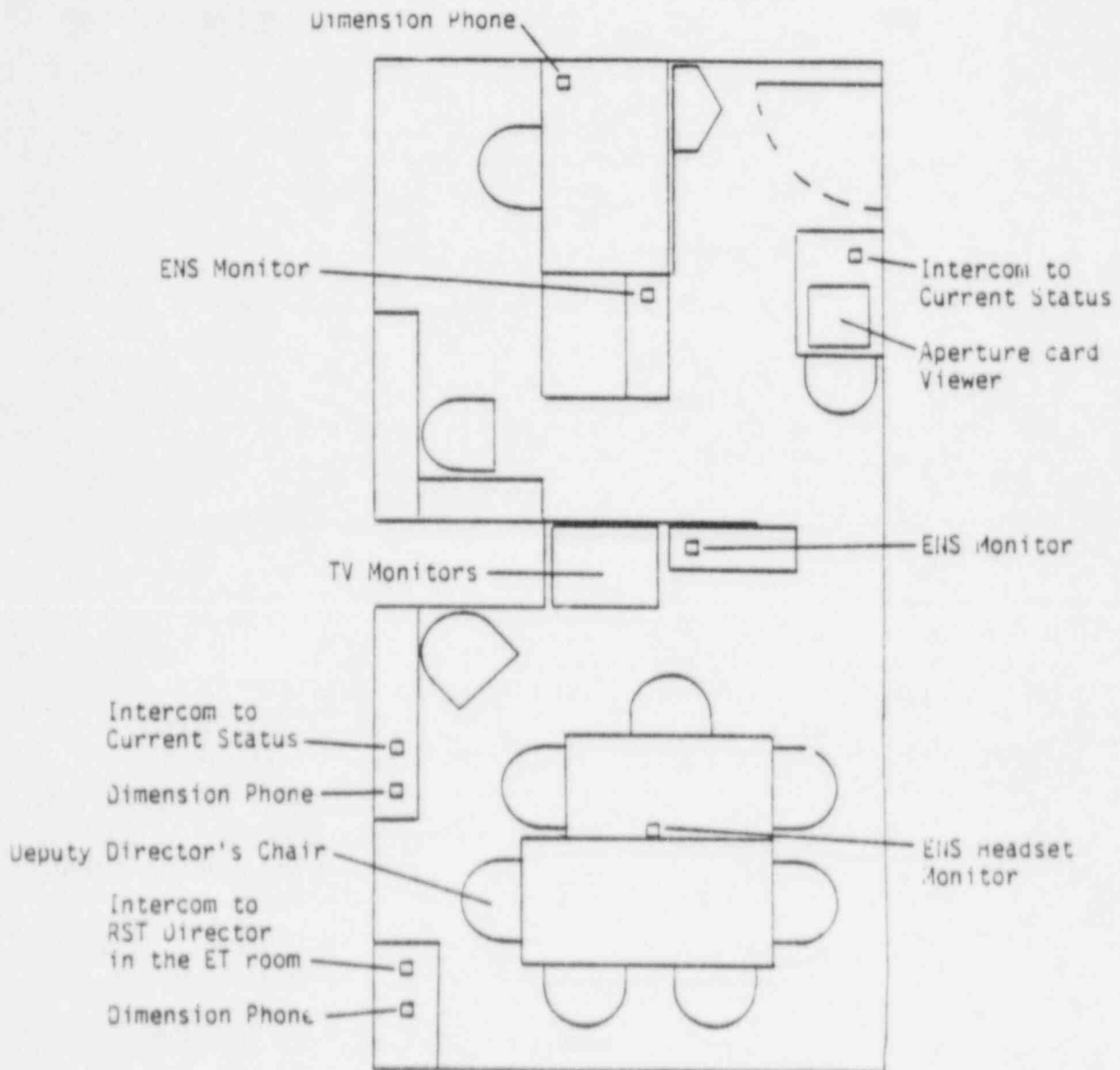
DESIGN BY _____ DATE _____ CHECKED BY _____ SHEET NO. _____

PROJECT _____ JOB NO. _____

SUBJECT _____ CALCULATION NO. _____ FILE NO. _____

Reactor Safety Team

Dimension Phone Extensions- 6100,6101,6102



ENCLOSURE 2

PROJECT MANAGER'S BRIEFING BOOK CONTENTS

I. Plant Briefing Script

Note: Items 4-7 are "event-specific" and cannot be developed in advance of Headquarters Operations Center Activation.

1. Type of Plant (e.g., BWR-4, etc.)
2. Location of Plant (e.g., on Tennessee River in northern AL, 30 miles SW of Huntsville, AL)
3. Description of Environs (e.g., low population density, farm land, nearest town populations)
4. Brief Summary of what happened (e.g., plane crash, consequences)
5. Plant Status (use data sheets)
6. Possible Scenarios (e.g., core melt, loss of containment)
7. Describe systems involved in accident (e.g., HPCI, RHR, etc.)
Use diagrams on plant or typical BWR/PWR.

II. Facility Statistics (provide separate data for each unit, as appropriate)

1. Licensee name and address
2. Facility location and address
3. Facility type (BWR/PWR/HTGR)
4. Licensed Power Level
5. NSSS Supplier
6. Architect-Engineer
7. Constructor
8. Ultimate Heat Sink
9. Docket Number
10. License Number and Date of Issuance
11. Date of Commercial Operation
12. Copy of Facility Photos (if available in small form)

III. Management Contacts Information (include name, title and phone number for listed officials)

Note: Dissemination of state and local officials information will normally be managed by the state liaison representative during activation of the Headquarters Operations Center.

1. Utility Officials

Utility/President/CEO
Senior Corporate Manager with Nuclear Operations Responsibility
Senior Licensing Contact
Plant Manager
Public Information Representative
Other plant/corporate contacts, as appropriate
Corporate Organizational Chart
Site Organizational Chart
Emergency Organization Chart

2. State Officials

Governor
Governor's Public Information Representative
U.S. Senators
U.S. Representatives (Districts where plant located and where corporate office located)
State Senator (District where plant located)
State Liaison Officer
Governors and Public Information Representatives for adjacent states, if appropriate

3. Local Officials

Mayor of nearest population center(s)
Local county official
Adjacent county officials

4. Regional Staff

- a. Resident Inspector(s)
- b. Regional Section Chief
- c. Regional Branch Chief
- d. Regional Projects Division Director

IV. Maps and Demographic Information

- 1. State highway road map (Exxon, or equivalent)
- 2. Adjacent state (or Canadian province, for certain northern U.S. facilities) highway maps, as appropriate
- 3. Site environs map (similar to large Emergency Planning Zone map held by Operations Center)
- 4. Site plot plan

V. Plant and Systems Information

- 1. Simple one-line schematics or P&ID drawings for safety-related systems (from FSAR)

Note: If drawings are particularly "busy" it may be appropriate to "color code" certain systems.

- 2. Statistics on major safety-related equipments (for example, number of HPI pumps, capacities, etc.)
- 3. Plan and elevation drawings of facility (from FSAR)
- 4. Location of Emergency Operations Facility and Technical Support Center
- 5. Significant unique features that make the plant unlike other facilities having the same NSSS. Examples include: raised loop design at Davis-Besse, or ice condenser containment at Sequoyah.
- 6. Significant recent plant modifications. Examples include: steam generator replacement, fuel design change, or RCS piping replacement.

VI. Miscellaneous

1. How to get to the site
2. Local motels
3. Other logistical information, as appropriate (rental car agency, etc.)
4. Copy of "Project Managers Data Log" (see PM Handbook) and the "Plant Data Log" (see Branch Secretary or LA), if available
5. Other items, as deemed appropriate by the PM
6. Copy of NUREG-0981/FEMA-51 - NRC/FEMA Operational Response Procedures for Response to a Commercial Nuclear Reactor Accident (to be provided to each PM separately)

ENCLOSURE 3

PROJECT MANAGER'S BRIEFING BOOK
TYPICAL FORMATS FOR SELECTED PAGES

SALEM

Licensee: Public Service Electric & Gas Co.
80 Park Place
Newark, New Jersey 07101

Location: On E shore of Delaware River
8 miles SSW of Salem, New Jersey
20 miles S of Wilmington, Delaware
Salem County, New Jersey

Facility:	<u>Unit 1</u>	<u>Unit 2</u>
	PWR - 4 loops	PWR - 4 loops
	1079 MWe	1106 MWe
	NSSS - Westinghouse	NSSS - Westinghouse
	AE - PSE&G	AE - PSE&G
	Constr. - United Eng & Const.	Constr. - United Eng & Const.
	Once-through cooling	Once-through cooling

OL issued:	8/13/76	4/18/80
Comm'l opn:	6/30/77	10/13/81

Population: 10 miles - 24,536
50 miles - 4,648,440

Delaware is across the river from the plant
Maryland and Pennsylvania borders are within 20 miles

Region I

Salem

Resident Inspector: Leif Norrholm 609/935-3850 (h) NRC Operator
Bob Summers

Utility: Public Service Electric & Gas Co.

Spokesmen: Arthur F. Lenehan 201/430-5980 (h) 201/472-0116
Gen. Mgr. - Information Services

Edward F. Anderson 201/430-5985 (h) 201/744-0938
Mgr., Public Information

Westen H. Derman 609/935-1434 (h) 609/935-2660
Sr. Public Info. Representative x109

Governor: Thomas H. Kean 609/292-6000

Spokesman: Carl Golden 609/292-8956 (h) 609/989-7100
Press Secretary FTS:8-477-8956 x1226

Senators: Bill Bradley 224-3224

Frank R. Lautenberg 224-4744

Representative: William J. Hughes 225-6572
(2nd Dist.)

Adjacent States: Pierre S. du Pont IV 302/736-4101
Governor of Delaware

Robert Perkins 302/571-3210 (h) 302/478-6028
Press Secretary

Harry R. Hughes 301/269-3591
Governor of Maryland

Lou Panof 301/269-2316 (h) 301/825-1914
Press Secretary

Dick Thornburgh 717/787-2500
Governor of Pennsylvania

Paul Critchlow 717/783-1116 (h) call switchboard -
Press Secretary 717/787-2500

SALEM 1 & 2

Licensee Information

1. General Manager: H. Midura
P. O. Box 236 (609)234-4499, ext. 501, 502
Hancock Bridge, NJ 08038
(609)234-4499
(609)541-5900
2. Corporate Management: J. Boettger, General Manager
Public Service Gas and Electric Nuclear Support
80 Park Place (201)430-8043
Newark, NJ 07101
(201)430-7000

State Liaison Officer

1. Affected State: Leonard S. Coleman, Jr. Commissioner
New Jersey New Jersey Dept. of Energy
(201)648-2744
2. Adjacent State: Dr. Harry W. Otto, Manager
Delaware Technical Services Section
Division of Environmental Control
Department of Natural Resources and
Environmental Control
(302)736-4771

Nearest Population Center

Wilmington, DE (greater than 25,000) - 20 miles

Local Government Authorities

1. Counties Within Ten Miles:
Cumberland
New Castle (DE)
Kent (DE)

Licensee Emergency Facilities

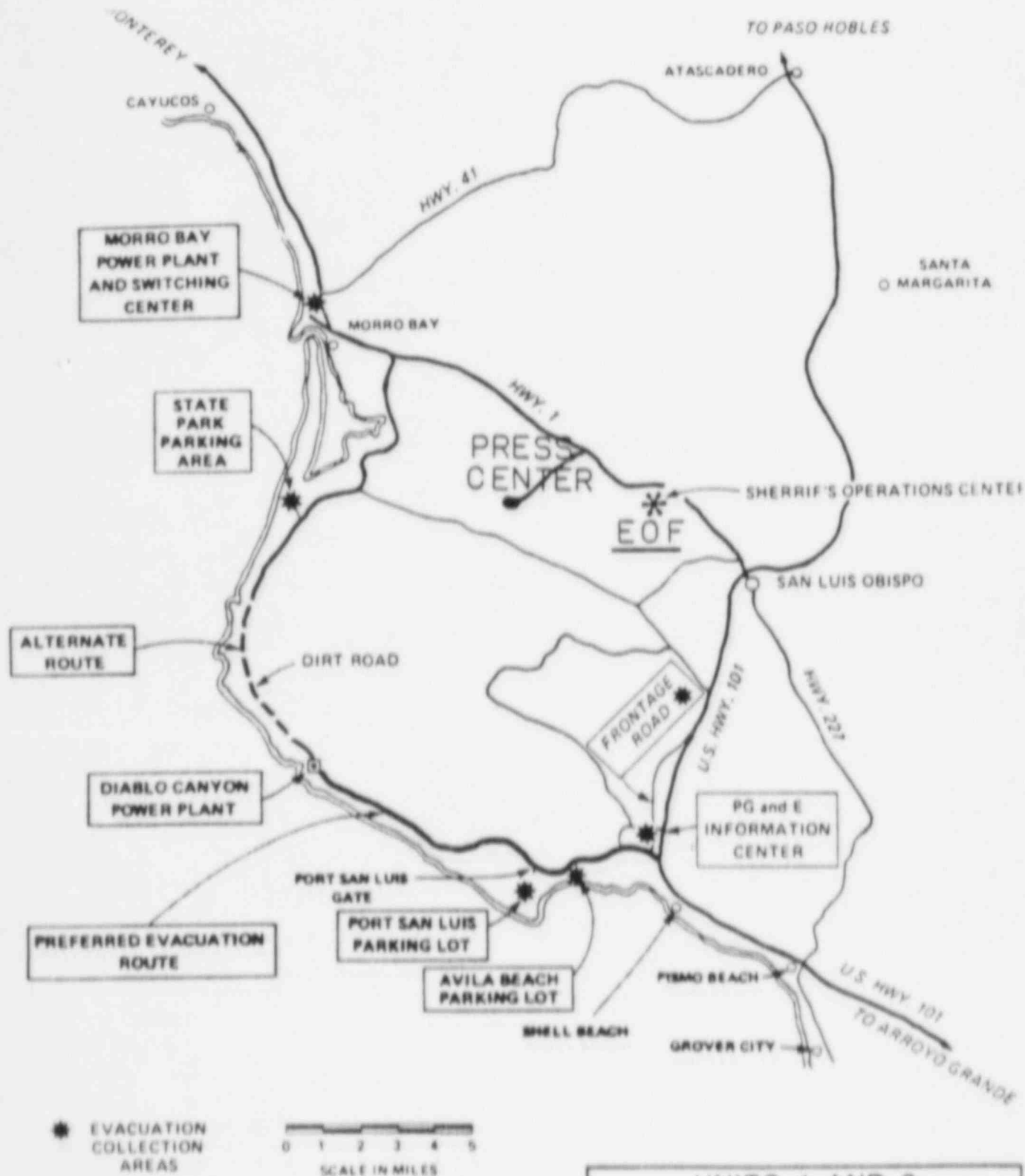
1. Emergency Operations Facility
Location: Utility's Nuclear Training Center in Salem, NJ
Phone No.: (609)935-7733 (Site Support Manager)
(609)935-1688, 1882 (Rad. Emergency Officer)
(609)935-7996, 7997 (Emergency Response Manager)
NRC No.: (609)935-7508, 7676, 7509

2. Technical Support Center

Location: Second floor of the Clean Facilities Building ("B" Building)
Phone No.: (609)935-2271, 6191, 2264, 6167
NRC No.: (609)935-3762, 4233

Regional Base Team

(215)337-5360



UNITS 1 AND 2
 DIABLO CANYON SITE
 EMERGENCY PLAN
 FIGURE 6.3-1



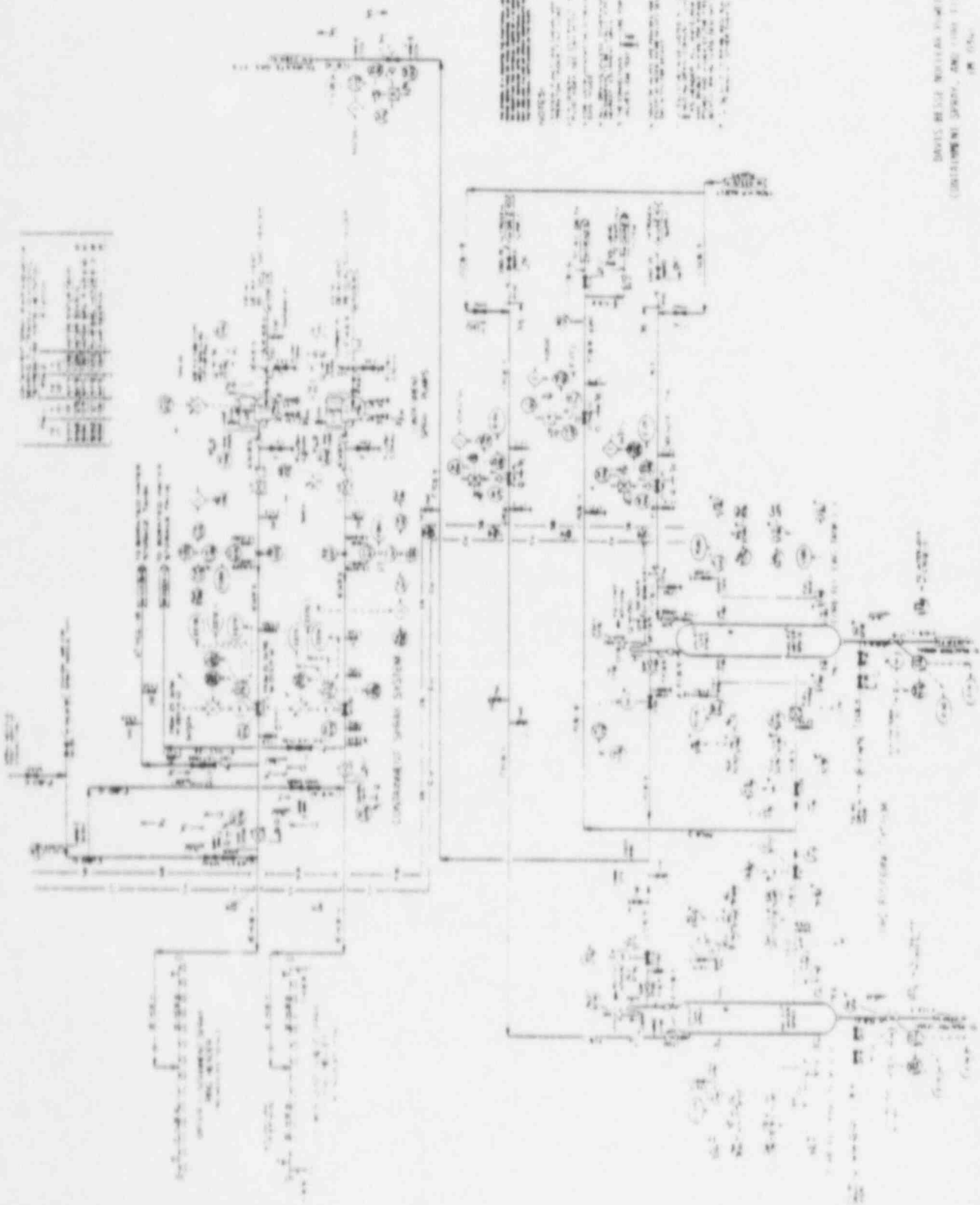
KEY	
	FEDERAL 10 MILE EMERGENCY PLANNING ZONE (EPZ)
	STATE BASIC EMERGENCY PLANNING ZONE (BEPZ)
	STATE EXTENDED EMERGENCY PLANNING ZONE (EEPZ)
	FEDERAL LOW POPULATION ZONE (LPZ)

**UNITS 1 AND 2
DIABLO CANYON SITE
EMERGENCY PLAN**

FIGURE 7.2.2

EMERGENCY PLANNING ZONE
REF. CALIF. NUCLEAR POWER PLANT
EMERGENCY RESPONSE PLAN, 8/81

NO.	DESCRIPTION	QTY	UNIT
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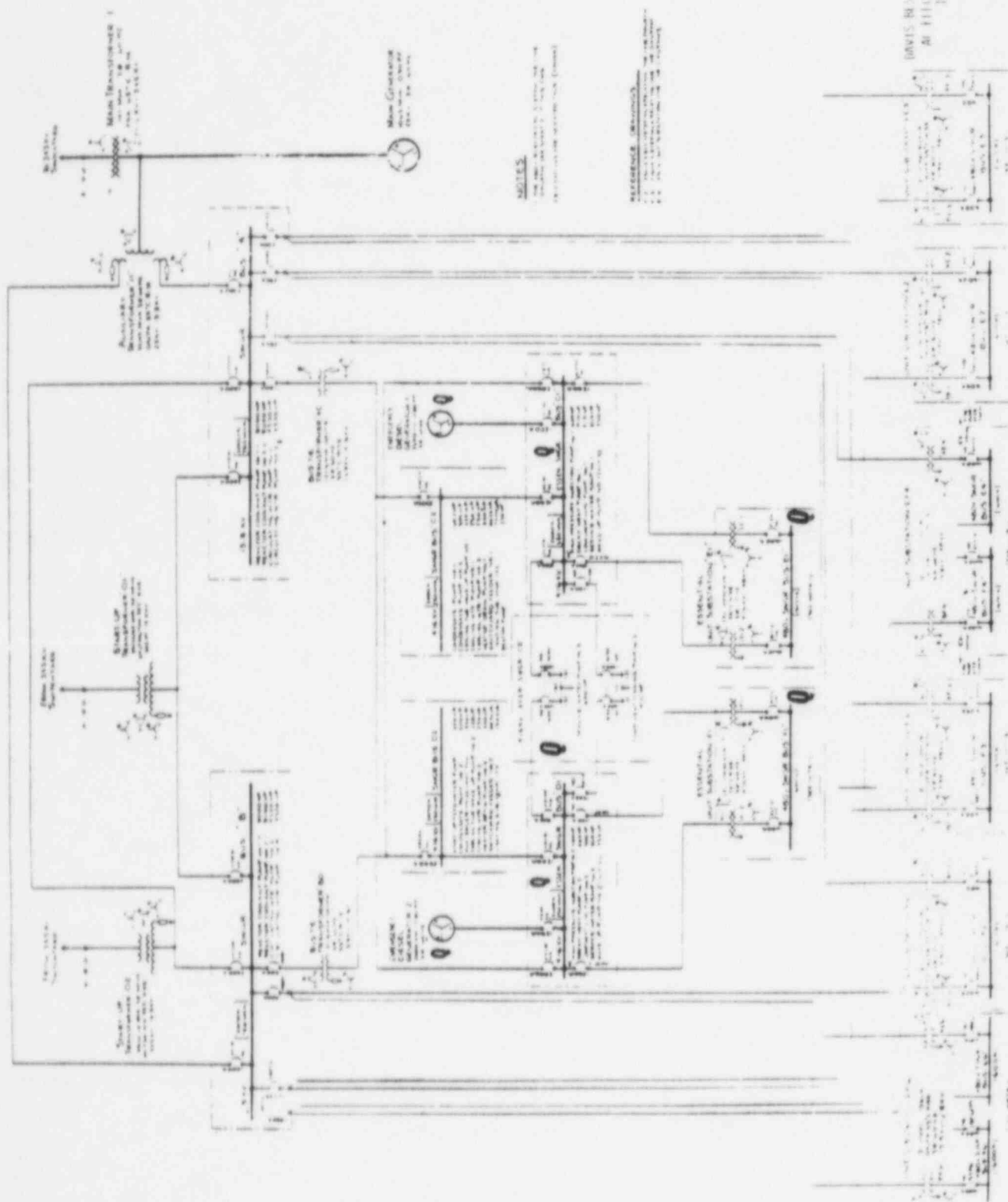


NOTES:

1. ALL DIMENSIONS ARE IN INCHES.
2. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE SPECIFIED.
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DAVIDS & BROWN ENGINEERING CO. LTD.
 LONDON, ENGLAND
 SHEET NO. 1

DATE: 1944



115/20000
 10000000
 115/20000
 10000000

D-B

TABLE 6.3-1

ECCS Components

Core Flooding Tanks

Number	2
Design pressure, psig	700
Design temperature, °F	300
Operating pressure, psig	600±25
Operating temperature, °F	110
Total volume, ft ³	1410
Normal water volume, ft ³	1040
Minimum boron concentration in water, ppm	1800
Materials of construction	CS Clad SS
Shell	SA 516, grade 70
Cladding	SS-304
Code	ASME Section III-C

HPI PUMPS

Number	2
Type	Multi-stage centrifugal
Required NPSH (design), ft.	15
Pump material	SS
Design temp/pres., °F/psig	300/2000
Capacity for HPI requirements, gpm/ft	500/2700
Code	ASME Pump & Valve Code Class II

LPI/Decay Heat Pump

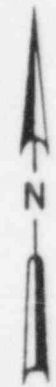
Number	2
Type	Single-stage centrifugal
Required NPSH (design), ft	8.5

PLANT: **PALISADES**

LOCATION: **Covert, Mich.**

DENSEE: **Consumers Power Co.**

DIRECTIONS FROM BENTON HARBOR AIRPORT:
Take Territorial Rd. East to Red Arrow Hwy. Take Red Arrow Hwy. Northeast to Interstate 196. Take I-196 North to Exit #13 (32nd Ave.) Take 32nd Ave. West to Blue Star Highway. Take Blue Star Highway North (right) approximately 1 mile to Palisades Nuclear Plant entrance on the left. Total approx. distance = 20 miles.



LAKE MICHIGAN

NOT TO SCALE
■■■■■■■■■■
FOLLOW DASHED ROUTE

PALISADES ★

Plant Entrance Rd

SOUTH HAVEN ●

Exit #13
32nd Ave.

196

Blue Star Hwy

COVERT ●

140

33

196

Red Arrow Hwy

BENTON HARBOR AIRPORT

Territorial Rd

BENTON HARBOR ●



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROOSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

PRE-FLIGHT PLANNING

FACILITY: Palisades

SITE: Covert, MI

1. Nearest Airport: Benton Harbor, MI - Ross Field

2. Type Aircraft: Fixed Wing, Helicopter

3. AIRPORT TRANSPORTATION

A. RENTAL CAR:

AVIS 616/926-2151

HERTZ 616/927-2161

NATIONAL 616/927-4772

BUDGET None

B. POLICE

CITY 616/764-8100 (Covert)

SHERIFF 616/657-3101 (Van Buren Co.)

STATE 616/637-2125

4. Airport Telephone: 616/927-3194

5. Approximate Flying Time: 0.5 hours



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION III
799 ROCSEVELT ROAD
GLEN ELLYN, ILLINOIS 60137

MOTELS

NAME	PHONE NUMBER	LOCATION
Ramada Inn	616/927-2211	I-94 at exit 28 Benton Harbor
Howard Johnson's	616/925-7021	I-94 at exit 28 Benton Harbor
Fidleman's	616-637-5118	Phoenix Road, East, South Haven
Holiday Inn	616/637-5141	M-140 & Bus I-196, South Haven

SITE PALISADES

APPENDIX A-14

OPERATING REACTOR LICENSING ACTION REVIEWS



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

JAN 31 1984

MEMORANDUM FOR: DL Assistant Directors
DL Branch Chiefs
Project Managers
Licensing Assistants

FROM: Darrell G. Eisenhut, Director, Division of Licensing

SUBJECT: OPERATING REACTOR LICENSING ACTION REVIEWS

Purpose

The purpose of this memo is three-fold:

- (1) To bring you up to date on the latest thinking with respect to the use of regional resources in helping us to reduce the inventory of operating reactor licensing actions;
- (2) To describe the system we will use to identify appropriate actions for regional review; and
- (3) To identify and implement an appropriate set of regional licensing action reviews for each operating reactor.

Background

The NRC regionalization program has been under way for several years. A draft Commission Policy Statement was issued for public comment in March 1983; the final statement is now undergoing review by the Commissioners. The general impression from a recent Commission meeting on this subject is that the bulk of regionalization initiatives that the NRC plans to undertake are now in place --either as pilot programs or as completed transfers. It does not appear that any new initiatives are being considered, or even desired.

Our division has been involved in two potential programs as part of the overall agency program. First, there was a program that envisioned the transfer of licensing authority for operating reactors to the regions. As envisioned, this would have involved the transfer of the Project Manager function to the regions.

In recent months, this particular program has been reevaluated with the result that the EDO has recommended against sending the PM function to the regions and has proposed instead a pilot program that would involve utilizing regional resources to conduct safety evaluations as inputs to DL on selected operating reactor licensing actions (see SECY 83-422 for details). Based on their reaction to this proposal at a recent Commission meeting, I believe that the

Commissioners will agree. Incidentally, the transfer of licensing authority for the Ft. St. Vrain reactor last year was also a part of this program. The Commission had requested the staff to reevaluate this transfer. We will provide a recommendation to the Commission on this in the next couple of months.

The second program involving DL that has been identified as part of the regionalization effort has been the Operating Reactor Licensing Action line item wherein, since 1982, we have been transferring certain licensing actions to all regions for them to conduct safety evaluations. For example, the present budget identifies 500 such licensing action reviews to be done by the regions in FY84. When initially conceived, one of the major reasons for this program was to assist NRR in reducing the inventory of outstanding licensing actions, while at the same time, building up the experience and expertise of the regional staffs in anticipation of implementation of the first program described above (i.e., transfer of licensing authority).

As you can see, the pilot program that has been proposed to replace the regionalization of the PM function under the first program is, in effect, a part of the second program described above. That is, there is now basically one regionalization program that DL is managing -- namely, a program of utilizing regional resources to perform safety evaluations for selected operating reactor licensing actions. For a subset of the actions (that is, those in the pilot program), we will be looking especially hard at the effectiveness of the program to help us better define the types and numbers of licensing action reviews that should be sent to the region in the future.

In support of these programs, we have been identifying resources within the regions in the budget process. For instance, the FY84 budget allocates about 20 FTE for operating reactor licensing action reviews. It is important to understand that these resources are dedicated to performing the designated NRR program function (i.e., licensing action reviews). Thus, those resources are available to us in DL to use just as are the corresponding resources within the NRR technical divisions.

It is equally important to understand that these resources were identified as best estimates during the budget process and do not, in themselves, represent a target or goal that must be achieved in utilizing the regions in accomplishing our work. The underlying principle in deciding on which and how many licensing review actions are sent to the regions is that if it is more effective to use the particular expertise of region-based resources in conducting safety evaluations, then such actions should be sent to them. If it does not make sense to send a particular action to a region, then it should not be sent. What we need now is a mechanism for identifying which of those items in our existing inventory of actions should be sent to the regions and a process for making such assignments throughout the year as new actions come in. The balance of this memorandum will describe that process. The resources that have been allocated to the regions for this work will be adjusted as necessary to reflect our needs.

Discussion

In SECY 83-422, which described the proposed pilot program for regionalizing selected licensing reviews, we also described a process for deciding what items would be transferred to the regions for their review. That process is simply a method of making subjective judgements on each pending action to determine whether it makes more sense to obtain regional assistance, or to conduct our review solely with headquarters personnel. It is a decision-making aid that is applicable to any potential licensing action, not just those that would be part of the pilot program.

The process involves a two-step screening. The first step is a GO screen, which all potential items must pass before being given further consideration to their "regionalization". Any item that passes the GO screen is then subjected to further considerations that could lead to a decision not to regionalize the item (in other words, a NO-GO screen).

To pass the GO screen, an item must possess one or both of the following two attributes:

- (1) The quality of review would be enhanced by unique regional knowledge of the plant;
- (2) The review would greatly benefit from the regional/residents proximity to the site.

On the basis of a limited sampling, 20%-40% of our inventory might pass this screen. Once having passed this screen, the potential item is then subjected to the "no-go" screen. During this screening a combination of attributes is considered that could lead to a balanced judgement that an item ought not be sent to a region for review. The attributes include the following:

- (1) Schedule considerations
- (2) Generic application vs. plant unique
- (3) Multi-discipline review required
- (4) Complex technical review involved
- (5) Exemption-related
- (6) Review criteria not well defined
- (7) Involves a policy issue
- (8) Safety significance
- (9) Legal/hearing-related

Not all of these attributes carry equal weight, nor does the existence of any of these attributes necessarily mean that an item should not be sent to the regions. Rather, they should all be considered together in arriving at a final recommendation. SECY 83-422 contains a quantitative method of making these

judgements that might be useful in deciding close calls, and is attached for your use as required.

At present, there have been at least two separate attempts to identify an appropriate set of issues for regional review. On September 19, 1983, the results of a generic preliminary screening which identified 166 plant-specific TACs that could potentially be reviewed in the regions were published. A similar action was initiated for MPAs on September 21, 1983. A second effort was initiated on December 14, 1983, which was focused on the list of actions that are planned for completion by the end of April 1984 for each operating reactor. Although these efforts have produced a list of candidate issues for regional review, it is not clear that each project manager applied the same criteria in arriving at a set of issues for regional review for his/her plant. For example, one project manager may not have listed an item that was earmarked for regional review because it had already been assigned to headquarters, while another may have only listed items that have already been sent to the region for review.

Even though an issue may have been assigned to headquarters for review, it may turn out that under hindsight, it should have been assigned to the region. In such a case, it should be transferred to the region for completion unless it is in an advanced stage of completion or it is needed on a time frame that would not permit transfer to the region.

In general, an item that has been assigned to a contractor will not be transferred to the region. Similarly, an item that should be assigned to a contractor will not be sent to the region. Such an item is typically considered to be of a complex technical nature requiring special expertise and close coordination by headquarters. In considering an MPA, the individual plant project manager must assess whether the review has progressed to a stage where only plant specific issues are involved (e.g., hardware implementation, procedure modification, training, etc.), and if so, does it make sense to have the region complete the review. Otherwise, an MPA issue will not be sent to the region. If the individual plant project manager elects to transfer the review of an MPA to the region, he should clear the transfer with the Lead Project Manager to make sure the LPM agrees.

Action

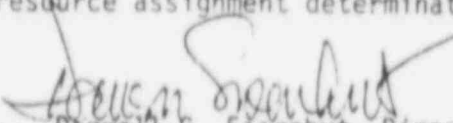
It is essential that each project manager use the same considerations and apply the same type of reasoning in determining the set of issues that is to be reviewed in the region. To aid in this process, a form has been prepared that will permit each PM to record the thinking that goes into the determination for every active issue in the current inventory. A blank form is attached, along with a sample for Monticello showing selected items for illustrative purposes.

This form is to be completed for all active issues at each operating reactor by February 15, 1984. The PM will submit the forms to his Branch Chief with a copy to the Division Director. The Branch Chief will review and approve the PM's resource assignment determinations and have the PM assemble the necessary information to forward the appropriate issues to the region. The Branch Chief will coordinate the withdrawal of issues from technical review branches as necessary. The Branch Chief will submit the resource assignment allocation forms and the review packages to his AD by February 29, 1984.

The AD's will prepare transmittal letters to each region involved identifying as a minimum (1) the initiating correspondence, (2) TAC number, (3) type of review/deliverable required, (4) proposed completion schedule, and (5) DL contact. A sample transmittal letter is attached for use as a model. The AD's will forward the transmittal letters to Director, DL with a copy to AD/OR Technical Assistant for record keeping purposes by March 9, 1984.

For new issues that are initiated after February 15, 1984, the PM will document the assignment determination on the work authorization form. ADOR will have the work authorization form revised to accommodate the resource assignment determination entries to avoid having to create an additional form for this purpose.

PM's and Branch Chiefs should familiarize themselves with SECY 83-422 in preparation for completing the resource assignment determinations.


Darrell G. Eisenhut, Director
Division of Licensing

Attachments:
SECY 83-422
Resource Assignment
Determination Form

REGIONAL RESOURCE ASSIGNMENT DETERMINATION

Considerations:

GO Screen

1. Review will benefit from unique regional knowledge
2. Review will benefit from regional proximity to site

NO-GO Screen

- A. Review schedule will not permit transfer to region
- B. Review applicable to plants in other regions (generic)
- C. Review requires coordination of multi-disciplined reviewers
- D. Review is of complex technical nature requiring specialized expertise
- E. Review is associated with exemption request or relief from requirement
- F. Review criteria is being developed or is in a state of flux
- G. Review is associated with unsettled policy questions
- H. Review involves significant safety implications (potential dose to public)
- I. Review relates to legal or hearing matters

PLANT NAME _____

PROJECT MANAGER _____

BRANCH CHIEF APPROVAL SIGNATURE _____

DATE _____

TAC #	Short-Title	GO SCREEN		NO-GO SCREEN									R/HQ
		1	2	A	B	C	D	E	F	G	H	I	

01/06/84

OR LICENSING ACTIONS

01/05/84

OR LICENSING ACTIONS

REGIONAL RESOURCE ASSIGNMENT DETERMINATION

Considerations:

GO Screen

1. Review will benefit from unique regional knowledge
2. Review will benefit from regional proximity to site

NO-GO Screen

- A. Review schedule will not permit transfer to region
- B. Review applicable to plants in other regions (generic)
- C. Review requires coordination of multi-disciplined reviewers
- D. Review is of complex technical nature requiring specialized expertise
- E. Review is associated with exemption request or relief from requirement
- F. Review criteria is being developed or is in a state of flux
- G. Review is associated with unsettled policy questions
- H. Review involves significant safety implications (potential dose to public)
- I. Review relates to legal or hearing matters

PLANT NAME	Monticello
PROJECT MANAGER	H. Nicolaras
BRANCH CHIEF APPROVAL SIGNATURE	SAMPLE
DATE	December 1983

TAC #	Short-Title	GO SCREEN		NO-GO SCREEN										R/HQ
		1	2	A	B	C	D	E	F	G	H	I		
46319	MET Data Upgrade		X		X						X		HQ	
51685	NUREG-0737 TS	X			X	X							HQ	
46510	ISI/IST Program		X			X	X	X	X				HQ	
42577	Vent/Purge		X		X	X	X		X		X		HQ	
43020	Operability TS	X			X								R	
49102	Surv. Internals	X											R	
49931	Fire Pump		X					X					R	
51016	Op. Procedures		X										R	
51785	Env. TS	X	X										R	
52246	Phase II Loads	X	X		X	X							HQ	
45960	Tech Support Ctr		X		X	X							HQ	
46031	Ops Support Ctr		X		X	X							HQ	
46103	EOF		X		X	X					X		HQ	
48951	SR Count Rate		X	X				X					HQ	
07942	Mark I Containment												HQ	
08062	Phase I Loads												HQ	
12306	HELB												HQ	

01/05/84

OR LICENSING ACTIONS

SAMPLE TRANSMITTAL LETTER

Docket No. 50-206

MEMORANDUM FOR: Thomas W. Bishop, Director
Division of Resident, Reactor Project and Engineering
Programs, Region V

FROM: Darrell G. Eisenhut, Director
Division of Licensing, NRR

SUBJECT: LICENSING ACTIONS REVIEW FOR SAN ONOFRE UNIT NO. 1

Your assistance is requested in conducting a review of the enclosed proposed revision of the Technical Specifications for the San Onofre Unit No. 1 electrical supplies dated _____. The results of the regional review should consist of a completed Safety Evaluation Report (SER) and mini-SALP input. This work should be conducted under the following two TAC's:

1. TAC 10853. This is an existing TAC that covers the review of the revised station battery technical specifications (Section 4.4D). Region V has previously agreed to review this topic.
2. TAC 53332. This is a new TAC that covers the review of the remaining proposed modifications (Section 3.7.I, 3.7II, 3.7III, 4.4.B.g, and 4.4.E).

This request has been discussed between the NRR Project Manager (W. Paulson) and G.Zwetzig of your staff.

For your information, I am enclosing a copy of a letter to Southern California Edison Company regarding the licensee's request to delete the existing requirements of Technical Specification 4.4.E. If you need further information from the licensee, it should be obtained via the Project Manager, W. Paulson (X27214).

The requested target date is March 1, 1984. You are requested to either confirm the due date or provide a revised date as soon as possible.

Darrell G. Eisenhut, Director
Division of Licensing, NRR

cc: G. Zwetzig, Region V Coordinator w/encls.
W. Paulson, Project Manager w/encls.
J. Thoma, ADOR Tech. Asst. w/encls

w/o Encls:
W. Dircks
V. Stello
H. Denton
J. Funches

APPENDIX A-15

LICENSE FEES

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

JAN - 1984

NOTE TO: Division of Licensing Assistant Directors
Division of Licensing Branch Chiefs

FROM: Robert A. Purple, Deputy Director
Division of Licensing

SUBJECT: LICENSE FEES

Please insure that your PM's and LA's are informed of the interpretation provided by the License Fee Management Branch in the enclosed memorandum dated January 16, 1984.



Robert A. Purple, Deputy Director
Division of Licensing

Enclosure:
As Stated

cc: W. Miller

JAN 16 1984

MEMORANDUM FOR: Darrell G. Eisenhut, Director
Division of Licensing, NRR

FROM: William O. Miller, Chief
License Fee Management Branch
Office of Administration

SUBJECT: INTERPRETATION OF WHEN REVIEW COMMENCES ON AN APPLICATION
FOR AN OPERATING LICENSE AMENDMENT OR OTHER REQUESTS FOR APPROVALS

Under 10 CFR 170.12(a), the NRC may retain fees paid with applications for license amendment and other approvals irrespective of the NRC's disposition of the application or a withdrawal of it by the applicant. However, it has been our policy not to charge fees for applications that are withdrawn before NRC review commences. On this basis, since 1978 we have either refunded fees or not charged fees for applications that were filed and subsequently withdrawn in cases where your staff has determined that no review had commenced on it before it was withdrawn.

Under the current Parts 2 and 50 requirements (that became effective in 1983 as a result of the Sholly decision) regarding noticing applications/proposed actions, NRR is required to notice most of the applications filed by licensees, and notices them soon after they are received. The question surfaced in one of your licensing branches as to whether the review for noticing is considered as review having commenced on the application, because an application was filed by an applicant noticed by NRC, and subsequently withdrawn or not needed by the applicant. To answer this question, the enclosed memorandum dated November 22, 1983, was sent to Robert L. Fonner, OELD. The response is contained in the enclosed memorandum dated December 21. Based on the OELD response, if any review has commenced (50.91/Part 2 decision or other review) on an application at the time it is withdrawn, fees pursuant to 10 CFR 170 are required. Consequently, fees paid for applications that fit this situation will not be refunded. If fees have not been paid, we will request them after we receive the pertinent data from your staff.

It is requested that your staff be informed of this matter.

William O. Miller
William O. Miller, Chief
License Fee Management Branch
Office of Administration

Enclosures:
1. Memo 11/22/83 to Fonner
2. Memo 12/21/83 from Fonner

A-15-2

NOV 22 1983

MEMORANDUM FOR: Robert L. Fonner, Deputy Director
and Deputy Chief Counsel
Regulations Division, OELD

FROM: William O. Miller, Chief
License Fee Management Branch, ADM

SUBJECT: INTERPRETATION OF WHEN REVIEW COMMENCES ON AN APPLICATION
FOR AN OPERATING LICENSE AMENDMENT OR OTHER APPROVALS

On July 18, 1978, you and staff members of this office met with D. Donoghue to resolve certain fee issues. This meeting was summarized in our August 31, 1978 memorandum. One of the issues of this meeting, as well as a decision thereon, was as follows:

Issue:

If an application for amendment/approval is withdrawn before any NRR review starts, is there a license fee due under Part 170? The case at hand was Pacific Gas & Electric Co. (Docket 50-133) where no fee was paid, no NRR review started, and the applicant withdrew the application for amendment.

Decision:

LFMB will waive the fee for withdrawn applications where no review has commenced.

The decision not to assess fees if an application is withdrawn and no review has commenced on it was made because it was considered to be fair and reasonable even though 170.12(a) states that all application fees will be charged irrespective of the Commission's disposition of the application or withdrawal of the application. Consequently, we have been applying this procedure for withdrawn applications.

To satisfy the current Part 2 requirements on pre-noticing adopted in 1983 (Sholly decision), applications for license amendments and other approvals are noticed soon after they are received. Since a decision for pre-noticing is required, we do not consider the review for noticing as being an administrative act unrelated to any technical review of the application. For example, some review of the application is required to determine whether it involves significant hazards considerations vs. no significant hazards vs.

NOV 22 1963

emergency or exigency. On this basis, we intend to retain the fees paid (or request fees) for the majority of the withdrawn applications. It appears then, that the only time withdrawn applications for license amendments and other approvals would not be fee bearing is when no Part 2 notice has been prepared, and no other review has commenced on the application.

We would appreciate your comments concerning our intended use of the pre-noticing action as the start of review on an application.

Original Signed by
Wm. O. Miller

William O. Miller, Chief
License Fee Management Branch
Office of Administration

DISTRIBUTION:

Regulatory Records w/conc. cy
LFMB 5-3
Allen Cabell, LFMB
Reba Diggs, LFMB ✓
Doug Weiss, LFMB
Leah Tremper, LFMB
LFMB R/F

DEC 21 1983

NOTE FOR: William O. Miller, Chief
License Fee Management Branch

FROM: Robert L. Fonner, OELD

SUBJECT: COMMENCEMENT OF REVIEW FOR OL AMENDMENTS

In your memorandum of November 27, 1983 you asked for an expression of opinion on your proposal to consider that review action has commenced on an application for an amendment to an operating license whenever a pre-noticing review is undertaken by the staff. The basis for your proposal is that whether or not to pre-notice involves a decision based upon a review of the application to determine if a significant hazards consideration is involved. Accordingly, under Mr. Donoghue's policy of August 31, 1978, a fee would be refunded on a withdrawn amendment application only if the application were withdrawn prior to the review to determine the pre-noticing issue.

The last sentence of the second to last paragraph of your memorandum suggests that the fee would be refunded if no Part 2 notice has been prepared, and no other review commenced. It seems to me that since all OL amendments will be noticed in some manner or another under 10 CFR 50.91, that in each case a review with respect to the matter of significant hazards considerations must have commenced prior to the preparation of the notice. It would be more correct to say that a refund would be given only if (1) no review leading to a determination under 10 CFR 50.91 has commenced, and (2) no other review has commenced.

Robert L. Fonner

APPENDIX A-16

PROCEDURE FOR PROCESSING INDIVIDUAL

"SHOLLY" NOTICES



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

APR 30 1985

Page 1 revised to
correct Deadline
dates.

MEMORANDUM FOR: Gus C. Lainas, Assistant Director
for Operating Reactors, DL

Dennis M. Crutchfield, Assistant Director
for Safety Assessment, DL

Thomas M. Novak, Assistant Director
for Licensing, DL

FROM: Hugh L. Thompson, Jr., Director
Division of Licensing

SUBJECT: REVISION TO "SHOLLY" NOTICING PROCEDURES

As you know, I have received a number of comments from Project Managers relative to the effect that "Sholly" has had on the issuance of amendments. Some comments were related to delays in issuance of amendments because of the time necessary to meet the monthly issuance requirement and the time necessary for OELD review.

Effective May 1, 1985, please take action to put the following revised procedures into effect:

1. Monthly Notices - We will now compile Federal Register Notices on a semi-monthly basis. Enclosed is the guidance which should be used for the assembly of these notices. This guidance has been revised such that all completed Sholly notices are provided to Donna Nottingham (Room 442). Donna will be responsible for preparing the proper documentation for forwarding to the Federal Register. Assistance may be requested from various Licensing Assistants as needed. Please advise your Licensing Assistants that Donna may need their help periodically.

The deadline for the next several months is as follows:

May 13, 1985
May 24, 1985
June 10, 1985
June 24, 1985
July 8, 1985
July 22, 1985

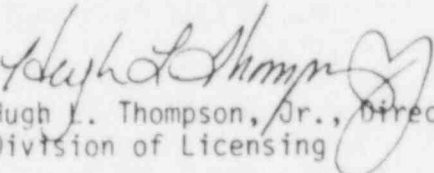
APR 30 1985

2. OELD Review - Currently we require OELD review and approval on all notices. I have selected three branches for a pilot effort which will no longer require OELD to review and concur on all Sholly notices being sent to the Federal Register with no significant hazards determinations. ORB#1, ORB#3, and ORB#5 are the branches that will no longer require OELD review and approval during the pilot effort. OELD review and approval should continue to be requested for a No Significant Hazards Determination based on Example 6, or other notices which are related to plants which are in hearings or for which the Branch Chief would like to have OELD review. In addition, any branch may issue a renote without OELD review.

Copies of Sholly notices issued without OELD review should be sent to Joe Scinto who will provide a periodic assessment directly to me.

All branches other than ORB#1, ORB#3 and ORB#5, will follow current procedures, except there is no need for OELD review of renote. Again, Branch Chiefs should not hesitate to obtain OELD's review when there are any special circumstances.

I anticipate that the above actions, effective May 1, 1985, should result in a decrease in the amount of time necessary to process amendments. I expect to review the progress of this effort and determine its effectiveness periodically and will expand the program as appropriate.


Hugh L. Thompson, Jr., Director
Division of Licensing

Attachment:
Guidance

CONTACT:
J. Carter
x-28434

cc w/attachment:
H. Denton
E. Christenbury, OELD
DL BCs

1. All Sholly notices MUST be put on the 5520 system.
2. When creating (CRE) document, OPT ADV on Document Format Source and type in 'SHOLLY'.
3. All entries MUST be entered as Shared Revised so that Donna Nottingham (x-27817) has access to them for the final FRN for publication.
4. A copy of the separator sheet MUST be given to Donna Nottingham with each Sholly memo.
5. Margins MUST be: Left Margin - 15 spaces
Top, Bottom and Right Margins - 10 spaces

(This is already set up within the Sholly format.)
6. Required returns MUST be used after short lines, headings, and at the end of paragraphs.
7. All corrections/changes MUST be done on the 5520.
8. Amendment Numbers and Dates MUST be inserted on the 5520. When typing in Amendment Numbers, use the word "and" for double dockets- not ampersand (&) symbol. DO NOT tab when inserting Amendment Numbers and Dates, only space 2.
9. All paragraphs MUST be indented five spaces. DO NOT use required tab. DO NOT triple space between paragraphs - double space as usual.
10. After the Subject Line, use Line Format Change (change Line Spacing to 2); and at the end of the document before the signature block use Line Format Return. Both of these instructions MUST be done at the left margin. (Body of memo will appear single spaced on your screen, however when printed out, it will be double spaced.)

DO NOT change formats for Docket Nos. at the top of memo. No format change, other than for the body of the memo, should be used.
11. DO NOT change any tabs within the notice.
12. Use required hyphens in Docket Numbers. However, DO NOT use 'required hyphens when hyphenating words at the end of a line.

13. Any quoted material is to be indented 5 spaces and single spaced.
DO NOT use quotation marks.
14. DO NOT delete any documents upon dispatch. After the final FRN
has been compiled for publication, Donna will delete the documents
as needed. If a document is not to be deleted after use, please
indicate so on your separator sheet.
15. Any questions, feel free to call Donna.

APPENDIX A-17

EMERGENCY EXERCISE EXEMPTIONS



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

February 28, 1984

MEMORANDUM FOR: All Project Managers

FROM: Darrell G. Eisenhut, Director
Division of Licensing

SUBJECT: EMERGENCY EXERCISE EXEMPTIONS

Information Notice 84-05, dated January 16, 1984 (enclosed) briefly describes a conflict between current NRC regulations which require licensees and State and local governments to conduct annual full participation exercises, and the FEMA rule (44 CFR 350) which allows for biennial exercises of State and local governments. The Information Notice reminds licensees that they must request and obtain an exemption from the current NRC regulation if the required annual exercise will not include the full participation of appropriate State and local governments.

The staff is required to provide negative consent papers to the Commission for any exercise frequency exemptions that are requested. For those licensees who request such an exemption, the request will be treated as a licensing action suitable for Regional review. As described below, it will be treated slightly different than other licensing action reviews forwarded to the Regions pursuant to my memo of January 31, 1984. The Project Manager is to forward the exemption request to the appropriate Region using the enclosed sample transmittal memorandum. John Thoma (AD/OR Technical Assistant) should be put on concurrence. The Regions will prepare the proposed exemption package and a negative consent Commission Paper stating the staff's proposed course of action as described in the attached memo from H. Denton and R. DeYoung to the Regional Administrators dated February 21, 1984.

Jim Lyons (ORB #5, x-29503) will be the NRR focal point and should be provided with a copy of the exemption request when it is submitted. A copy of the exemption request should also be provided to IE (EPB). When the Region has completed its review, the exemption package and proposed Commission Paper will be sent to NRR with a copy to IE. J. Lyons will log it in and then provide it to the Project Manager. The Project Manager is responsible for assembling the final Commission Paper and obtaining the NRR

February 28, 1984

concurrences necessary to forward the package to the EDO. IE will review the exemption for consistency with policy and will provide comments or concurrence through J. Lyons to be incorporated by the Project Manager (the E contact is R. VanNiel, 492-4535). IE's comments should be incorporated prior to sending the package to OELD. After obtaining the Commission's response, the Project Manager should issue the final NRC action.

Darrell G. Eisenhut, Director
Division of Licensing

Inclousures:
s stated

MEMORANDUM FOR: (See attached list)

FROM: Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

SUBJECT: EMERGENCY EXERCISE EXEMPTION REVIEW FOR _____ (plant name _____)

Your assistance is requested in conducting a review of the enclosed exemption request submitted by _____ (utility) by letter dated _____, for _____ (plant name _____). The product expected as a result of your review should consist of a proposed exemption package and a negative consent Commission Paper stating the staff's proposed course of action as discussed in the February 21, 1984 memorandum from H. Denton and R. DeYoung to all Regional Administrators.

In accordance with NRR Office Letter No. 44, each safety evaluation performed by a technical division shall have a separate SALP input provided. For the purposes of these reviews, the Regional personnel involved are considered part of the technical divisions. Therefore we are requesting that your forwarding memorandum contain a SALP input for the evaluation performed.

Work for this review should be charged under TAC _____. The requested completion date is (about 2 weeks). Please notify me as soon as possible if this completion date is acceptable. Contact with the licensee on this review effort or any significant additional information deemed necessary should be obtained through the NRR Project Manager or with his concurrence. The project manager for this plant is _____ and he/she can be reached at _____.

The completed exemption package and proposed Commission Paper should be sent to NRR (J. Lyons, ORB #5) with a copy to IE/EPB.

Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc with enclosures - J. Lyons, ORB #5, R. VanNiel IE/EPB, and J. Thoma, AD/OR/TA
Put J. Thoma on concurrence.

EXERCISE FREQUENCY

REGIONAL CONTACTS

	<u>ADDRESSEE</u>	<u>CONTACT</u>
I	Thomas T. Martin, Director Division of Engineering and Technical Programs	Hilbert (Bud) Crocker 488-1208
II	J. Philip Stohr, Director Division of Emergency Preparedness and Materials Safety Programs	George Jenkins 242-5614
III	John A. Hind, Director Division of Radiological and Materials Safety Programs	Monte Phillips 388-5530
IV	Richard L. Bargart, Director Division of Vendor and Technical Programs	J.B. Baird 728-8185
V	Ross A. Scarano, Director Division of Radiological Safety and Safeguards Programs	Doug Schuster 463-3780



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

U 954

MEMORANDUM FOR: Thomas E. Murley, Regional Administrator
Region I

James P. O'Reilly, Regional Administrator
Region II

James G. Keppler, Regional Administrator
Region III

John T. Collins, Regional Administrator
Region IV

John B. Martin, Regional Administrator
Region V

FROM: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

Richard C. DeYoung, Director
Office of Inspection and Enforcement

SUBJECT: EXERCISE FREQUENCY EXEMPTION REQUESTS

Information Notice 84-05, (enclosed) describes a conflict between current NRC regulations which require licensees and State and local governments to conduct annual full participation exercises, and the FEMA rule (44 CFR 350) which allows for biennial exercises of State and local governments. The Information Notice reminds licensees that they must request and obtain an exemption from the current NRC regulation if the required annual exercise will not include the full participation of appropriate State and local governments.

The staff is required to provide negative consent papers to the Commission for any exercise frequency exemptions that are requested until the conflict between NRC and FEMA rules is resolved. For those licensees who have requested such an exemption, the Regions are to prepare the proposed exemption package and a negative consent Commission Paper stating the staff's proposed course of action. The exemption package should include the licensee request, and supporting documentation from State and local governments and the affected FEMA region, if applicable. You should also address the performance of the licensee and offsite jurisdictions during previous exercises.

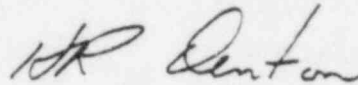
Each exemption request will be treated as a plant specific licensing action. A TAC will be assigned and manpower expenditures will be accounted for

CONTACTS: J. Lyons, NRR
492-9503

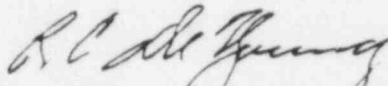
C. Richard Van Niel, IE
492-4535

A-17-5

appropriately. The licensees' exemption requests will first be forwarded to the appropriate Region by NRR and it is expected that the Region can complete its review within approximately two weeks. A completed exemption package and proposed Commission paper (samples enclosed) should be sent to NRR with a copy to IE who will review them for consistency with policy. Following Commission review, NRR will inform the licensee of final NRC action.



Harold R. Denton, Director
Office of Nuclear Reactor Regulation



Richard C. DeYoung, Director
Office of Inspection and Enforcement

Enclosures:

1. Information Notice 84-05
2. Sample Exemption
3. Sample Commission Paper

cc: J. M. Taylor, IE
E. L. Jordan, IE
J. G. Partlow, IE
S. A. Schwartz, IE
F. G. Pagano, IE
D. B. Matthews, IE
C. R. Van Niel, IE
F. Kantor, IE
D. G. Eisenhut, NRR
D. Crutchfield, NRR
J. Lyons, NRR
T. Rehm, EDO
E. Blackwood, EDO

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INSPECTION AND ENFORCEMENT
WASHINGTON, D.C. 20555

January 16, 1984

IE INFORMATION NOTICE NO. 84-05: EXERCISE FREQUENCY

Addressees:

All nuclear power reactor facilities holding an operating license (OL) or construction permit (CP).

Purpose:

This information notice is provided to bring to the attention of licensees certain requirements contained in the final rule (44 CFR 350) published by the Federal Emergency Management Agency (FEMA). It is expected that recipients will review the information for applicability to their facilities. No written response is required.

Description of Circumstances:

On September 28, 1983, FEMA published in the Federal Register (48 FR 44332) their final rule 44 CFR 350, "Review and Approval of State and Local Radiological Emergency Plans and Preparedness." This rule (1) establishes policy, procedures and criteria for the review and approval by FEMA of State and local emergency plans and preparedness for coping with the offsite effects of radiological emergencies which may occur at commercial nuclear power facilities; and (2) changes the exercise frequency for State and local governments to a biennial requirement [see 44 CFR 350.9(c)(1)-(4)] and introduces the concept of remedial exercises [Part 350.9(c)(5)]. This rule became effective October 28, 1983.

The NRC published in the Federal Register on July 21, 1983 (48 FR 33307), a proposed amendment to its regulations [10 CFR 50, Appendix E, Part IV.F.1.a] to provide flexibility for exercise participants in regard to the required frequency and extent of participation in emergency preparedness exercises. The proposed regulation would retain the presently required annual full participation exercise with the proviso that if all major elements in the emergency plan are performed in a satisfactory manner during the annual exercise, a finding may be made that another full participation exercise with State and local governments would not be required for a period of up to two years. The comment period for the NRC proposed rule expired September 19, 1983.

public health and safety by providing reasonable assurance that appropriate protective measures can be taken offsite in the event of a radiological emergency.

§ 350.6 Assistance in development of State and local plans.

(a) An integrated approach to the development of offsite radiological emergency plans by States, localities and the licensees of NRC with the assistance of the Federal Government is the approach most likely to provide the best protection to the public. Hence, Federal agencies, including FEMA Regional staff, will be made available upon request to assist States and localities in the development of plans.

(b) There now exists in each of the ten standard Federal Regions a Regional Assistance Committee (RAC) (formerly the Regional Advisory Committee) chaired by a FEMA Regional official and having members from the Nuclear Regulatory Commission, Department of Health and Human Services, Department of Energy, Department of Transportation, Environmental Protection Agency, the United States Department of Agriculture and Department of Commerce. Whereas in 44 CFR Part 351, the Department of Defense is listed as a potential member of the RACs, it is not listed in this rule because military nuclear facilities are not the subject of concern. The RACs will assist State and local government officials in the development of their radiological emergency response plans, and will review plans and observe exercises to evaluate the adequacy of these plans and related preparedness. This assistance does not include the actual writing of State and local government plans by RAC members.

(c) In accomplishing the foregoing, the RACs will use the standards and criteria in NUREG-0654/FEMA-REP-1, Rev. 1, and will render such technical assistance as may be required, appropriate to their agency mission and expertise. In observing and evaluating exercises, the RACs will identify, soon after an exercise, any deficiencies observed in the planning and preparedness effort including deficiencies in resources, training of staff, equipment, staffing levels and deficiencies in the qualifications of personnel.

§ 350.7 Application by State for review and approval.

(a) A State which seeks formal review and approval by FEMA of the State's radiological emergency plan shall submit an application for such review and approval to the FEMA Regional Director of the Region in which the State

is located. The application, in the form of a letter from the Governor or from such other State official as the Governor may designate, shall contain one copy of the completed State plan, including coverage of response in the ingestion exposure pathway EPZ. The application will also include plans of all appropriate local governments. The application shall specify the site or sites for which plan approval is sought. For guidance on the local government plans that should be included with an application, refer to Part LE, NUREG-0654/FEMA-REP-1, Rev. 1, entitled Contiguous Jurisdiction Governmental Emergency Planning (see (e)). Only a State may request formal review of State or local radiological emergency plans.

(b) Generally, the plume exposure pathway EPZ for nuclear power facilities shall consist of an area about 10 miles (16 Km) in radius and the ingestion exposure pathway EPZ shall consist of an area about 50 miles (80 Km) in radius. The exact size and configuration of the EPZs surrounding a particular nuclear power facility shall be determined by State and local governments in consultation with FEMA and NRC taking into account such local conditions as demography, topography, land characteristics, access routes and local jurisdiction boundaries. The size of the EPZs may be determined by NRC in consultation with FEMA on a case-by-case basis for gas cooled reactors and for reactors with an authorized power level less than 250 Mw thermal. The plans for the ingestion exposure pathway shall focus on such actions as are appropriate to protect the public from ingesting contaminated food and water.

(c) A State may submit separately its plans for the EPZs and the local government plans related to individual nuclear power facilities. The purpose of separate submissions is to allow approval of a State plan, and of the plans necessary for specific nuclear power facilities in a multiple-facility State, while not approving or acting on the plans necessary for other nuclear power facilities within the State. If separate submissions are made, appropriate adjustments in the State plan may be necessary. In any event, FEMA approval of State plans and appropriate local government plans shall be site specific.

(d) The applications shall contain a statement that the State plan, together with the appropriate local plans, is, in the opinion of the State, adequate to protect the public health and safety of its citizens living within the emergency planning zones for the nuclear power facilities included in the submission by

providing reasonable assurance that State and local governments can and intend to effect appropriate protective measures offsite in the event of a radiological emergency.

(e) FEMA and the States will make suitable arrangements in the case of overlapping or adjacent jurisdictions to permit an orderly assessment and approval of interstate or interregional plans.

§ 350.8 Initial FEMA action on State plan.

(a) The Regional Director shall acknowledge in writing within ten days the receipt of the State application.

(b) FEMA shall publish a notice signed by the Regional Director or designee in the Federal Register within 30 days after receipt of the application, that an application from a State has been received and that copies are available at the Regional Office of review and copying in accordance with 44 CFR 3.28.

(c) The Regional Director shall furnish copies of the plan to members of the RAC for their analysis and evaluation.

(d) The Regional Director shall make a detailed review of the State plan, including those of local governments, and assess the capability of State and local governments to effectively implement the plan (e.g., adequacy and maintenance of procedures, training, resources, staffing levels and qualification and equipment adequacy). Evaluation and comments of the RAC members will be used as part of the review process.

(e) In connection with the review, the Regional Director may make suggestions to States concerning perceived gaps or deficiencies in the plans, and the State may amend the plan at any time prior to forwarding to the Associate Director of FEMA.

(f) Two conditions for FEMA approval of State plans (including local government plans) are the requirements for an exercise (see § 350.9), and for public participation (see §§ 350.9 and 350.10.) These activities occur during the Regional review and prior to the forwarding of the plan to the Associate Director.

§ 350.9 Exercises.

(a) Before a Regional Director can forward a State plan to the Associate Director for approval, the State, together with all appropriate local governments, must conduct a joint exercise of that State plan, involving full participation

¹ See § 350.2 for definitions of full participation and remedial exercises.

Proposed Rules

Federal Register

Vol. 48, No. 141

Thursday, July 21, 1983

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 50

Emergency Planning and Preparedness for Production and Utilization Facilities; Frequency and Participation of Exercises

AGENCY: Nuclear Regulatory Commission.

ACTION: Proposed rule.

SUMMARY: The Commission is proposing to amend its regulations in order to provide flexibility for exercise participants in regard to the required frequency and extent of participation in emergency preparedness exercises conducted for nuclear power reactor facilities. The proposed rule would retain the presently required annual full-participation exercise with the proviso that if all major elements in the emergency plan are performed in a satisfactory manner during the annual exercise, a finding may be made that another full participation exercise with State and local governments would not be required for a period of up to two years.

DATES: The comment period expires September 19, 1983. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before this date.

ADDRESSES: Interested persons are invited to submit written comments and suggestions on the proposed rule change and/or the supporting Regulatory Analysis to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Attention: Docketing and Service Branch. Copies of the Regulatory Analysis and of the comments received by the Commission may be examined in the Commission's Public Document Room at 1717 H Street NW, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Michael T. Jamgochian, Human Factors Branch, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone: (301) 443-5890.

SUPPLEMENTARY INFORMATION: On August 19, 1980, the NRC published revised emergency preparedness regulations which became effective on November 3, 1980 (45 FR 55402). The regulations required nuclear power reactor licensees to submit upgraded emergency plans by January 2, 1981; to submit implementing procedures by March 1, 1981; and to implement the plans by April 1, 1981.

With regard to conducting exercises of emergency plans, Appendix E, Section IV.F., of 10 CFR Part 50 now requires:

Each licensee shall exercise at least annually the emergency plan for each site at which it has one or more power reactors licensed for operation. Both full-scale and small-scale exercises shall be conducted and shall include participation by appropriate State and local government agencies as follows:

1. A full-scale exercise which tests as much of the licensee, State, and local emergency plans as is reasonably achievable without mandatory public participation shall be conducted:

a. For each site at which one or more power reactors are located and licensed for operation, at least once every five years and at a frequency which will enable each State and local government within the plume exposure pathway EPZ to participate in at least one full-scale exercise per year and which will enable each State within the ingestion pathway to participate in at least one full-scale exercise every three years.

b. For each site at which a power reactor is located for which the first operating license for that site is issued after the effective date of this amendment, within one year before the issuance of the operating license for full power, which will enable each State and local government within the plume exposure EPZ and each State within the ingestion pathway EPZ to participate.

The Commission believes that the regulations determining the frequency of emergency preparedness exercises, as currently written in 10 CFR Part 50, Appendix E, should be modified in order to provide greater flexibility in implementation. Since the current regulation was published in the Federal Register on August 19, 1980, the NRC and FEMA staffs have observed and evaluated more than 100 exercises

around nuclear power reactors. These exercises have included the participation of licensees, State and local governmental officials, and, in some instances, have also included the participation of Federal agencies. It has become apparent that a disproportionate amount of Federal, State, local government and licensee resources are being expended in order to conduct and evaluate emergency preparedness exercises at the presently required frequency. As a result of the substantial expenditure of resources for these emergency preparedness exercises, fewer resources are available to establish and maintain the very important day-to-day upgraded state of emergency preparedness. In addition, necessary resources for correcting any deficiencies that surface during the exercises are being reduced.

Two petitions for rulemaking that have been filed with the Commission which directly relate to this area of concern are described below.

1. National Emergency Management Association (NEMA)

On March 17, 1982, the Commission received a petition for rulemaking (PRM-50-33) from NEMA which is an organization comprised of directors of State emergency services programs. NEMA believes that the current requirement for an annual exercise at each nuclear power plant site within a State is imposing an overwhelming burden on State resources.

NEMA specifically requested that 10 CFR Part 50, Appendix E, Section IV.F.L. be revised to reduce the frequency for full participation by State and local governments in emergency preparedness exercises from annually to biennially.

A Notice of Receipt of Petition for Rulemaking was published in the Federal Register on July 8, 1982 (47 FR 29252), requesting public comment. To date, 38 comment letters have been received and evaluated by the staff. Five comments oppose relaxing the frequency of exercises while 31 commenters were in favor of reducing the frequency of exercises only with their own unique methods of accomplishing the same. These commenters opposing the petition included a private citizen, an environmental group, and three governmental agencies from one State. Those commenters in favor of the

FEMA during the development of this proposed rule.

The following tables illustrate the minimum frequency for the participation of State and local governments in emergency exercises that could result if FEMA were to recommend and the NRC were to find that the results of each exercise are such that a subsequent exercise is not required for up to two years. Exercises could be more frequent than indicated on these tables if a satisfactory finding could not be made by NRC.

For planning purposes, exercises should be scheduled in a manner which results in all State and local governments within the plume exposure Emergency Planning Zone fully participating in some exercise on an annual basis. When a favorable recommendation from FEMA along with a favorable finding from NRC is received, appropriately scheduled exercises can be cancelled to conform to the biennial frequency.

Example Exercise Frequencies for State and Local Governments for Various Numbers of Nuclear Sites if an NRC Finding Permits an Exercise Every 2 Years

- F Full participation by State and local governmental agencies and licensee
X Full participation by licensee and local governmental agencies and partial participation by States within plume exposure EPZ
Bl nk or L=Licensee only

CASE 1.—ONE SITE WITH PLUME EXPOSURE EPZ WITHIN ONE STATE
(4F 3L)

Year	1	2	3	4	5	6	7
Site A	F				F		F

CASE 2.—TWO SITES* WITH BOTH PLUME EXPOSURE EPZ'S WITHIN ONE STATE
(4F 3L 7L)

Year	1	2	3	4	5	6	7
Site A	F					X	
Site B		X					F

*Where there are two licensees at one location, these are considered as two sites. Where one licensee has more than one reactor at one location, it is considered as one site.

CASE 3.—THREE SITES WITH ALL PLUME EXPOSURE EPZ'S WITHIN ONE STATE
(4F 7L 11L)

Year	1	2	3	4	5	6	7
Site A	F					X	
Site B		X					X
Site C			X				

CASE 4.—FOUR SITES WITH ALL PLUME EXPOSURE EPZ'S WITHIN ONE STATE
(4F 10L 14L)

Year	1	2	3	4	5	6	7
Site A	F						X
Site B		X					
Site C			F				
Site D				X			

CASE 5.—FIVE SITES WITH ALL PLUME EXPOSURE EPZ'S WITHIN ONE STATE
(3F 13L 17L)

Year	1	2	3	4	5	6	7
Site A	F						X
Site B		X					
Site C			F				
Site D				X			
Site E					X		

CASE 6.—SEVEN SITES WITH ALL PLUME EXPOSURE EPZ'S WITHIN ONE STATE
(7F 18L 24L)

Year	1	2	3	4	5	6	7
Site A	F						X
Site B		X					
Site C			F				
Site D				X			
Site E					X		
Site F						X	
Site G							X

CASE 7.—EXAMPLE FOR BOUNDARY SITES—THREE STATES
(4F 7L 11L)

Year	1	2	3	4	5	6	7
Site A	F						X
Site B		X					
Site C			F				
Site D				X			
Site E					X		
Site F						X	

Subscript 1 = State 1, 4 sites (4F 10L)
Subscript 2 = State 2, 2 sites (3F 5L)
Subscript 3 = State 3, 2 sites (3F 3L) (21L Total)

Regulatory Flexibility Certification

In accordance with the Regulatory Flexibility Act of 1980, 5 U.S.C. section 605(b), the NRC certifies that this rule will not, if promulgated, have a significant economic impact on a substantial number of small entities. The proposed rule concerns the frequency and extent of conducting full-scale exercises of emergency plans for nuclear power plants. The electric utility companies owning and operating these nuclear power plants are dominant in their service areas and do not fall within the definition of a small business found in Section 3 of the Small Business Act, 15 U.S.C. section 632, or within the Small Business Size Standards set forth in 13 CFR Part 121. Although part of the burden for the development of emergency

preparedness exercises falls on State and local governments, the proposed rule would lessen this burden by possibly decreasing the frequency of these exercises. Thus, the proposed rule would impose no significant economic impact on a substantial number of small entities, as defined in the Regulatory Flexibility Act of 1980.

List of Subjects in 10 CFR Part 50

Antitrust. Classified information. Fire prevention. Intergovernmental relations. Nuclear power plants and reactors. Penalty. Radiation protection. Reactor siting criteria. Reporting requirements.

Regulatory Analysis

The Commission has prepared a regulatory analysis for this regulation. The analysis examines the costs and benefits of the rule as considered by the Commission. A copy of the regulatory analysis is available for inspection and copying, for a fee, at the NRC Public Document Room, 1717 H Street NW, Washington, DC. Single copies of the analysis may be obtained from Michael T. Jamgochian, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555. Telephone (301) 443-5849.

Paperwork Reduction Act Statement

This proposed rule contains no information collection requirements and therefore is not subject to the requirements of the Paperwork Requirements Act of 1980 (44 U.S.C. 3501 et seq.).

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and section 553 of Title 5 of the United States Code, notice is hereby given that adoption of the following amendment to 10 CFR Part 50 is contemplated.

PART 50—DOMESTIC LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

1. The authority citation for Part 50 continues to read as follows:

Authority: Secs. 103, 104, 181, 182, 183, 186, 189, 68 Stat. 938, 937, 948, 953, 954, 955, 956, as amended; sec. 234, 83 Stat. 1244, as amended (42 U.S.C. 2133, 2134, 2201, 2202, 2203, 2208, 2209, 2282); sec. 201, 302, 216, 68 Stat. 1242, 1244, 1245, as amended (42 U.S.C. 1941, 1942, 1946), unless otherwise noted.

Section 50.7 also issued under Pub. L. 95-601, sec. 10, 92 Stat. 2631 (42 U.S.C. 2107). Section 50.78 also issued under sec. 122, 98 Stat. 939 (42 U.S.C. 2132). Sections 50.60-50.61 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Sections 50.100-50.102 also issued under sec. 186, 68 Stat. 955 (42 U.S.C. 2236).

LIST OF RECENTLY ISSUED
IE INFORMATION NOTICES

Information Notice No.	Subject	Date of Issue	Issued to
84-04	Failure of Elastomer Seated Butterfly Valves Used Only During Cold Shutdowns	01/16/84	All power reactor facilities holding an OL or CP
84-03	Compliance with Conditions and Notification of Dis- ability by Licensed Operators	01/18/84	Licensed operators & facility licensees
84-02	Operating a Nuclear Power Plant at Voltage Levels Lower than Analyzed	01/10/84	All power reactor facilities holding an OL or CP
84-01	Excess Lubricant in Electric Cable Sheaths	01/10/84	All power reactor facilities holding an OL or CP
83-84	Cracked and Broken Piston Rods in Brown Boveri Electric Type 5HK Breakers	12/30/83	All power reactor facilities holding an OL or CP
83-83	Use of Portable Radio Transmitters Inside Nuclear Power Plants	12/19/83	All power reactor facilities holding an OL or CP
83-82	Failure of Safety/Relief Valves to Open at BWR - Final Report	12/16/83	All power reactor facilities holding an OL or CP
83-81	Entry Into High Radiation Areas From Areas Which Are Not Under Direct Surveillance	12/7/83	All licensees autho- rized to use portable radiography devices in radiography programs
83-80	Use of Specialized "Stiff" Pipe Clamps	11/23/83	All power reactor facilities holding an OL or CP; NSSS and AEs
83-79	Apparently Improper Use of Components in Safety-Related Systems	11/23/83	All power reactor facilities holding an OL or CP

OL = Operating License
CP = Construction Permit

Sample Exercise Exemption
Commission Paper

For: The Commissioners

From: William J. Dircks
Executive Director for Operations

Subject: EMERGENCY PREPAREDNESS EXERCISE EXEMPTION REQUEST
(Site Name)

Purpose: To request the Commission to review the staff (approval/disapproval) for an exemption to the annual emergency preparedness exercise for the _____ Nuclear Generating Station.

Category: This paper covers a minor policy question.

Background: 10 CFR 50.54(q) requires a licensee authorized to operate a nuclear power reactor to follow and maintain in effect emergency plans which meet the standards of 50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV.F. of Appendix E requires each licensee to conduct annual emergency preparedness exercises at each site with participation by appropriate State and local government agencies.

On September 28, 1983 the Federal Emergency Management Agency (FEMA) issued, in final form, a new rule (44CFR350) which established policy and procedures for the review and approval by FEMA of State and local emergency plans and preparedness for coping with the offsite effects of radiological emergencies at nuclear power plants. Section 350.9 of FEMA's rule states that State and local governments with nuclear power plants within their boundaries shall fully participate in a joint exercise with the nuclear power plant licensee at least every two years. A provision is included for remedial exercises to demonstrate that deficiencies identified in previous joint exercises have been corrected.

An Information Notice, No. 84-05, entitled "Exercise Frequency", was issued on January 16, 1984 to bring to the attention of all licensees this change to a biennial exercise requirement for State and local governments as specified in the FEMA rule. The Information Notice stated that licensees should continue to follow the current annual exercise frequency requirements as stated in NRC's regulations and that they conform with the FEMA rule by specific request for exemption from the NRC requirement.

A memorandum to W. J. Dircks from S. J. Chilk on December 27, 1983 specified that any requests for exemption to the NRC exercise frequency requirements should be referred to the Commission for consideration.

Discussion: (Include a discussion of the issue as presented in Part II of the draft exemption and reference any enclosures).

Recommendation: That the Commission agree with the proposed staff (approval/disapproval) of the licensee's request to conduct the annual emergency preparedness exercise without the participation of State and/or local governments.

Note: The staff intends to (approve/disapprove) the request of (utility) to conduct the annual emergency preparedness exercise without appropriate State/local participation at the Generating Station within ten working days of the date this paper is received by the Secretary, unless otherwise instructed by the Commission. A draft letter to the licensee is enclosed (Enclosure).

William J. Dircks
Executive Director for Operations

Enclosures:

1. (letter from utility requesting exemption)
2. (any supporting correspondence)
3. (draft Letter to the licensee)



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555
November 3, 1983

Dockets Nos. 50-277
and 50-278

Mr. Edward G. Bauer, Jr.
Vice President and General Counsel
Philadelphia Electric Company
2301 Market Street
Philadelphia, Pennsylvania 19101

Dear Mr. Bauer:

SUBJECT: PEACH BOTTOM ATOMIC POWER STATION, UNITS 2 AND 3, ANNUAL
EMERGENCY PREPAREDNESS EXERCISE

In response to your letter of April 20, 1983, the Commission has issued the enclosed Exemption from certain annual emergency plan exercise requirements of 10 CFR 50, Appendix E, Section IV.F.1.a; specifically, the level of local government participation in the exercise for the Peach Bottom site for 1983.

A copy of the Exemption is being filed with the Office of the Federal Register for publication.

Sincerely,

A handwritten signature in cursive script, reading "John F. Stolz", is written over the typed name.

John F. Stolz, Chief
Operating Reactors Branch #4
Division of Licensing

Enclosure:
Exemption

cc w/enclosure:
See next page

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

PHILADELPHIA ELECTRIC COMPANY, ET AL)
(Peach Bottom Atomic Power Station,)
Units Nos. 2 and 3))

Dockets Nos. 50-277 and 50-278

EXEMPTION

I.

Philadelphia Electric Company (the licensee) is authorized by Facility Operating Licenses Nos. DPR-44 and DPR-56 to operate the Peach Bottom Atomic Power Station, Units Nos. 2 and 3 (the facilities) at steady-state reactor power levels not in excess of 3293 megawatts thermal for each unit. These licenses provide, among other things, that they are subject to all rules, regulations and Orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facilities are boiling water reactors located at the licensee's site in York County, Pennsylvania.

II.

Section 50.54(q) of 10 CFR Part 50 requires a licensee authorized to operate a nuclear power reactor to follow and maintain in effect emergency plans which meet the standards of 10 CFR 50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV F of Appendix E requires each licensee to conduct an emergency preparedness exercise

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annually with full participation by State and local county governments unless the State and all local county governments in the plume exposure pathway Emergency Planning Zone (EPZ) for the licensee's facility have otherwise participated in a full-scale exercise during the annual period (with such participation occurring in conjunction with a full-scale exercise at another nuclear power plant). In this latter case, the licensee is required to conduct an annual exercise with the participation of State and local governments consistent with the provisions of Section IV.F.3 of Appendix E for small scale exercises.

By letter dated April 20, 1983, the licensee requested an exemption from certain annual exercise requirements of Section IV.F.1.a of Appendix E. Specifically, the licensee's annual exercise scheduled for June 28, 1983, would not include a level of participation of local governments within the plume exposure pathway EPZ for the Peach Bottom facilities entirely consistent with the requirements of Section IV.F.1.a for full-scale exercises. Rather, the level of participation by the five counties (York, Lancaster and Chester Counties in Pennsylvania and Cecil and Harford in Maryland) along with the Commonwealth of Pennsylvania and the State of Maryland, would be consistent with the provisions of Section IV.F.3 of Appendix E for small-scale exercises.

The States of Maryland and Pennsylvania have participated or will participate in the Calvert Cliffs (September 14, 1983) and Three Mile Island (November 16, 1983) full-scale annual exercises, respectively. Lancaster and York Counties (Pennsylvania) also will participate in the full-scale Three Mile Island exercise, while Chester County (Pennsylvania) is planning to participate in the first full-scale

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1984 Limerick exercise. Although Chester County may not fully satisfy the annual participation requirement within the required time period, the County is forming a basis for alternating annual full-scale participation between the Peach Bottom and Limerick facilities.

Cecil and Harford Counties (Maryland) participated only on a small-scale level for the 1983 Peach Bottom exercises because no county funds were available for full-scale participation. The 1983 county budgets on small-scale participation were based upon an interpretation of the regulations (10 CFR 50, Appendix E, Section IV.F) that when a State does not fully participate in an exercise because of previous or planned full participation at another site that year (e.g., Maryland at Calvert Cliffs), counties need also not fully participate. The regulations, however, require that each facility, State and local government participate fully in the exercise of their emergency plans each year.

Therefore, the licensee requested in its April 20, 1983 letter, an exemption for full participation by certain local governments (specifically for Chester, Cecil and Harford Counties) pursuant to 10 CFR 50, Appendix E, Section IV.F.1.a requirements and indicated that the level of participation by these local governments would be in conformance with the small-scale exercise requirements of Section IV.F.3 of Appendix E, thereby allowing the proposed exercise to qualify as an annual exercise. In general, communications and notification systems and procedures, and major interfaces with the utility organization and government agencies would be tested pursuant to Section IV.F.3 of Appendix E. In addition, the Promot Notification system and emergency Broadcast Systems would be activated. A-17-17

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We have reviewed the participation of the States of Pennsylvania and Maryland and the Peach Bottom EPZ counties at the June 1, 1982 full-scale exercise for the Peach Bottom facilities. This review has shown that this exercise, conducted last year, has provided a suitable test for the adequacy of offsite emergency preparedness for Peach Bottom and has provided ample opportunity for training and familiarizing emergency response personnel, including those in Cecil, Harford and Chester Counties. In addition, the Federal Emergency Management Agency (FEMA) has informed us that all three Counties adequately exercised their small-scale participation emergency preparedness roles during the June 28, 1983 Peach Bottom Exercise and Nottingham, Chester County, which is the only municipality of Chester County within the Peach Bottom plume exposure pathway EPZ, participated full scale in that exercise and performed adequately. Moreover, both Harford and Cecil Counties participated in a number of notification and communication exercises during the past year. Participation in these various exercises during the past year, along with substantial efforts by Cecil and Harford Counties in upgrading emergency preparedness and equipment and substantial training for Chester County emergency response personnel has allowed these Counties to maintain an adequate level of emergency preparedness despite their failure to participate full scale in the current annual full-scale exercise for Peach Bottom. FEMA has confirmed that there has been no lessening of the emergency preparedness programs of the three Counties since the 1982 Peach Bottom Exercise.

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III.

Based on the above, we conclude that the three Counties' failure to participate full scale in the current annual exercise for Peach Bottom has not adversely affected the Counties' emergency preparedness and that granting the requested exemption will not adversely affect the overall state of emergency preparedness for Peach Bottom. Therefore, the licensee's request for exemption should be granted.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption requested by the licensee's letter dated April 20, 1983, as discussed above, is authorized by law and will not endanger life or property or the common defense and security, and is otherwise in the public interest.

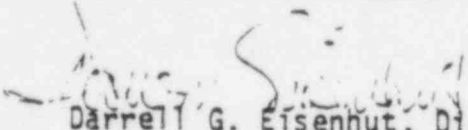
The requested exemption from the exercise requirements of 10 CFR 50, Appendix E, Section IV.F.1.a involving Cecil, Harford, and Chester Counties' full-scale participation in the licensee's current annual exercise is hereby granted.

The Commission has determined that the granting of this Exemption will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

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This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION


Darrell G. Eisenhut, Director
Division of Licensing

Dated at Bethesda, Maryland
this 3rd day of November 1983.

APPENDIX A-18

ADVANCE NOTIFICATION TO THE COMMISSION
OF ISSUANCE OF LOW POWER LICENSES



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

February 28, 1984

MEMORANDUM FOR: Thomas Novak, Assistant Director for Licensing
Branch Chiefs for the Assistant Director for Licensing

FROM: Darrell G. Eisenhut, Director
Division of Licensing

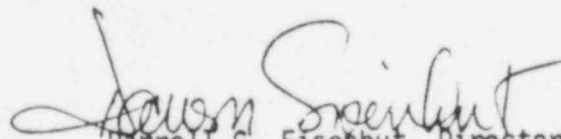
SUBJECT: ADVANCE NOTIFICATION TO THE COMMISSION OF ISSUANCE
OF LOW POWER LICENSES

The staff has not routinely been advising the Commission in advance of issuance of licenses limited to low power operation. The Commission has only been kept informed of progress toward issuance of such licenses by a weekly memorandum to the Commission. The Commission has recently requested a more timely notification of the impending issuance of a low power license.

Accordingly, in the future, the requested notification shall be provided by the cognizant Licensing Branch Chief as described below:

1. The Branch Chief shall notify the EDO's Office (T. Rehm) and each Commissioner's Office by telephone prior to issuance of the low power license.
2. This notification shall generally be provided one day in advance at the point where the staff is quite confident in the issuance schedule.
3. Completion of this notification should be recorded in a note to the Assistant Director for Licensing

For your information a related January 12, 1984 memorandum from the EDO is attached.


Darrell G. Eisenhut, Director
Division of Licensing

Enclosure:
As Stated

cc: H. Denton
E. Case
T. Rehm
R. Purple
DL Licensing PMs

January 12, 1984

MEMORANDUM FOR: Chairman Palladino

FROM: William J. Dircks
Executive Director for Operations

SUBJECT: ADVANCE NOTIFICATION TO THE COMMISSION OF
ISSUANCE OF LOW POWER LICENSES

Staff has not been advising the Commission in advance of issuance of licenses limited to low power operation because in its Policy Statement of July 16, 1981, the Commission authorized NRR to issue those licenses without referral to the Commission. Nevertheless, we have kept the Commission informed of progress toward issuance of such licenses by means of a weekly memo to the Commission, "NRR Licensing Issues." The actual issuance of a license is noted in the DAILY STAFF NOTES - in the case of WPPSS 2 notification was made on December 21 (the license having been issued on December 20) and in the case of LaSalle notification was made on December 20 (the license having been issued on Friday, December 16).

We shall in the future notify the Commission by phone call or memo prior to issuance of a license limited to low power operation.

(Signed) William J. Dircks

William J. Dircks
Executive Director for Operations

cc: Commissioner Gilinsky
Commissioner Roberts
Commissioner Asselstine
Commissioner Bernthal
SECY
OPE
OGC

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APPENDIX A-19

OPERATING LICENSES

Certification that Technical Specifications are accurate reflection of the Final Safety Analysis Report, the as-built plant, and the NRC Safety Evaluation Reports.



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

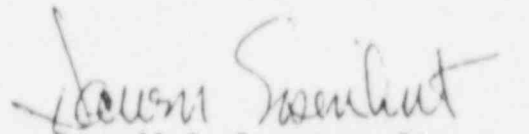
FEB 29 1974

MEMORANDUM FOR: Thomas Novak, Assistant Director
for Licensing

FROM: Darrell G. Eisenhower, Director
Division of Licensing

SUBJECT: OPERATING LICENSES

Confirming our recent discussions, please obtain from each applicant for an operating license a certification, signed by a senior officer, that the Technical Specifications have been reviewed and found to be an accurate reflection of the Final Safety Analysis Report, the as-built plant, and the NRC Safety Evaluation Reports. Such a certification must be provided to the NRC prior to issuance of an operating license (or, for those applicants who presently possess a 5% license, prior to authorization for full power).


Darrell G. Eisenhower, Director
Division of Licensing



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

February 24, 1984

Docket No. 50-416

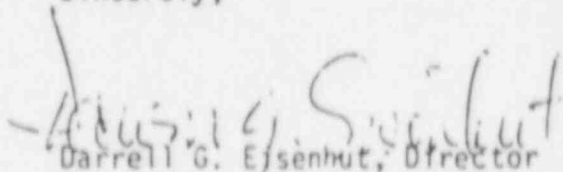
Mr. J. B. Richard
Senior Vice President - Nuclear
Mississippi Power & Light Company
P. O. Box 1640
Jackson, Mississippi 39205

Dear Mr. Richard:

Subject: Grand Gulf Unit 1 Technical Specifications

Since the issuance of the Grand Gulf Unit 1 Technical Specifications in June 1982, a significant number of changes have been made to the plant surveillance procedures and the Technical Specifications. You are requested to review within ten (10) days of receipt of this letter, the Technical Specifications as amended, and provide certification, under oath and affirmation, that the Grand Gulf Unit 1 Technical Specifications, considering the pending proposed changes identified by your staff and the NRC, to the best of your knowledge accurately reflect the plant, the FSAR, and the SER analyses. At the same time, you should also certify under oath and affirmation that the as-built plant continues to be in conformance with the FSAR as amended and supporting documents. If you have any questions regarding this matter, please contact D. Houston, Project Manager.

Sincerely,

A handwritten signature in dark ink, appearing to read "Darrell G. Eisenhower", is written over the typed name.

Darrell G. Eisenhower, Director
Division of Licensing
Office of Nuclear Reactor Regulation

cc: See next page

APPENDIX A-20

PREPARATION OF BOARD NOTIFICATIONS



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

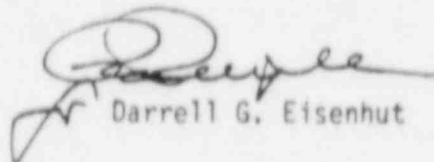
March 20, 1984

NOTE TO: Gus Laines
Frank Miraglia
Tom Novak

FROM: Darrell Eisenhut

SUBJECT: PREPARATION OF BOARD NOTIFICATIONS

Recently, a number of small policy changes have been made which affect the preparation of Board Notifications. This is discussed in SECY 84-97 and in other memos. In order to assist you in preparing future BN's, I have asked R. Stark to review each BN regarding these policy changes. Therefore, please put R. Stark on concurrence for BNs you are issuing.



Darrell G. Eisenhut

APPENDIX A-21

MODIFICATIONS OF ORDERS



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

NOTE TO: Gus C. Lainas, AD/OR:DL
Thomas M. Novak, AD/L:DL
Dennis M. Crutchfield, AD/SA:DL

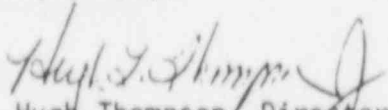
FROM: Hugh Thompson, Director
Division of Licensing

SUBJECT: MODIFICATION OF ORDERS

Over the years questions have been raised as to the proper method by which to modify an Order. The Commission recently considered this question in its decision involving San Onofre Unit 1. While it may be some time before the ramifications of that decision, which is now before the Court of Appeals for the Ninth Circuit, are fully understood, the following general guidance may be provided:

- If an Order contains a clause that provides for relaxation or modification, then the Order may be modified in accordance with the terms of the clause.
- If the Order does not contain a relaxation or modification clause, and expressly states it is a license modification, licensee-applied-for changes to relax requirements must be treated as a request for a license amendment in accordance with the "Sholly" procedures.
- If the Order does not contain a clause for relaxation or modification and does not expressly provide that it is a license modification, then licensee-applied-for changes must be handled on a case-by-case basis following consultation with the Chief Counsel, Regional Operations and Enforcement Division, OELD.

Please have your project managers continue to contact the Division of Regional Operations and Enforcement in OELD for guidance on drafting Orders and Modifications of Orders. Contacts should be made at an early stage of the process, especially if a modification of a prior Order is involved, with either James Lieberman (x27496) or Stephen Burns (x27268).


Hugh Thompson, Director
Division of Licensing

cc: E. Christenbury
J. Lieberman
DL BCs

CONTACT:
J. Thoma, x-28213

NRC FORM 335 (7-77)		U.S. NUCLEAR REGULATORY COMMISSION BIBLIOGRAPHIC DATA SHEET		1. REPORT NUMBER (Assigned by DDC) NUREG/BR-0073	
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7. AUTHOR(S)				3. RECIPIENT'S ACCESSION NO.	
9. PERFORMING ORGANIZATION NAME AND MAILING ADDRESS (Include Zip Code) Division of Licensing Office of Nuclear Reactor Regulation U.S. Nuclear Regulatory Commission Washington, DC 20555				5. DATE REPORT COMPLETED MONTH YEAR	
12. SPONSORING ORGANIZATION NAME AND MAILING ADDRESS (Include Zip Code) Same as 9, above.				6. (Leave blank)	
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15. SUPPLEMENTARY NOTES				8. (Leave blank)	
16. ABSTRACT (200 words or less) This Project Manager's Handbook has been prepared by the Division of Licensing to describe the role of the Licensing and Operating Project Managers in the regulatory process and to provide guidance and a comprehensive ready reference for the functions and responsibilities of the Project Managers.				9. PROJECT/TASK/WORK UNIT NO.	
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WASHINGTON, D.C. 20555

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