

Cumulative Effects of Regulation

July 22, 2020, Conference Call
With Nuclear Energy Institute
and Members of the Nuclear Fuel Cycle Industry

Osiris Siurano-Perez, Project Manager
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Office of Nuclear Material Safety and Safeguards

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Meeting Category and Public Participation

This is a Category 2 meeting. The public is invited to participate in this meeting by discussing regulatory issues with the Nuclear Regulatory Commission (NRC) staff at designated points.

Teleconference Agenda

Topic	Time	Speakers
Opening Remarks	1:30 PM	Andrea Kock, Director Division of Fuel Management (DFM) Office of Nuclear Material Safety and Safeguards (NMSS) U.S. Nuclear Regulatory Commission (NRC) Janet Schlueter, Nuclear Energy Institute (NEI)
Discussion Topics <ul style="list-style-type: none"> • Action Items from April 22, 2020, Meeting • Updates to Integrated Schedule Chart and Supplement • Development of the American Nuclear Society (ANS) standard 57.11, “Integrated Safety Assessment for Non-Reactor Nuclear Facilities” • Material Control & Accounting Guidance for Category II facility applicants • Smarter Licensing Program <ul style="list-style-type: none"> ➢ Smarter Licensing Implementation Plans • Smarter Inspection Program <ul style="list-style-type: none"> ➢ Smarter Inspection Program Enhancement Effort • Discussion: NRC Actions During COVID-19 Public Health Emergency 	1:10 PM	Presenters: Osiris Siurano-Perez, Project Manager, DFM April Smith, Reliability and Risk Analyst, DFM James Rubenstone, Branch Chief, DFM Karl Sturzebecher, Project Manager, DFM Leira Cuadrado, Branch Chief, DFM
Closing Remarks	4:15 PM	Andrea Kock, NMSS Janet Schlueter, NEI
Adjourn	4:30 PM	Osiris Siurano-Perez Project Manager, NMSS

Opening Remarks

Andrea Kock, Director
Division of Fuel Management
Office of Nuclear Material Safety and Safeguards

Janet Schlueter
Nuclear Energy Institute

April 22, 2020

Cumulative Effects of Regulation Meeting Action Items

- Revisit the graphic charts (Integrated Schedule) to clarify placement of change marks and events in the timeline.
 - The NRC staff revised the Integrated Schedule chart to reflect the most accurate and up-to-date information, and current status of activities.
 - Updated chart posted on Cumulative Effects of Regulation Public website
- NEI will provide written comments on the enhanced weapons rulemaking.
 - NEI letter dated May 8, 2010 - ADAMS Accession Number ML20132A234
 - NRC response issued July 10, 2020 - ADAMS Accession Number ML20154K720
- Determine and report if the NRC staff will continue to support development of the ANS 57.11 standard
 - NRC staff conducted internal meetings to discuss its involvement
 - No immediate plans to recommend changes to level of involvement

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April 22, 2020

Cumulative Effects of Regulation Meeting Action Items (continued)

- Ensure that proposed guidance is submitted to industry at the appropriate time to allow their input during development and include timeline for planning.
 - The NRC staff will continue to provide opportunities for public comment on new and revised guidance documents as appropriate.
- Review industry and NRC priorities assigned to actions arising from the smarter program reviews.
 - NEI Letter dated May 6, 2010
 - ✓ ADAMS Accession Number ML20135G764
 - NRC response issued June 19, 2020
 - ✓ ADAMS Accession Number ML20148M228

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April 22, 2020

Cumulative Effects of Regulation Meeting Action Items (continued)

- Determine what licensing information can be shared with potential applicants for Category II facilities
 - Currently, only very limited publicly available information relevant to ongoing Category II facility application reviews is available
 - The NRC staff is available to discuss requirements for licensing Category II facilities
 - Applicants are encouraged to contact the NRC staff to conduct pre-application meetings as necessary

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Updates to Integrated Schedule Chart and Supplement

- Updated July 16, 2020
 - List of regulatory activities remains unchanged
- Integrated Schedule Chart
 - Four activities updated
- Integrated Schedule Supplement
 - Four activities updated

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Updates to Integrated Schedule Chart

- Part 73 - Enhanced Security for SNM
 - Spreadsheet timeline revised to reflect most up-to-date information
- Part 73 - Cyber Security Rulemaking
 - Spreadsheet timeline revised to reflect most up-to-date information
- Smarter Licensing
 - Reflect issuance of final WG report - April 30, 2020
 - Reflect issuance of Public Version of Action Plan and Project Status - July 10, 2020
 - Reflect new contact for Implementation Plan
- Smarter Inspection
 - Reflect new point of contact
 - Reflect issuance of Implementation Plan

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Updates to Integrated Schedule Chart*

Regulatory Activity	Revised	2019												2020												2021												2022												Comments																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																		
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* See ADAMS Accession Number ML20201A015 for detailed summary of the changes.

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Updates to Integrated Schedule Supplement

- Enhanced Weapons Rulemaking
 - Related documents
 - ✓ Two new documents listed
 - ❖ NEI letter, “Enhanced Weapons Rulemaking,” dated May 8, 2020
 - ❖ NRC response dated July 10, 2020

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Updates to Integrated Schedule Supplement

- American Nuclear Society Standard 57.11
 - Key Information
 - ✓ Non-reactor Nuclear Facilities Consensus Committee search for new Chair
- Smarter Licensing
 - Key Contact
 - ✓ Reflect new NRC contact for Implementation Plan
 - Related documents
 - ✓ Reflect issuance of final WG report - April 30, 2020
 - ✓ Reflect issuance of Public Version of Action Plan and Project Status - July 10, 2020

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Updates to Integrated Schedule Supplement (continued)

- Smarter Inspection
 - Key Contact
 - ✓ Reflect new NRC point of contact
 - Key Information
 - ✓ Reflect issuance of final decision memorandum and status of activities
 - Related Documents
 - ✓ Four new documents listed
 - ❖ Final decision memorandum
 - ❖ NEI Letter, “Follow Up Input to NRC April 22, 2020 Public Meeting and Supplement to NEI’s March 17, 2020 letter on Final Working Group Reports on the Smarter Program Inspection and Licensing Program Enhancement Initiative”
 - ❖ “Response to NEI letter on Smarter Inspection and Licensing Program Enhancement Initiative”
 - ❖ Implementation Plan

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Updates to Integrated Schedule Chart and Supplement

- Updated information
 - Cumulative Effects of Regulation
 - ✓ <https://www.nrc.gov/materials/fuel-cycle-fac/regs-guides-comm.html#cumeffects>
 - Integrated Schedule
 - ✓ <https://www.nrc.gov/docs/ML2020/ML20201A012.pdf>
 - ✓ Summary of the changes April-July 2020
 - ❖ ADAMS Accession Number ML20201A015
 - Integrated Schedule Supplement
 - ✓ <https://www.nrc.gov/docs/ML2020/ML20201A014.pdf>
 - ✓ Markup with updates April-July 2020
 - ❖ ADAMS Accession Number ML20201A013

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Development of ANS 57.11

“Integrated Safety Assessment for Non-Reactor Nuclear Facilities”

- Review of comments from the Non-reactor Nuclear Facilities Committee (NNFC) and others is ongoing
- During the June 2020 ANS Meeting, the NNFC announced its search for a new working group (WG) chair
- NRC staff conducted internal meetings to discuss its involvement, including briefing the Director, Office of Nuclear Material Safety and Safeguards
- NRC staff has no immediate plans to recommend changes to its level of involvement
 - One member on the WG
 - One member on the NNFC

Contact:

April Smith
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Material Control & Accounting Guidance for Category II Facility Applicants

- NUREG-2159 for Cat II MC&A under revision
 - Draft to be issued for public comment during Fall 2020
- NRC staff encourages pre-application discussions on MC&A and other safeguards topics

Contact:
James Rubenstone
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Public Participation

At this time, the public is afforded an opportunity to ask questions and/or provide comments on the following topics:

- Action Items from April 22, 2020, Meeting
- Updates to Integrated Schedule Chart and Supplement
- Development of the American Nuclear Society (ANS) standard 57.11, “Integrated Safety Assessment for Non-Reactor Nuclear Facilities”
- MC&A Guidance for Category II facility applicants

Smarter Licensing Program

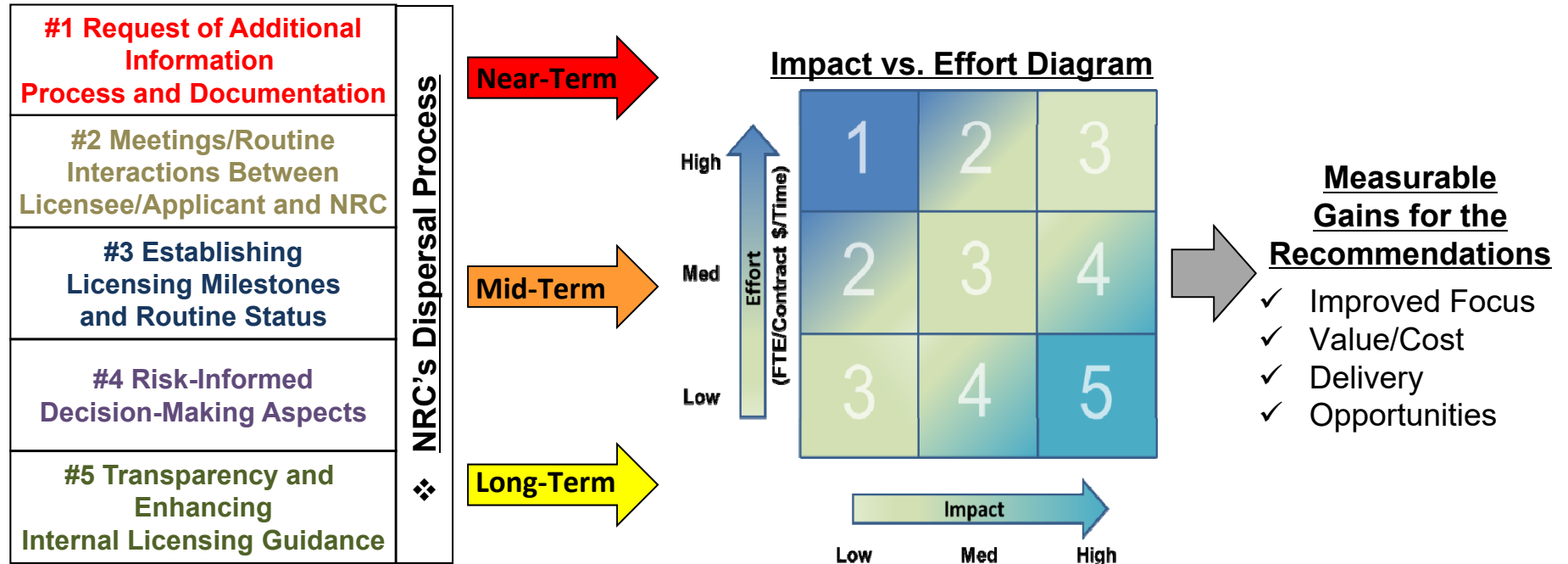
- Objective
 - Implement the Working Group Recommendations per costs and benefits perspective
- Status
 - Established Action Teams for near-term, mid-term, long-term actions
 - Kickoff meetings with near-term and mid-term Action Teams completed
 - Public version of the Smarter Licensing Action Plan issued (ML20184A267)
 - Action Plan acceptance memorandum in concurrence
 - Developed Cost-Benefit Evaluation for the Action Teams

Contact:

Karl Sturzebecher
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Smarter Licensing Program

Industry Priority → Action Teams → Cost-Benefit Evaluation → Project Tracking



The Work Group devised a multi-step process for the dispersal of the recommendations, which considered NRC input, existing guidance or process, improving NRC's mission with possible licensing program efficiencies, available NRC resources/timing, and related suggestions.

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Smarter Licensing Program

- Implementation Plan

- Anticipated completion dates
 - ✓ Near-Term by December 2020
 - ✓ Mid-Term by March 2021
 - ✓ Long-Term by January 2022
- Monitor the recommendations implementation and potential benefits based on improved effectiveness and efficiency
- Review Cost-Benefit Evaluation results with self-assessment

References:

NEI, "Industry Comments on Near Final Fuel Cycle Smarter Program Working Group Reports Post March 5, 2020 NRC Public Meeting," March 17, 2020. (ADAMS Accession Number ML20097E050)

NRC, Work Group Recommendations for Building a Smarter Fuel Facility Licensing Program, April 30, 2020. (ADAMS Accession Number ML20099F354)

Stanford, J. L., How Useful Is QFD. (2005, January) Quality Progress. Retrieved May 4, 2020

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Smarter Inspection Program Enhancement Effort

- The NRC staff is currently implementing approved recommendations
 - Recommendation 6 will be implemented after the staff completes a separate assessment to enhance the Operating Experience Program and the Fuel Cycle Inspection Assessment Program.
- Implementation plan - ML20189A064

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Contact:

Alayna Pearson
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Smarter Inspection Program Enhancement Effort

- Implementation schedule

Description	Start Date	End Date
Revise Inspection Manuals and Procedures	April 2020	August 2020
Internal concurrence	August 2020	October 2020
Present project status at the Fall CER meeting. Present project status at Regional State Liaison Officers Call, Reactor Oversight Process monthly call, additional public venues and meetings.	September/October 2020	
Issue Revised Guidance & Provide Training	December 2020	

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Smarter Inspection Program Enhancement Effort

- Further engagement in areas of interest
 - These additional program elements were identified by industry along with a proposed a prioritization - ML20135G764
 - ✓ High priority elements
 - ❖ Chemical safety
 - ❖ Safety margin
 - At the Fall 2020 CER meeting, the staff intends to publicly discuss additional inspection program elements - ML20148M228

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Discussion: NRC Actions During COVID-19 Public Health Emergency

The NRC has ensured and will continue to ensure that licensed facilities operate safely during the COVID-19 pandemic.

- NRC Actions
 - Temporary regulatory relief granted to licensees if appropriate
 - Remote inspections during COVID-19 Pandemic
 - ✓ Should this practice be continued after the pandemic?

Public Participation

At this time, the public is afforded an opportunity to ask questions and/or provide comments on the topics discussed during this meeting

- Action Items from April 22, 2020, Meeting
- Updates to Integrated Schedule Chart and Supplement
- Development of the American Nuclear Society (ANS) standard 57.11, “Integrated Safety Assessment for Non-Reactor Nuclear Facilities”
- MC&A Guidance for Category II facility applicants
- Smarter Licensing Program
 - Smarter Licensing Implementation Plans
- Smarter Inspection Program
 - Smarter Inspection Program Enhancement Effort
- Discussion: NRC Actions During COVID-19 Public Health Emergency

Closing Remarks

Andrea Kock, Director
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Janet Schlueter
Nuclear Energy Institute