

## MEETING SUMMARY

- DATE AND TIME: Monday, October 1, 2013  
1:00 P.M. – 4:00 P.M. (EDT)
- PLACE: U.S. Nuclear Regulatory Commission  
Three White Flint North  
Room 3WFN-1C03/1C05  
11601 Lands down Street  
Rockville, MD 20852
- CATEGORY 2: The public was invited to participate in this meeting by discussing the integrated schedule with the U.S. Nuclear Regulatory Commission (NRC) at designated points identified on the agenda.
- PURPOSE: The purpose of this meeting was to: highlight the current agency actions on Cumulative Effects of Regulation (CER); present and discuss a proposed integrated schedule listing activities that contribute to CER; obtain feedback from the fuel cycle industry on the structure and use of the proposed schedule; and discuss a path forward for continuing to enhance effective communication on CER. The partially populated schedule addressed several of the contributors to CER discussed during the June 10, 2013, public meeting with the fuel cycle industry (Agencywide Documents Access and Management System [ADAMS] Accession Number ML13170A199).
- ATTENDEES: See Enclosure 2
- DISCUSSION:
- The NRC staff and representatives from industry and the Nuclear Energy Institute (NEI) held a Category 2 public meeting on October 1, 2013, to discuss a partially-populated integrated schedule for several of the activities contributing to the CER. After discussing the purpose and goals of the meeting, and presenting the agency and the Division of Fuel Cycle Safety and Safeguards (FCSS) status of CER activities, staff discussed a proposed integrated schedule (see Meeting Handout, Pages 21 and 23), listing selected rulemakings and non-rulemaking activities that contribute to CER. During the discussion of the proposed integrated schedule, staff emphasized that the charts were for discussion purposes only and not indicative of actual due dates for the milestones shown.
- During the discussion of the charts, the fuel cycle industry provided the following comments and observations on the charts.
- More detail is needed (e.g., add the type of public interactions). It was recommended that a provision be added that included a drop down detail schedule for each item listed on the charts.
  - The integrated schedule should be publically available and placed on a public website.

- The integrated schedule is a living document and should be updated periodically. NRC should commit resources to retain and update the schedule.
- The integrated schedule should be discussed quarterly with the fuel cycle industry. These discussions could be by public teleconferences, public meetings, public webinars, or other public venues.
- Office of Nuclear Security and Incident Response (NSIR) staff attending the meeting indicated that they were planning interactions during the coming December/January period for the Part 26 and Part 73 rulemaking activities identified on Page 21 of the Meeting Handout. The fuel cycle industry stated that this is an extremely busy period for all fuel cycle facilities because they are preparing the annual integrated safety analysis (ISA) update that is due to the NRC each year by January 31<sup>st</sup>. The fuel cycle industry stated that public interactions, if possible, should not be scheduled during this period. NSIR staff stated that they would consider delaying the planned interactions and would update the current plan for the Part 26 and Part 73 rulemaking. NSIR stated that information for this rulemaking was publically available. [the public website link for this rulemaking can be found at <http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html> ]
- The public version for the Revised Fuel Cycle Oversight Schedule (RFCOP) is outdated and needs to be updated. The RFCOP chart needs to contain far more details. The staff stated that the current project plan for the RFCOP could be viewed at ADAMS Accession Number ML13207A212.
- The “ANS ISA Standard” shown on Page 23 of the Handout needs to have an additional interaction listed during the “Issue Standard and Develop and issue RG” phase.
- Identify the FCSS Project Manager or Contact for each item listed on the charts.
- Not all interactions (e.g., meetings, comment periods, calls) are equal with respect to industry resources required to support them. The complexity of the regulatory issue will determine the amount of stakeholder involvement. As a minimum, there should be some stakeholder outreach when a non-rulemaking regulatory item is being developed, preferable in the form of a public meeting or webinar.
- Combine the two charts (Handout Pages 21 and 23). Staff commented that the charts should be viewed together.
- A request was made to hold a public meeting, teleconference, or webinar prior to December 10, 2013, to discuss an integrated schedule, fully populated, with more detail and actual milestones dates. It was suggested that detail be provided for at least the next 6 months. Staff agreed to consider this request, but did not agree to fully populate the schedule should an interaction be held prior to December 10, 2013.
- It was suggested that a criteria be developed to prioritize the items on the integrated schedule and this prioritization could take many forms such as Priority 1, 2, or 3 or Priority (high, medium, low). The prioritization criteria used for power reactor licensees probably is not appropriate for fuel cycle facilities, especially if Probabilistic Risk Assessment is the basis for prioritization. Staff indicated that they would consider

adding the priority and that this would be a topic for a future CER public meeting with the fuel cycle industry.

Additionally, a reporter from Platts questioned whether or not FCSS was following the guidance for CER provided in SRM to SECY-12-0137 (ADAMS Accession Number ML13071A635). After clarification and discussion, staff answered “yes” to the question.

#### POTENTIAL FOLLOW-UP ITEMS:

Industry requested a more detail integrated schedule, especially for interactions scheduled for the next six months or near term, and would like to have another interaction on CER before December 10, 2013. Staff indicated that they were receptive to providing a more detailed integrated schedule for selective items, and that they would consider providing more detail such as identifying interactions through 2014.

Staff will evaluate whether it can support an interaction, such as a teleconference or webinar, prior to December 10, 2013, and the extended staff could address industry’s comments when developing the next revision to the integrated schedule.

It was agreed that Larry Campbell, FCSS would contact Janet Schlueter, NEI in the near future to begin discussions on the timing and logistics for the next FCSS/Fuel Cycle Industry interaction on CER.