

Cumulative Effects of Regulation

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Introduction

- **CATEGORY 2 MEETING**
 - The primary discussions are expected to be between the NRC, the Nuclear Energy Institute and industry representatives. Members of the public will be invited to participate at designated points during the meeting.
- **REMINDER**
 - The timelines presented are based on best estimates, but may change based on pressing safety issues or other Commission priorities.

CER Agenda

- **Updated Integrated Schedule**
- **Points of Interest on Integrated Schedule**
- **Issue Resolution Protocol**
- **Consideration of factors that impact CER**

Integrated Schedule

Regulatory Activity	Revised	2014												2015												2016												2017												2018			Comments																																																			
		J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	Q1	Q2	Q3	Q4																																																
Part 20-Rdtn Protection POC: Cardelia Maupin Driver: SRM	04/30/2014	Comment period on Advanced Notice of Proposed Rulemaking																																																												Pre-rulemaking analysis ongoing												Seek Commission Approval of Draft Reg. Basis																											regulations.gov docket #: NRC-2009-0279			
Part 21-Quality Assurance POC: Sabrina Alack Driver: Staff	06/09/2014	Draft Regulatory Basis																																																												Develop Proposed Rule												Issue Proposed Rule												Review by Commission															regulations.gov docket #: NRC-2012-0012			
Part 26-Fatigue POC: A. Sapountzis Driver: SRM	06/09/2014	Draft Regulatory Basis																																																												Develop Proposed Rule												Due to Commission												Due to Commission															http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html			
Part 73-Mtrl Attractiveness POC: A. Sapountzis Driver: SRM	06/09/2014	Draft Regulatory Basis																																																												Develop Proposed Rule												Due to Commission												Due to Commission															http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html			
Part 40-Source Material ISAs POC: David Tiktinsky Driver: SRM	04/30/2014	Draft Regulatory Basis																																																												Develop Proposed Rule												Due to Commission												Due to Commission															regulations.gov docket #: NRC-2009-0079 and NRC-2011-0080 (Dependent on Dermal and Ocular, Soluble Uranium, and NPH)			
Part 61 - LLW Disposal POC: Andrew Carrera Driver: Industry	04/30/2014	Draft to Commission																																																												Memo to Commission on Path Forward																																							regulations.gov docket #: NRC-2011-0012 http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/uw-streams.html regs.gov NRC-2011-0012			
Part 70, Appendix A POC: Keith McDaniel Driver: Industry	06/09/2014																																																																																																				regulations.gov docket #: NRC-2010-0271			
Part 74-MC&A POC: Tom Pham Driver: SRM	04/30/2014																																																																																																				regulations.gov docket #: NRC-2009-0096			
Chemical Security POC: J. Hammelman	06/09/2014																																																													Seek Commission Direction																																							SECY-11-0108: (ML111400109) SRM-SECY-11-108: (ML120470207)			
Cyber Security POC: Brian Smith	04/30/2014																																																													Seek Commission Direction																																							SECY-10-0153: (ML103490344) SFCY-12-0088: (ML12135A050)			
ANS 57.11 (ISA) POC: Kevin Morrissey Driver: SRM	04/30/2014	Final ANS Standard																																																												Draft Reg. Guide												Final Reg. Guide																											www2.ans.org (search ANS 57.11)			
NUREG-1520 POC: Soly Soto Driver: Staff	04/30/2014	Final NUREG																																																																																																			SECY-12-0091 (ML12128A343) SRM-SECY-12-0091 (ML12284A033) regulations.gov docket #: NRC-2012-0220			
Dermal and Ocular POC: Marilyn Diaz Driver: Staff/SRM	06/09/2014	Issue Draft ISG																																																																																																			In parallel with Part 40 rulemaking consistent with SRM-SECY-12-0071: (ML13123A127) (Working to establish an appropriate path forward)			
Soluble Uranium (ISG) POC: Chris Ryder Driver: SRM	06/09/2014	Final Guidance																																																																																																			In parallel with Part 40 rulemaking consistent with SRM-SECY-12-0071: (ML13123A127)			
RFCOP & CAP POC: Kurt Cozens Driver: SRM	04/30/2014																																																																																																				For additional details, see RFCOP Project Plan Status in ADAMS (ML13207A212)			
MC&A Reg. Guides POC: Osiris Siurano Driver: SRM	06/09/2014																																																																																																				SECY 13-0031: (ML13063A051)			
Natural Phenomena Hazards POC: Jonathan Marcano Driver: Staff & SRM	06/09/2014																																																																																																				See Supplemental Document http://www.nrc.gov/materials/fuel-cycle-fac/supplmnt-fcp-is.pdf			
FCIX POC: Maria Guardiola Driver: Staff	04/30/2014																																																																																																				http://www.nrc.gov/public-involve/conference-symposia/fcix.html			

● / ● = Meetings
 = Regulatory Basis/Draft Guidance
 = Proposed Rule/Draft Guidance
 = Final Rule/Final Guidance
 = Public Interaction
 = Implementation
 = Non-rulemaking/NRC Activities

I = Marks a milestone with text

↓ = Change occurred in the box below arrow

<http://www.nrc.gov/materials/fuel-cycle-fac/cer-integrated-schedule.xlsx>

Points of Interest

- **Rulemakings**
 - **Part 21** – Draft regulatory basis will be publically available in June 2014
 - **Part 26/73** – Issued regulatory basis, meeting Thursday, June 12, 2014
 - **Part 70** – Proceeding to office concurrence.
 - **Part 74** – Rebaselining schedule to address comments

Current Status (continued)

- **Regulatory Initiatives (not-rulemaking)**
 - **ANS-57.11** – New draft out for working group comments by July
 - **NUREG-1520** – Draft issued for public comment (regs.gov # NRC-2012-0220)
 - **Natural Phenomenon Hazards** – GL under review by OGC and staff developing ISG

Issue Resolution Protocol



- **Seeking a Unified Resolution Protocol**

Regulatory Evaluation Summary

Identification

Screening

Planning

Implementation

Closure

- **Regulatory Evaluation Summary**

Document: **Issue, Purpose, Challenges, Interactions**

- **Improved Communication and Establish Scope**

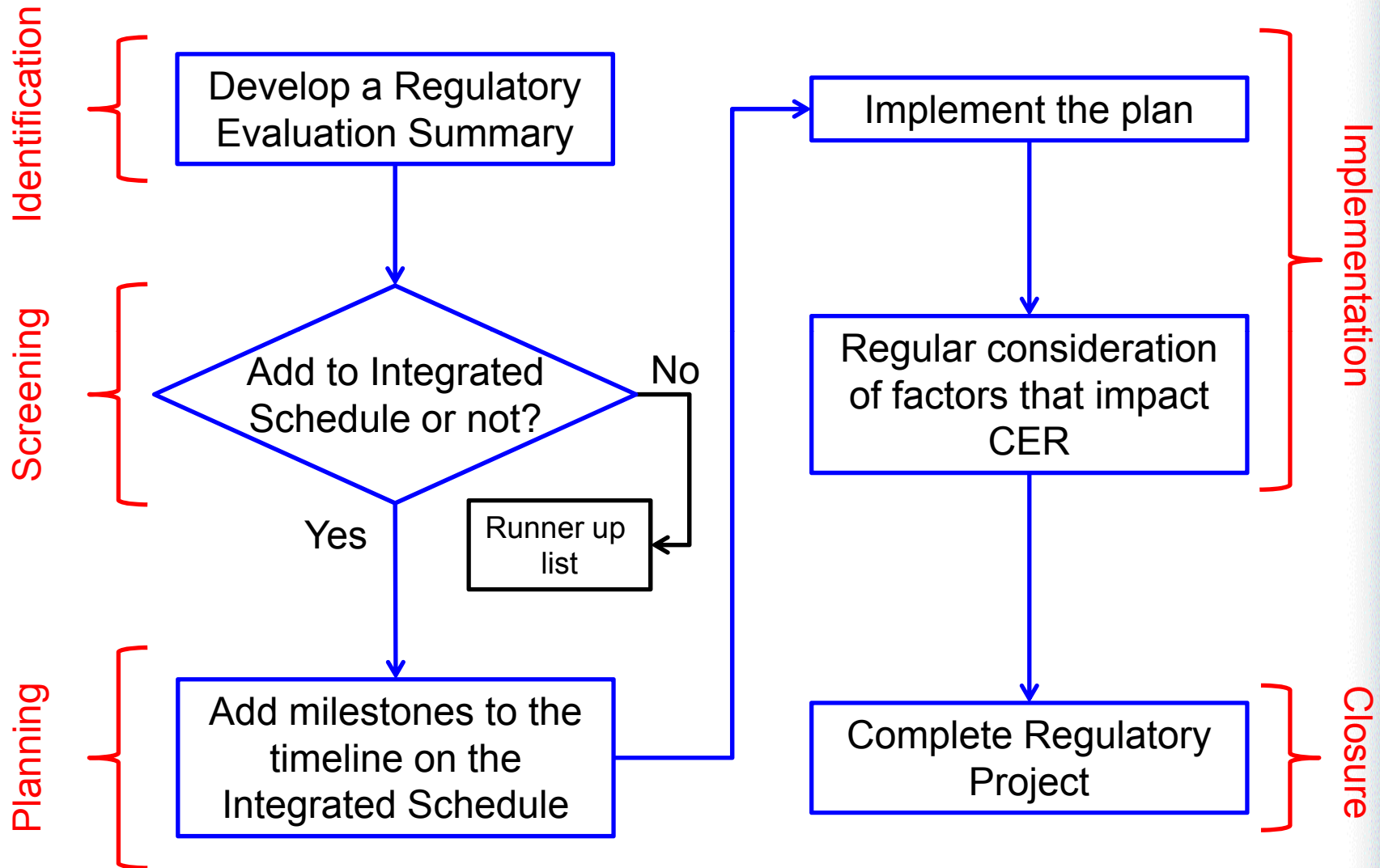
Leverage CER

Minimize burden



Old Fashioned
Cell Phone

New Initiative Flow Chart

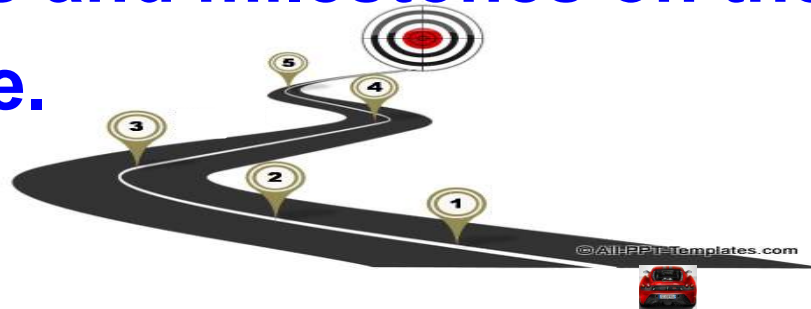


Consideration of factors impacting CER

- **Develop Items in parallel**



- **Considerations to continue, adjust, or remove activities and milestones on the integrated schedule.**



- **Multiple Questions to Consider**



Considerations for Schedule

Gap impacting safety/security?

Commission direction on dates?

Resources and skill sets available?

Level of effort/time to completion?

Alternate approaches possible?

Perceived public/industry benefit?

Summary

- **Maintain Integrated Schedule**
<http://www.nrc.gov/materials/fuel-cycle-fac/regs-guides-comm.html#cumeffects>
- **Develop an Issue Resolution Protocol**
- **Considerations to continue, adjust, or remove**
- **Thoughts and feedback**



Cumulative Impact: DRAFT Issue Resolution Protocol

(See NEI letter to NRC dated May 29, 2014)

Janet Schlueter


Senior Director, Fuel and Materials Safety

June 9, 2014



NUCLEAR ENERGY INSTITUTE

nuclear. clean air energy.



What is our Goal?

- Establish a transparent and timely process to:
 - Identify and vet new generic issues
 - Clarify and communicate regulatory concern and provide opportunities for stakeholder input;
 - Establish and document applicable regulatory processes or other tools, e.g., rulemaking, guidance development
 - Relative rank issues are reflected in integrated schedule and milestones

What are its Principles?

- Transparent and timely generic issue resolution
- Clear communication, issue documentation and tracking of issues using established forms
- Mutual commitments by NRC and industry to adhere to a process
- Well-documented issue definition, basis to include safety/security nexus and regulatory analysis
- Legal counsel input sought early when indicated
- Risk-informed and performance-based approaches encouraged to resolve issue
- Implementable schedule and milestones

What are its Limitations?

- Issue resolution process not intended to circumvent any formal regulatory process
- Recognize that the result of such a process may need to be further considered through rulemaking, guidance development or other regulatory processes or tools
- Iterative process, e.g., periodic review of protocol for lessons-learned and applied

What are the 5 Issue Phases?

- Identification
- Screening
- Planning
- Implementation
- Closure

Issue forms document phases and help focus NRC and industry efforts.

What is the Path Forward?

- *June 2014* - Public discussion of industry draft protocol and solicit NRC feedback
- *July 2014* - Incorporate NRC feedback and submit final protocol as NEI 14-XX document for NRC endorsement
- *August 2014* – Receive NRC endorsement by letter
- *≥ September 2014* – Begin its use when new generic issue identified