

Protecting People and the Environment

Cumulative Effects of Regulation

Presenter: Matt Bartlett NRC Project Manager NMSS/FCSS 301-287-9112, matthew.bartlett@nrc.gov



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.





- Updated Integrated Schedule
- Points of Interest on Integrated Schedule
- Regulatory Issue Resolution Protocol (RIRP)
- Comments on RIRP



Integrated Schedule

Protecting People and the Environment

Protecting P	eople and the Environment	-																							
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	Driver: Staff/SRM						lss	ue Draft IS	G																
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Regulatory Issue Resolution Protocol (RIRP)

- Purpose: Establish a process to handle generic regulatory issues
- 5 Phases: Identification, Screening, Planning, Implementation, & Closure
- Objects: Improve communications, define problem statement, & ensure durable resolution



Step 1: Identification Phase, 3.2.1pg. 3

Assign a Point of Contact
 e.g., NRC project manager

Identify Generic Issue

- Share with other organization
 - Appendix A: Regulatory Evaluation Summary



Step 2: Screening Phase, 3.2.2 - pg.3

- Regulatory Issue Screening Form
 - Answer question in Appendix B.

- Accept Interact within 60 days
 - Mutual understanding of the issue

Commit Necessary Resources



Step 3: Planning Phase, 3.2.3 – pg. 4

- Form Teams
 - POC
 - Management oversight
 - Technical experts
- Develop the Issue Resolution Project Plan
 - Appendix D within 60 days
 - Problem statement and success criteria
 - Regulatory basis
- Agree on scope of activities



Step 4: Implementation Phase, 3.2.4 – pg. 5

Create Draft Documentation

Interact with Stakeholders

Resolve Comments

Produce Durable, Documented Product



Complete Issue Closure Form
 Appendix E – Issue Closure Form

Develop Problem Closure Statement

Document Resolution



- "understanding" versus "agreement"
 RIRP, pg. 1
- "e.g., … endorse industry approach"
 RIRP, pg. 1
- "stakeholders" versus "NEI/Industry"
 RIRP, pg. 3, 4, C-2, and E-1
- The regulatory basis is not a stand alone document (i.e., differs from rulemaking)
 – RIRP, pg. 4





Maintain Integrated Schedule and Supplement

Finalize RIRP

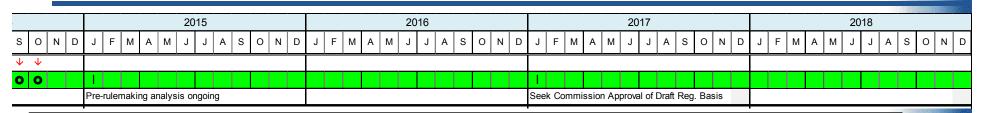
Path Forward on RIRP

• Next Quarterly Meeting in January (???)

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Part 20 – Radiation Protection



Key Information on Part 20, Radiation Protection:

- The regulatory basis is under development.
- The regulatory basis will be provided to the Commission for a vote some time in 2015.

Meeting Information:

- September 24, 2014, General background and general discussion of issues
- October 2, 2014, align with ICRP Publication 103 & occupational dose Limit
- October 9, 2014, Dose limit for embryo/fetus and ALARA
- October 16, 2014, Reporting of occupational exposure and rad. units
- October 23, 2014, Additional items and path forward
- October 30, 2014, Close out meeting

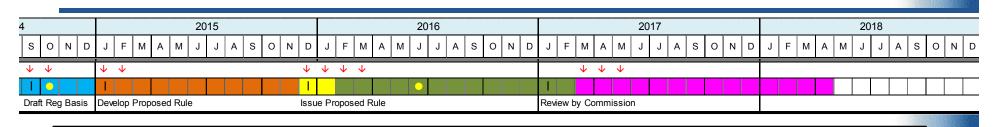
Contact: Cardelia Maupin FSME/DILR/RPMB 301-415-2312



10/20/2014



Part 21-Quality Assurance



Key Information on Part 21, Quality Assurance:

- Release Revision 1 to the Draft Regulatory Basis in September 2014
- Staff to begin work on proposed rule and regulatory guides in December 2014
- Finalize proposed rule December 2015
- Expect to finish rulemaking in 2017

Meeting Information:

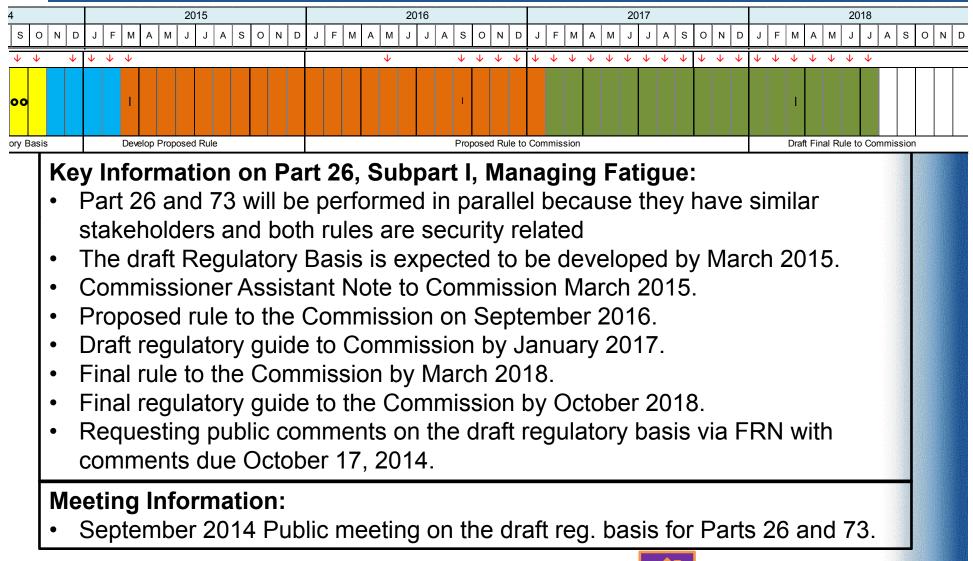
- October, 2014 Public meeting to discuss comments on the regulatory basis
- January February 2016, 60 day comment period on the draft proposed rule

Contact: Sabrina Atack <u>NMSS/FCSS/PORSB</u> 301-287-9075





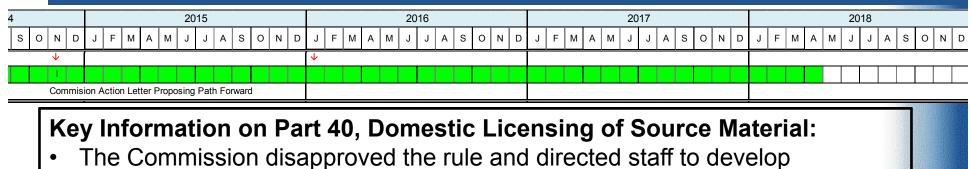
Part 26 Subpart I Managing Fatigue







Part 40 Domestic Licensing of Source Material



- The Commission disapproved the rule and directed start to develop regulatory guidance (e.g., chemical exposure hazards to be addressed in ISAs), determine the need for radiation performance requirements at source material facilities, and revise the regulatory analysis.
- The rule is linked to the development of guidance for Dermal and Ocular, Soluble Uranium, and Natural Phenomena Hazards.
- The NRC staff are developing a SECY paper to propose a path forward on the Part 40 rulemaking

Meeting Information:

None scheduled

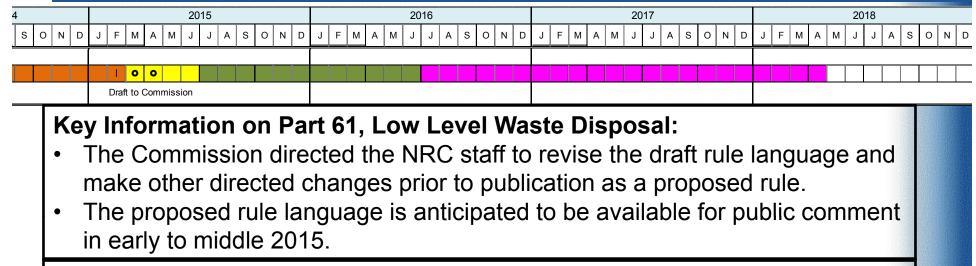
Contact: Dave Tiktinsky, <u>NMSS/FCSS/CDMOB</u>, 301-287-9155



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Part 61 – Low Level Waste Disposal



Meeting Information:

• Early to middle June 2015 - Projected meetings to provide feedback on the proposed rule.

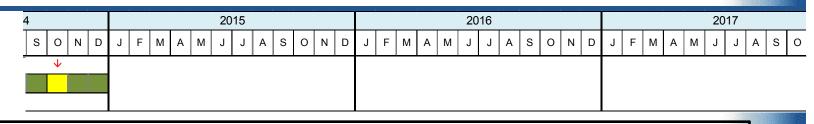
Contact: Gary Comfort, FSME/DILR/RPMB, 301-415-8106

10/20/2014





Part 70 Appendix A, Reportable Safety Events



Key Information on Part 70 Appendix A, Reportable Safety Events:

- Rulemaking to revise the number of days that would be allowed for a licensee to submit the written follow-up report after discovery of the event, to update the reporting framework for certain situations and to remove redundant reporting requirements.
- This is a direct final rulemaking.

Meeting Information:

• None scheduled.

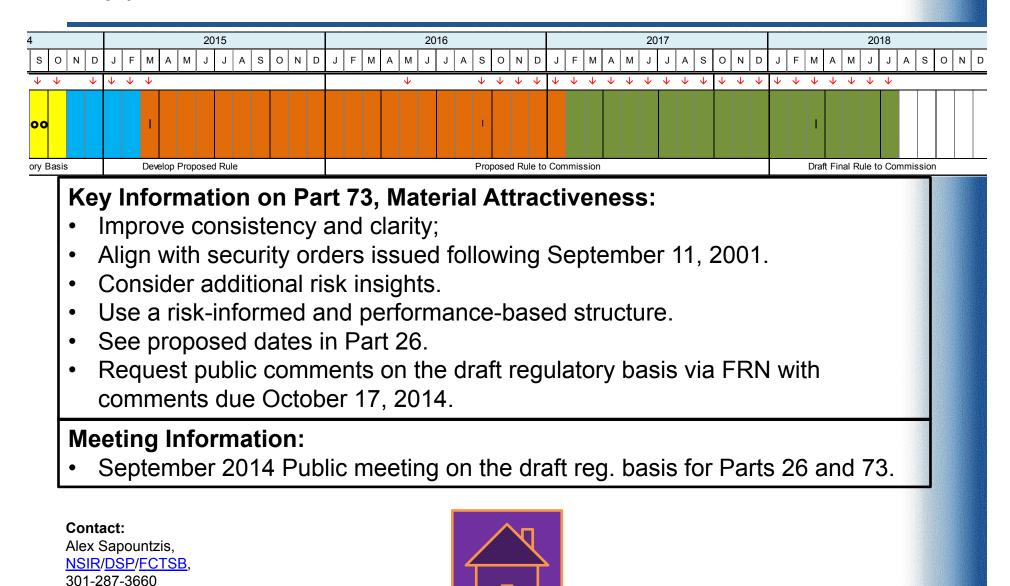
Contact: Booma Venkataraman, <u>NMSS/FCSS/PORSB</u>, 301-287-9143







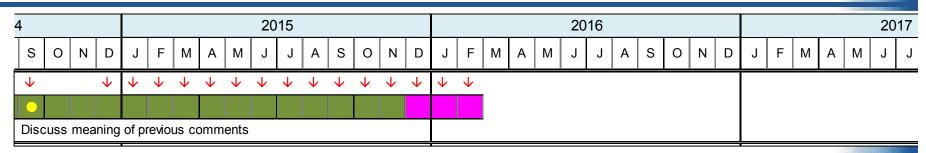
Part 73-Material Attractiveness



10/20/2014



Part 74 Material Control & Accounting of Special Nuclear Material



Key Information on Part 74, Material Control and Accounting of SNM:

- The comment period on draft rule and guidance was extended and now ends on March 10, 2014.
- The schedule has been rebase lined to extend the completion date by one year to allow resolution of comments.

Meeting Information:

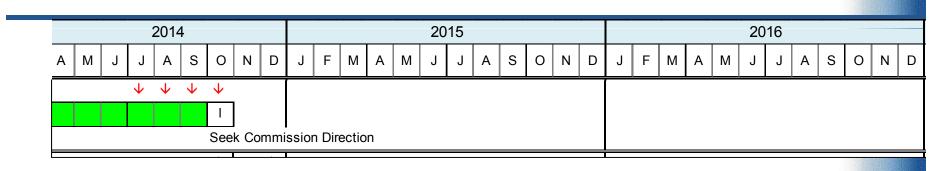
 September 25, 2014 – Public meeting to discuss and clarify the purpose of comments from stakeholders.

Contact: Tom Pham, <u>NMSS/FCSS/MC&AB</u>, 301-287-9132





Cyber Security



Key Information on Cyber Security:

- Directed by management as part of process to evaluate this need for all types of non-power reactor licensees.
- Evaluating the need for establishing requirements for cyber security at fuel cycle facilities.
- The NRC staff will seek Commission direction.

Meeting Information:

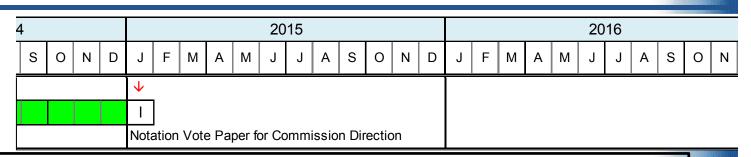
None Scheduled

Contact: Jim Hammelman, <u>NMSS/FCSS/FMB</u>, 301-287-9108





Chemical Security



Key Information on Chemical Security:

- NSIR completed visits to fuel cycle facilities and found that there is adequate protection of chemicals of interest.
- NSIR has communicated this to the Commissioners' Technical Assistants and to industry.
- NSIR held a workshop with the licensees to discuss the results of the site visits and methods for licensees to provide updated information on chemical inventory, location and security measures.
- NSIR will provide the Commission with a notation vote paper that describes the staff's evaluation of existing chemical security practices and options for monitoring any changes in these practices.

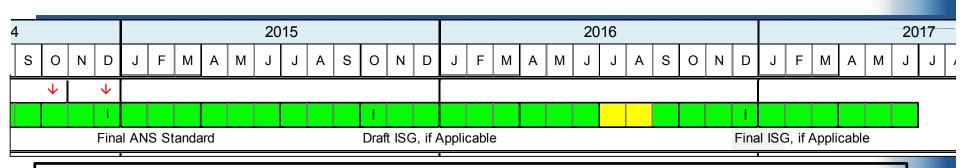
Meeting Information:

None Scheduled





ANS 57.11 ISA Standard



Key Information on ANS 57.11, ISA Standard:

- Development of the standard could take up to 3 years to be finalized.
- The schedule has not been confirmed with ANS so the date for a public comment period has not been established.
- Depending on the content of the ANS standard, the NRC staff may determine an ISA on certain aspects of the ISA are necessary. If this occurs, the ISG is projected to be developed in late 2015 of 2016.

Meeting Information:

- The ANS typically does not put draft standards out for public comment.
- If needed, a public comment period will be provided following development of a draft ISG.

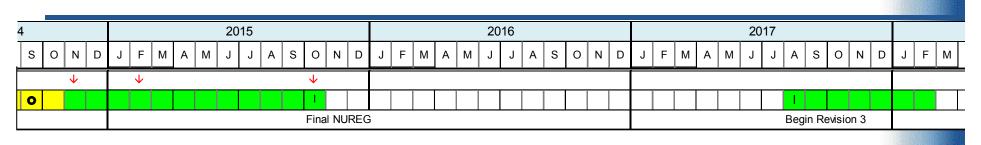
Contact: Kevin Morrissey, <u>NMSS/FCSS/CDMOB</u>, 301-287-9080

10/20/2014





NUREG-1520 Revision 2



Key Information on NUREG-1520, Revision 2:

- NUREG-1520 is being revised and we anticipate that another revision will be needed after the ANS standard is issued.
- The revision will not address ISA related issues.
- A 150 day public comment period on the Draft NUREG began in June 2014 and will run till November 3, 2014.

Meeting Information:

- June November 3rd, 2014, 150 day comment period on the draft of proposed Revision 2 to NUREG-1520
- Public meeting on September 23, 2014.

Contact: Soly Soto, <u>NMSS/FCSS/FMB</u>, 301-287-9076

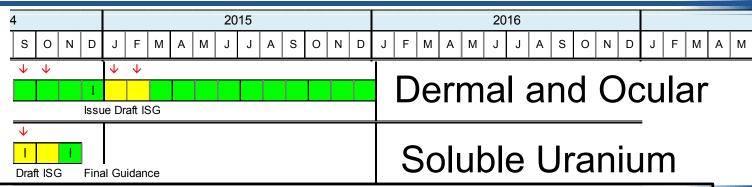
10/20/2014





Soluble Uranium and Dermal and

Ocular



Key Information on Soluble Uranium, Dermal and Ocular:

- NRC is working to create two Interim Staff Guidance documents one on acute uranium exposure standards and one on dermal/ocular exposures for compliance with 70.65(b)(7).
- The draft ISG on acute uranium exposure standards was published for public comment in the *Federal Register* on September 17, 2014, (FRN Vol. 79, September 17, 2014, pg. 55834)
- The guidance documents must be completed to support the Part 40 rulemaking.

Meeting Information:

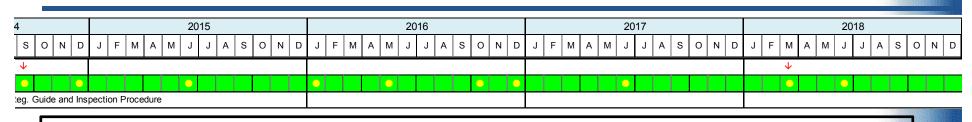
 September - October 2014, 60 day comment period on the draft Interim Staff Guidance

Contact: Chris Ryder, <u>NMSS/FCSS/FMB</u>, 301-287-0651





RFCOP & CAP



Key Information on RFCOP and Corrective Action Program:

- Multiyear project; multiple public interactions, anticipate 3-4 outreach meetings per year.
- Staff completed Phase I of the RFCOP and Phase 2 began in July, 2014
- Late-January or early February 2015, public release of the draft cornerstones and the basis document
- CAP is part of the RFCOP Project

Meeting Information:

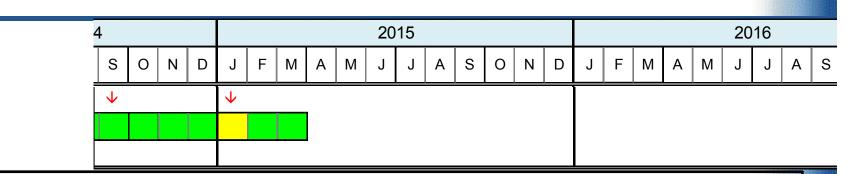
- March or April 2015, public meeting seeking feedback on the draft cornerstones and the basis document
- The meetings and public comment periods listed in the integrated schedule are estimates of expected interactions

Contact: Kurt Cozens, <u>NMSS/FCSS/PORSB</u>, 301-287-9061





MC&A Reg. Guides



Key Information on Material Control and Accounting Regulatory Guides:

- The purpose of this effort is to consolidate and eliminate outdated guidance as requested by the Chairman.
- 27 MC&A guidance documents are consolidated into 7 documents.
- Staff expects to complete the draft Regulatory Guides and technical basis for public comments by September 2014.
- The Regulatory Guides may be issued for public comment individually, as they complete concurrence.
- None of the integrated Regulatory Guides are impacted by ongoing draft rulemaking of 10 CFR 74.

Meeting Information:

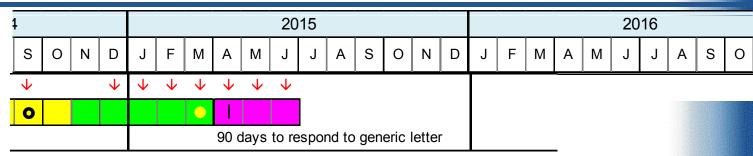
• September 2014, 30 day comment period for Draft Regulatory Guides for Material Control and Accounting.

Contact: Osiris Siurano, <u>NMSS/FCSS/EUB</u>, 301-287-9070





Natural Phenomena Hazards (Generic Letter)



Key Information on Natural Phenomena Hazards (Generic Letter):

- The Generic Letter will serve as the basis to close Unresolved Items (URIs) from post-Fukushima Temporary Instruction 2600/15
- A supporting Interim Staff Guidance document may be developed to facilitate issue resolution and generic letter responses.
- The NRC staff will publish a generic letter and receive licensee's response in 2015.

Meeting Information:

- August October 2014, 90 day comment period on draft generic letter.
- September 2014, A public meeting will be scheduled to discuss the draft generic letter during the comment period.

Contact: Jonathan Marcano, <u>NMSS/FCSS/PORSB</u>, 301-287-9063 10/20/2014





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Key Information for RFCOP on Fuel Cycle Information Exchange:

• The annual FCIX is scheduled for June, 2015 at the US Nuclear Regulatory Commission headquarters.

Meeting Information:

• June, 2015, Annual Fuel Cycle Information Exchange

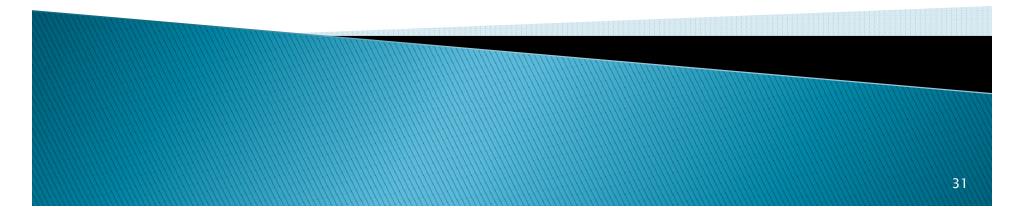
Contact: Maria Guardiola, <u>NMSS/FCSS/CDMOB</u>, 301-287-9118 10/20/2014





Standard Review Plan for License Applications for Fuel Cycle Facilities NUREG-1520, Revision 2

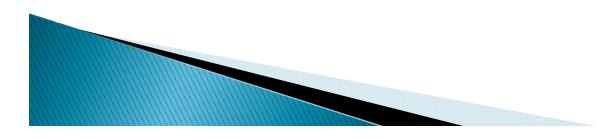
Soly I. Soto, Project Manager Division of Fuel Cycle Safety and Safeguards September 23, 2014



Agenda



- Chapters Revised
- Major change to all chapters
- Discussion of the changes per chapter
- Address NEI's questions

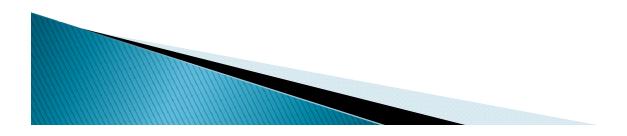


Chapters Revised



 Only the "Evaluation Findings" section of Chapters 8 and 10 was revised

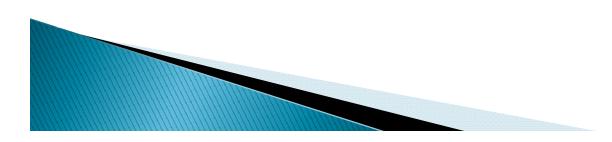
Chapters								
Chapter 1, "General Information"	Chapter 6, "Chemical Safety"							
Chapter 2, "Organization and Administration"	Chapter 7, "Fire Safety"							
Chapter 3, "ISA and ISA Summary"	Chapter 9, "Environmental Protection"							
Chapter 4, "Radiation Protection"	Chapter 11, "Management Measures"							



Major Change to All Chapters



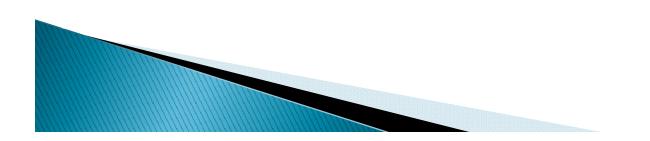
- Section X.5, "Review Procedures" and Section X.6, "Evaluation Findings" were revised to include a more consistent standardized approach.
- Section X.6 revised to provide guidance on documentation of SERs.



Introductory Sections



- Abstract: deleted text repeated in the introduction
- Executive Summary: deleted
- Glossary: NCS-specific terms added
- Introduction: administrative changes



Chapters 1& 2

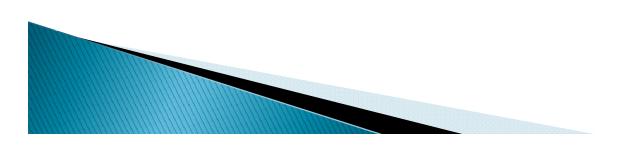


Chapter 1

- 1.2.3 Areas of Review
 - <u>Protection of Safeguard Information</u>— The application should describe how safeguards information will be protected against unauthorized disclosure.
- 1.2.4.3.6 Protection of Safeguards and Classified Information
- 1.2.4.3.7 Information Security at Uranium Enrichment Facilities
- Chapter 2
 - Section 2.5 and Section 2.6



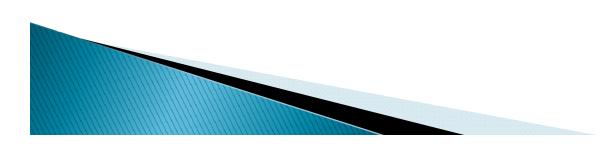
- Section 3.1 Purpose of Review
 - Redundant text or text not relevant to the section text was deleted
 - Several original text are now footnotes
 - Purpose of review of:
 - License Application and Safety Program
 - ISA Summary review
 - Vertical Slice Review



Chapter 3 (cont.)



- Section 3.3 Areas of Review
 - Reorganization of guidance
 - 3.3.1 License Application and Safety Program
 - Specific areas of review for new license applications or license renewal
 - Specific areas of review for license amendment
 - 3.3.2 Integrated Safety Analysis Summary
 - Existing guidance was relocated into this subsection



Chapter 3 (cont.)



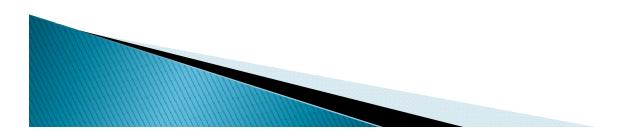
- Section 3.4 Acceptance Criteria
 - Removed redundant text
 - Reorganized to follow the format of Section 3.3
 - 3.3.1 License Application and Safety Program
 - New guidance under "(3) Management Measures"
 - 3.3.2 Integrated Safety Analysis Summary
 - Minimum administrative changes overall
 - Existing acceptance criteria remains the same
 - The acceptance criteria for the definitions of "Unlikely," "Highly Unlikely," and "Credible" remain the same



Chapter 3 (cont.)

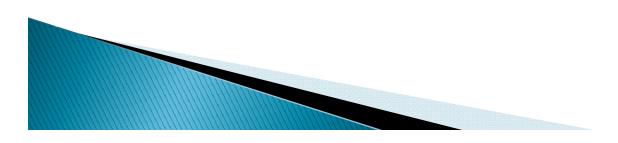


- Section 3.5 and Section 3.6 similar standardized text like the other chapters
- Appendices A–D were <u>not</u> revised





- Mostly administrative changes
- Section 4.5 and Section 4.6 similar standardized text like the other chapters

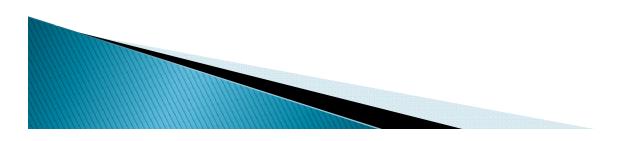




- NCS-specific terms added to glossary
- Inclusion of ISG-10 on subcritical margin as an appendix (new Appendix B)
- Example NCS evaluation added as an appendix (new Appendix C)
- Added criteria for acceptance reviews, new applications, and license amendments
- Added guidance for reviewing emergency plans
- Section 5.5 and Section 5.6 similar standardized text like the other chapters

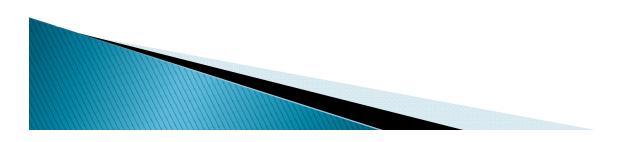


- Administrative changes
- Relocation of guidance to more appropriate section





- 7.4.3.2.1 Development of a Fire Hazard
 Analysis as a Tool for Evaluating Fire Hazards
 - New paragraph added to include additional guidance on fire hazard analysis





- Was not part of the scope of this revision
- Section 8.5 and 8.6 similar standardized text like the other chapters
- Revision of this chapter will be considered in the future





- Revised to clarify that although the information regarding environmental monitoring may be used by the staff as part of a larger set of information considered in the preparation of an EIS, this SRP chapter is not intended to satisfy the independent information needs to prepare an EIS or EA under the separate requirements of NEPA.
- Needs to be revised to remove Office of Federal and State Materials and Environmental Management Programs
- Section 8.5 and 8.6 similar standardized text like the other chapters



New guidance added to describe use of graded management measures

Management Measure	Graded	Not Graded
Configuration Management		Х
Maintenance	Х	
Training and Qualification	Х	
Procedures	Х	
Audits and Assessments	Х	
Incident Investigations	Х	
Records Management	Х	
Other Quality Assurance Elements	Х	Х

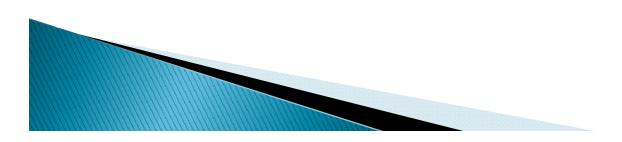


Other Quality Assurance Elements

Graded	Not Graded	
QA Program	Organization	
Control of Purchased Material, Equipment, and Services	Document Control	
Inspection	Identification and Control of Items	
Corrective Action	Control of Special Processes	
Audits	Test Control	
Design Control	Handling, Storage, and Shipping	
Procurement Document Control	Inspection, Test, and Operating Status	
Instructions, Procedures, and Drawings	Control of Nonconforming Items	
Control of Measuring and Test Equipment		
QA Records		

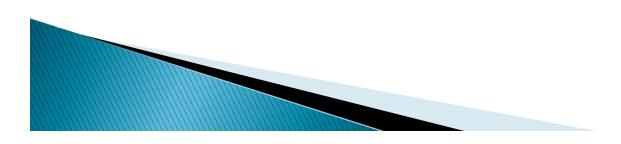


- New Chapter!
- The new chapter 12 will address the requirements for material control and accounting described in 70.22(b)



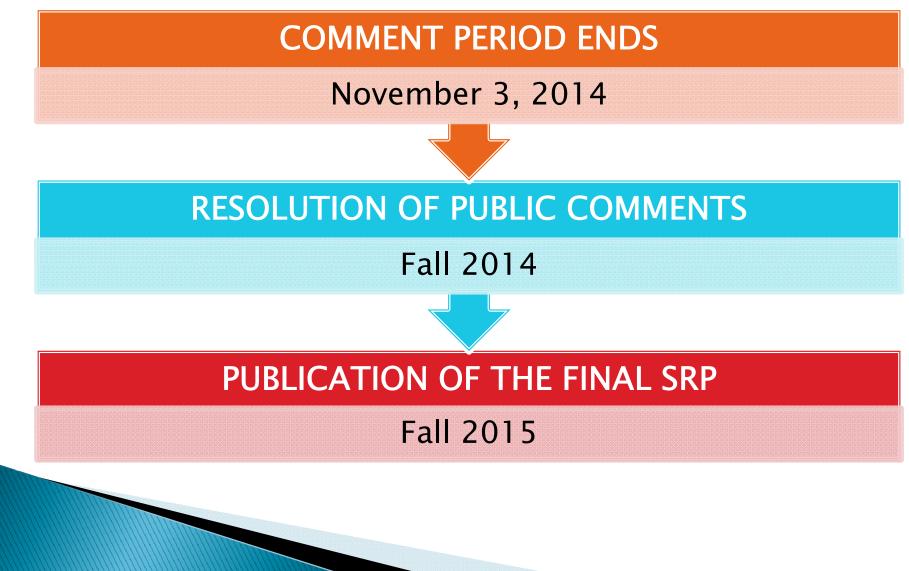


- New Chapter!
- Chapter 13 will address the requirements for physical protection described in 70.22(g), (h), (j), and (k)









References



- > 79 FR 32579 dated June 5, 2014
- Draft is available in the NRC Electronic Reading Room <u>http://www.nrc.gov/public-</u> involve/doc-comment.html#nuregs
- Redline version of the draft SRP is publically available in ADAMS at the following accession number: ML14153A580
- FCIX Presentation: ML14170A159



IP 88161: Corrective Action Program (CAP) Implementation at Fuel Cycle Facilities

September 23, 2014

Sabrina Atack/Jonathan DeJesus U.S. Nuclear Regulatory Commission

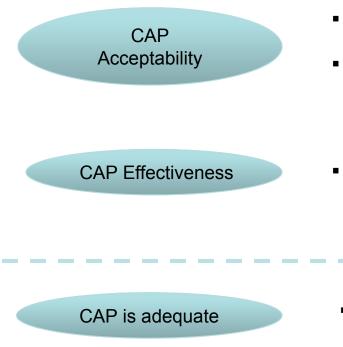


Fuel Facility Corrective Action Programs

- NRC Enforcement Policy (ADAMS Accession No. ML13228A199) allows the use of non-cited violations for both NRC-identified and licenseeidentified severity level IV violations if the licensee has an adequate CAP and certain conditions are met
- RG 3.75, "Corrective Action Programs for Fuel Cycle Facilities" issued in July 2014 (ADAMS Accession No. ML14139A321)



CAP Adequacy



- Licensee commitment to RG 3.75 and subsequent issuance of license condition, or
- Submittal of licensee CAP description, technical review of CAP submittal, and issuance of CAP approval with license condition and safety evaluation report
- Inspection of CAP implementation (IP 88161)
 - Done subsequent to receipt of letter from licensee identifying that it is ready for inspection
- SL IV violations may be dispositioned as non-cited violations if the Enforcement Policy provisions are met



IP 88161

- Two purposes:
 - Verify that CAP policies, procedures, and implementing documents are consistent with license commitment (Section C of RG 3.75 or licensee CAP description)
 - Verify that CAP is effective
- Inspection Implementation
 - Sufficient time will be spent on initial inspection to assess program documents
 - After initial inspection, evaluation of program documents will be focused on policies and procedures that have been revised since last inspection
 - Both initial and subsequent inspections will assess program effectiveness



IP 88161: Organization

- Verify that the licensee has a CAP organization that includes an Independent Reviewing Organization (IRO)
- IRO must be auditable and independent of production organization
 - IRO duties may be assigned to existing part of licensee organization or a consultant, provided that appropriate justification is provided
- IRO must be provided appropriate authority, access to work areas and organizational independence to effectively perform its responsibilities



- Assess CAP policies and procedures
 - Should include definitions of key terms, CAP expectations, CAP requirements, personnel responsibilities and implementation processes.
 - Must provide sufficient guidance to ensure the licensee's implementation of RG 3.75 elements
 - Need to describe the management of sensitive information (if that information will be managed outside the CAP database)
- The IRO is required to review and document concurrence with new and revised CAP policies and procedures
- If any CAP responsibilities are delegated to other individuals or organizations, the delegation must be documented



IP 88161: Identification, Reporting, and Documentation of Safety and Security Issues

- Verify that employees are trained on how to identify conditions adverse to safety and security and enter them in the CAP
- Employees are comfortable with the avenues available to raise safety concerns
 - Positive safety culture
- Conditions adverse to safety or security are entered into the CAP
 - The licensee documents conditions adverse to safety and security in the CAP
 - Includes an assessment of data sources such as failure logs and NRC reportable events to ensure appropriate inclusion in CAP



IP 88161: Significance Assessment and Causal Evaluation of Safety and Security Issues

- Verify that criteria for determining the significance of conditions adverse to safety or security were implemented
 - Significance of conditions entered in the CAP is appropriately classified
- For significant conditions adverse to nuclear safety or security, inspection will verify that the licensee determines the root cause, evaluates the extent of condition, and takes actions to prevent recurrence



IP 88161: Development and Implementation of Corrective Actions

- Verify that the licensee promptly initiates corrective actions when conditions adverse to safety or security are identified
 - Timeliness of action is commensurate with significance of issue
 - Impact to other work in progress was assessed (including need to stop work)
- The licensee uses a graded approach to verify implementation and close out of corrective actions in a time frame consistent with the safety or security significance of the identified issue
 - Corrective actions adequately address the causes and were performed by qualified personnel using approved methods
- The IRO performs appropriate verifications of corrective actions to ensure CAP effectiveness
 - Reviews the corrective actions for significant conditions
 - Evaluates implementation of corrective actions as appropriate
- Trends and adverse conditions are reported to the appropriate level(s) of management



IP 88161: Assessment of Corrective Action and Program Effectiveness

- Verify that the licensee is evaluating the effectiveness of the CAP at specified intervals
 - Periodic audits or self-assessments of the corrective action program performed and documented
 - Include elements such as the identification, reporting, assessment of condition significance, and correction of conditions
- Conditions adverse to safety or security are analyzed to identify adverse trends in performance



Example of an Adequate CAP

- Procedures are established that address the six elements RG 3.75 in sufficient detail to ensure effective, consistent implementation
- A CAP organization is developed that includes an independent reviewing organization
- Personnel receive CAP training and are comfortable raising safety and security concerns
- Conditions adverse to safety and security are identified, documented, assessed for significance, reported to appropriate levels of management, and corrected
 - For significant conditions, the impact to work in progress is considered, the root cause is identified, and actions are taken to preclude recurrence
- Routine trending is performed to identify repetitive conditions
- An assessment process is implemented to periodically verify the effectiveness of the CAP.

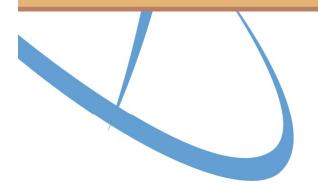


- No process for periodic audit and assessment of program effectiveness
- Multiple conditions (e.g., equipment failures, reportable events, inventory differences) not entered into CAP
- Repeated, improper classification of condition significance leading to inadequate rigor in evaluating cause and precluding repetition
- Failure to include security issues in CAP (does not apply to provision for managing sensitive information outside CAP database)
- Staff not receiving training on CAP or not feeling comfortable raising safety/security concerns



- Inclusiveness of term "safety and security"
 - The CAP must address not just conditions adverse to safety, such as issues with IROFS, but also security
 - Security includes material control and accounting, physical security (e.g., controlled areas of the facility), information security, and cyber security

Draft Generic Letter: Treatment of Natural Phenomena Hazards at Fuel Cycle Facilities



September 23, 2014







- Background
- Generic Letter
- Key Messages

All comments that are to receive consideration in the final generic letter must still be submitted electronically or in writing as indicated by Federal Register Notice.



Background

- Japan Earthquake and Tsunami – Fukushima Daiichi event
- Temporary Instruction (TI) 2600/015
 - Unresolved Items
- Draft Generic Letter



- Purpose:
 - Request for information to verify compliance with regulations regarding natural phenomena hazards effects (e.g. earthquake, high winds)
- Outcome:
 - Verify the basis and documentation of how the facility provides for the adequate protection of the public health and safety under natural phenomena hazard (NPH) events



Draft Generic Letter (Cont.)

- Information collection (90 days)
 - Definitions of "unlikely," "highly unlikely," and "credible" for NPH events
 - Integrated Safety Analysis
 - Likelihood & Magnitude
 - Accident sequences
 - Consequences (performance requirements)
 - Items Relied on for Safety
 - Description of changes to hazards applicable to site with facility design basis
 - Summary of the results of any walk downs (e.g. evaluation of degraded conditions)



- Additional information (180 days)
 - If a need to change the facility safety assessment is identified
 - Evaluation basis event used (magnitude & likelihood)
 - Safety margin evaluation and/or mitigation strategies
 - If applicable, submit proposed modifications



- Draft Generic Letter documents
 - ADAMS Accession Number: ML13157A158
 - <u>http://www.regulations.gov/#!docketDetail;D=NRC-</u>
 <u>2014-0187</u>
 - Comment period closes November 06, 2014



Generic Letter Closure Process

- Review Process
 - Submittal of responses
 - Staff review of responses
 - Request for additional information (if needed)
 - Site visits (if needed)
 - Letter to document closure of generic letter review process
 - Inspections to close previously identified Unresolved Items



Key Messages

- Systematic evaluation of fuel cycle facilities identified potential generic issues regarding compliance with current regulatory framework for natural phenomena hazards (NPH).
- Staff is developing a Generic Letter to collect information from fuel cycle facilities.
- Validation of assumptions of how the facility provides adequate protection under NPH events.

Questions?

