Supplement to Fuel Cycle Program Integrated Schedule Last Updated March 29, 2018

This supplement provides a public version of the purpose, brief overview, and background documentation available for the regulatory activities being tracked on the Fuel Cycle Cumulative Effects of Regulation Integrated Schedule. Links to the background documents have been included where possible.

Table of Contents

RULEMAKINGS
Part 61 "Proposed Rule: Low-Level Radioactive Waste Disposal"
Part 73 "Part 73-Enhanced Security for SNM"3
Enhanced Weapons, Firearms Background Checks, and Security Event Notifications Rulema king4
Part 73 "Cyber Security"5
Part 74 "Material Control & Accounting of Special Nuclear Material"7
NON-RULEMAKINGS
Part 21 Draft Guidance8
ANS 57.11 "ISA Standard"9
Acute Chemical Exposures (Dermal and Ocular)10
Financial Assurance for Material Licensees (ISG)11
IN - Reporting of Unplanned Contamination Events12
RG 3.71, "Nuclear Criticality Safety Standards for Nuclear Materials Outside Reactor Cores," Revision 313
Determination of Management Measures for Process Isolation Controls Designated as Items Relied on for Safety and Implementation of Adequate Quality Assurance Measures f or Plant Features and Procedures– Information Notice (IN)14
Unanalyzed or Improperly Analyzed Conditions Involving Long-Term Fissile Accumulation at Fuel Cycle Facilities – Information Notice (IN)14
Fuel Cycle Information Exchange15

RULEMAKINGS

Part 61 "	Proposed Rule: Low-Level Radioactive Waste Disposal"
Key Contact:	Gary Comfort, 301-415-8106.
Purpose:	Rulemaking for a site-specific analysis or performance assessment for the disposal of depleted uranium and other long-lived isotopes in a near-surface disposal facility.
Key Information	 Proposed rule (80 FR 16082) and related guidance (80 FR 15930) were published in the <i>Federal Register</i> for public comment on March 26, 2015. The comment period originally ended on July 24, 2015. It was reopened (80 FR 51964) on August 27, 2015 and closed on September 21, 2015. The final rule package was submitted to the Commission on September 15, 2016. The Commission issued an SRM on September 8, 2017, directing the staff to issue a supplemental rule for comment.
Related Documents	 http://www.regulations.gov/#!docketDetail;D=NRC-2011-0012. http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/potential -part61-revision.html. http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/uw-strea ms.html. Technical basis for proposed rule dated April 28, 2011 (ML111040419). Preliminary proposed rule language dated May 2011 (ML111150205). COMWDM-11-0002/COMGA-11-0002 - Revision to 10 CFR Part 61 dated November 3, 2011 (ML113070543). SRM-COMWDM-11-0002/COMGEA-11-0002 - Revision to 10 CFR Part 61 dated January 19, 2012 (ML120190360). Draft 10 CFR Part 61 proposed rule package (SECY-13-0075) dated July 18, 2013 (ML13128A160). Staff requirements memorandum – SECY-13-0075 – proposed rule: Low-Level Radioactive Waste Disposal (10 CFR Part 61) (RIN 3150-A192) dated February 12, 2014 (ML14043A371). Draft 10 CFR Part 61 final rule package (SECY-16-0106) dated September 15, 2016 (ML16188A290). SRM to SECY-16-0106 (ML17251B147) dated September 8, 2017. Transcript of Low-level Radioactive Waste Program Public Meeting (ML1808B087) and presentation (ML18088B012) dated March 23, 2018.
Meeting Information	• August 2018 – 90-day comment period on supplemental propsed rule.

Part 73 "Part 73-Enhanced Security for SNM"		
Key Contact:	Edward Lohr, 301-415-0253 and Nick Baker, 301-415-7119.	
Purpose:	Update security regulations within <i>Title 10 of the Code of Federal Regulations</i> (10 CFR) Part 73 that govern the security for special nuclear material at fixed sites and during transportation. Update considers material attractiveness.	
Key Information	 Make generically applicable security requirements similar to those imposed by security orders issued following the terrorist attacks of September 11, 2001. Consider risk insights, operational oversight, inspection activities, and international guidance (e.g., Material Attractiveness, Dose Limit Threshold, Sabotage, Safety-safeguards Interface). Improve consistency and clarity. Use a risk-informed and performance-based structure. Public comments on the draft regulatory basis in a <i>Federal Register</i> notice closed on October 17, 2014. The staff has reviewed the regulatory basis and determined that it provides adequate justification to initiate the rulemaking. In April 2016, the Commission directed the NRC staff to suspend efforts on the Enhanced Security of SNM rulemaking. Later, the Commission directed staff to interact with DOE in order to share and discuss perspectives and ideas on the material attractiveness approach in the Enhanced Security of SNM Rulemaking. This work is on-going. As such, the staff does not anticipate that the rulemaking will resume in FY2018, but could resume in early FY2019. 	
Related Documents	 "Security-Related Rulemaking to Update 10 CFR Parts 73 and 26" <u>http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.ht ml.</u> SRM-SECY-09-0123 – "Material Categorization and Future Fuel Cycle Facility Security-Related Rulemaking," dated July 8, 2010 (<u>ML101890711</u>). SRM-COMSECY-05-0058 – "Schedule and Resources for Security Rulemakings," dated November 16, 2005. Part 73: Final Regulatory Basis (<u>ML14321A007</u>). The notice was published on April 22, 2015. 	
Meeting Information	None scheduled.	

Enhanced Weapons, Firearms Background Checks, and Security Event Notifications Rulemaking

Key Contact:	Robert Beall, 301-3874 and Nick Baker, 301-415-7119.
Purpose:	This rulemaking will: (1) implement NRC's authority under the new section 161A of the Atomic Energy Act of 1954 (AEA), as amended, for access to enhanced weapons and associated firearms background checks; (2) modify physical security event notifications; add requirements for reporting suspicious activities at power reactor facilities, at-reactor Independent Spent Fuel Storage Installations, and Category I strategic special nuclear materials facilities.
Key Information	 These proposed regulations are consistent with the provisions of the Firearms Guidelines the NRC published under section 161A with the approval of the U.S. Attorney General on June 25, 2014 (79 FR 36100).
Related Documents	 Proposed rule in the Federal Register (71 FR 62664), to implement the Firearms Guidelines as part of the larger proposed power reactor security rule. SRM-SECY-10-0085, "Proposed Rule: Enhanced Weapons, Firearms Background Checks and Security Event Notifications (RIN: 3150-Al49)," dated October 19, 2010 (ML102920342). The NRC published the proposed enhanced weapons rule in the Federal Register (76 FR 6200) for public comment on February 3, 2011. The NRC published the first supplemental proposed rule (78 FR 2214) to add at reactor independent spent fuel storage installation facilities as a class of designated facilities under Title 10 of the Code of Federal Regulations (10 CFR) 73.18(c), that would be eligible to apply for Section 161A authority. SRM SECY-12-0125, dated November 21, 2012 (ML12326A653), the Commission directed the NRC staff to revise the Firearms Guidelines accordingly and to publish a supplemental proposed enhanced weapons rule for public comment. On June 25, 2014, the NRC published the revised Firearms Guidelines in the Federal Register (79 FR 36100). On September 22, 2015, the NRC published a second supplemental proposed rule (80 FR 57106), to conform the rulemaking with the 2014 Firearms Guidelines, which is in accordance with the Commission's direction in SRM-SECY-12-0125.
Meeting Information	None scheduled.

Part 73 "C	Syber Security"
Key Contact:	Gary Comfort, 301-415-8106 and James Downs, 301-415-7744
Purpose:	The Commission directed the U.S. Nuclear Regulatory Commission (NRC) staff to proceed with a proposed rulemaking to implement cyber security into Part 73 for certain fuel cycle facilities. The Commission directed the rulemaking to be a high priority, expedited rulemaking that uses a graded, consequence based regulatory approach and is informed by industry's voluntary efforts.
Key Information	 The NRC staff published SECY-14-0147, "Cyber Security For Fuel Cycle Facilities," in December 2014, which proposed three options to implement cyber security. These options included orders, rulemaking, or continuation of voluntary initiatives. The Commission provided SRM-SECY-14-0147, "Staff Requirements – SECY-14-0147 – Cyber Security for Fuel Cycle Facilities" in March 2015, which directed the NRC staff to proceed with rulemaking. The NRC published the Regulatory Basis and Comment Resolution document for the cyber security proposed rulemaking on March 3, 2016 (ML153355A461). The NRC staff provided draft proposed rule language (ML16131A115) for discussion at a public meeting on May 19, 2016. The NRC staff provided Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (ML16221A078) for discussion at a public meeting on August 25, 2016. The NRC developed updated versions of the Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (ML16273A130) to address stakeholder comments. These updates were made publically available to support a presentation to the Advisory Committee on Reactor Safeguards (ACRS) sub-committee on November 2, 2016. An update to the Draft Regulatory Guide (ML17031A018) was made publicly available to support a presentation to the ACRS sub-committee on February 23, 2017. The draft proposed rule package due date to the Commission was extended to September 30, 2017. This is to accommodate the Committee to Review Generic Requirements (CRGR) review. The staff briefed the full ACRS committee on June 8, 2017 on the draft proposed rule package (ML17145A325). The Cyber Security Rulemaking Working Group briefed the Committee to Review Generic Requirements (CRGR) on June 27 and July 12, 2017. The CRGR endorsed the Proposed Rule and Draft Regulatory Guide with comments via letter dated August 2, 2017 (ML17200A101).

 Summer 2018 – 90-day comment period on proposed rulemaking. Fall 2018 – Public meetings to support comment period on the proposed 	Related Documents	 June 2012 – SECY-12-0088, "Cyber Security Roadmap" (ML12135A050). December 2014 – SECY-14-0147, "Cyber Security for Fuel Cycle Facilities" (Non-public). March 2015 – SRM-SECY-14-0147, "Staff Requirements – SECY-14-0147 – Cyber Security for Fuel Cycle Facilities" (ML15083A175). Commissioner Baran's Vote on SECY-14-0147 – Cyber Security for Fuel Cycle Facilities (ML15118A921). Commissioner Ostendorff's Vote on SECY-14-0147 – Cyber Security for Fuel Cycle Facilities (ML15132A632). August 27, 2015 – "Draft Regulatory Basis - Cyber Security at Fuel Cycle Facilities" (ML15198A019). September 4, 2015 – "Federal Register Notice for Draft Regulatory Basis for Cyber Security at Fuel Cycle Facilities [Package]" (ML15198A024). "Documents to Support December 10, 2015, Public Meeting on Cyber Security for Fuel Cycle Facilities [Package]" (ML15198A024). "Documents to Support December 10, 2015, Public Meeting on Cyber Security for Fuel Cycle Facilities [Package]" (ML15344A296). February 18, 2016, "Summary of Public Meeting to Discuss Fuel Cycle Cyber Security Proposed Rule Concepts" (ML16054A160). March 17, 2016, "Public Meeting Summary Regarding [Concepts for the] Proposed Cyber Security Rulemaking at Fuel Cycle Facilities" (ML16092A124). Draft proposed rule text to support the May 19, 2016, public meeting (ML16131A115). Revised Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (ML16221A078) to support the November 2, 2016, (ACRS) sub-committee briefing. Updated Preliminary Draft Proposed Rule Language and Related Draft Regulatory Guide (ML16273A130) to support the November 2, 2016, (ACRS) sub-committee briefing. The NRC staff prepared a draft regulatory guide, "Cyber Security Programs for Nuclear Fuel Cycle Facilities", (DG-5062) (ML17145A340). SECY-17-0099, submitted October 4, 2017, contains t
Meeting rulemaking.	-	 Summer 2018 – 90-day comment period on proposed rulemaking. Fall 2018 – Public meetings to support comment period on the proposed

Key Contact:	aterial Control & Accounting of Special Nuclear Material" Thomas Young, 301-415-5795 and Tom Pham, 301-415-7254
Rey Contact.	
Purpose:	This rulemaking revises and consolidates the material control and accounting (MC&A) requirements in order to update, clarify and strengthen them.
Key Information	 Prior to the CER public meeting the NRC plans to place the draft final rule language and the associated guidance documents in www.regulations.gov. Search for the rule language in Docket ID NRC-2009-0096. Search for the associated guidance documents in Docket ID NRC-2013–0195. A public meeting notice will announce the availability of the rule language and guidance documents. Six guidance documents are being revised in connection with Part 74 rulemaking and will be finalized after the rule has been approved by the Commission. Those documents are: NUREG-1280, Revision 2, "Acceptable Standard Format and Content for the Material Control and Accounting (MC&A) Plan Required for Strategic Special Nuclear Material." (ML13253A308). NUREG-2159, "Acceptable Standard Format and Content for the Material Control and Accounting (MC&A) Plan Required for Special Nuclear Material of Moderate Strategic Significance." (ML13253A310). NUREG-1065, Revision 3, "Acceptable Standard Format and Content for the Material Control and Accounting (MC&A) Plan Required for Special Nuclear Material of Low Strategic Significance." (ML13253A305). NUREG-2158, (formerly NUREG/CR-5734), "Acceptable Standard Format and Content for the Material Control and Accounting (MC&A) Plan Required for Special Nuclear Material of Low Strategic Significance." (ML13253A305). NUREG-2158, (formerly NUREG/CR-5734), "Acceptable Standard Format and Content for the Material Control and Accounting (MC&A) Plan Required for Completing Physical Inventory Summary Reports." (ML13253A303) Regulatory Guide DG-5057 for non-fuel cycle facilities was issued in May 2015 for comment (ML15015A271). The staff anticipates submitting the draft final rule to the Commission in early 2019.
Related Documents	 <u>Regulations.gov Material Control and Accounting of Special Nuclear Material.</u> OIG Report 03-A-15 dated February 6, 2013 (<u>ML13037A476</u>). SECY-08-0059 dated April 2008 (<u>ML080580273</u>). SRM-SECY-08-0059 dated February 2009 (<u>ML090360473</u>). SECY-11-0175 dated December 2011 (<u>ML113400134</u>). SRM-SECY-11-0175 dated April 12, 2012 (<u>ML121030104</u>). COMSECY-12-0026 dated November 2012 (<u>ML12311A436</u>).
	 SRM-COMSEC-12-0026 dated May 2013 (<u>ML13130A077</u>). <u>SECY-16-0009</u> – Enclosure 2 dated February 1, 2016 (<u>ML16028A433</u>).
Meeting Information	 TBD - Public meeting with Industry to discuss implementation and the cumulative effects of regulation.

Part 21 Dra	Part 21 Draft Guidance	
Key Contact:	Richard Jervey, 301-415-6201.	
Purpose:	Develop guidance for non-reactor and non-power reactor licensees on the implementation of Part 21. The draft guidance will provide clarification on key definitions and describe the processes for evaluating deviations and reporting defects and noncompliance. The draft guidance would discuss commercial grade dedication and describe how this process correlates with the licensee's existing quality assurance requirements.	
Key Information	 The Part 21 rulemaking effort was discontinued. As directed in SRM SECY-16-0009, the Commission approved the staff's recommendation to continue with guidance development using the existing regulatory requirements. The staff has decided to discontinue development of draft regulatory guidance to non-reactor and non-power reactor licensees on the implementation of Part 21. The staff will determine at a later date, an appropriate vehicle to document Part 21 guidance for fuel cycle facilities (i.e., NUREG-1520, Interim Staff Guidance). 	
Related Documents	 <u>Regulations.gov Clarifying Requirements in Part 21.</u> <u>10 CFR Part 21 Clarification and Rulemaking.</u> OIG-10-20 dated September 28, 2010 (<u>ML102710583</u>). OIG-11-A-08 dated March 23, 2011 (<u>ML110820426</u>). SECY-11-0135 dated September 29, 2011 (<u>ML112430138</u>). SECY-16-0009 dated January 31, 2016 (<u>ML16028A208</u>). SRM-16-0009 dated April 13, 2016 (<u>ML160104A158</u>). 	
Meeting Information	None scheduled.	

NON-RULEMAKINGS

ANS 57.1	ANS 57.11 "ISA Standard"	
Key Contact:	April Smith, 301-415-6547.	
Purpose:	American Nuclear Society (ANS) is developing an integrated safety assessment (ISA) standard that would provide clear guidelines for licensees to perform an ISA and improve the ability to identify those elements which serve as leading indicators of ISA quality.	
Key Information	 On April 3, 2018, the working group chair hosted a conference call to discuss gaining consensus on purpose and eventual approach to completing the standard. Based on the discussion, the working group chair committed to developing action items to re-align the working group and consider success paths. 	
Related Documents	 www2.ans.org (search ANS 57.11) (<u>http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc</u>). 	
Meeting Information	None scheduled.	

Key Contact:	Marilyn Diaz, 301-415-7110.
Purpose:	Provide guidance for reviewing chemical hazards in the ISA and quantitative standards used to assess the consequences to an individual from licensed material or hazardous chemicals produced from licensed material.
Key Information	 The draft interim staff guidance (ISG) was published in the <i>Federal Register</i> (80 FR 11692; March 4, 2015). Based on the public comments received, the staff revised the ISG (<u>ML16056A301</u>). The Advisory Committee on Reactor Safeguards and the Committee to Review Generic Requirements recommended and endorsed the issuance of the ISG on October, 8, 2015, and March 25, 2016, respectively. Related to this topic, staff conducted audits at each fuel cycle facility to gather information on the licensee's chemical safety programs and practices. The audits were completed in July 2016. Audit reports for all fuel cycle facilities were completed in December 2016. The Commission Paper regarding the issuance of this ISG and any policy implications related to this guidance was submitted to the Commission in January 2017. The Commission converted the information paper into a vote paper. The staff is awaiting Commission direction regarding issuance of ISG.
Related Documents	 Information Notice (IN) 2007-22, "Recent Hydrogen Fluoride Exposures at Fuel Cycle Facilities" (ML071410230). Nuclear Energy Institute (NEI) and NRC exchanged letters discussing the regulatory basis for requiring licensees to consider dermal and ocular exposures in the ISA (ML083360632, ML082900889, ML090690732 and ML090920296). Response to NEI letter regarding back-fit concern for dermal and ocular exposure standards (ML14251A150). NEI letter regarding concerns related to back-fit evaluation for dermal and ocular exposure standards (ML14251A150). NEI letter regarding concerns related to back-fit evaluation for dermal and ocular exposure standards (ML14322B019). <i>Federal Register</i> Notices (80 FR 11692; March 4, 2015 and 80 FR 21274; April 17, 2015). OGC Response to NEI regarding the backfitting concerns (ML15126A070) ACRS Letter to EDO regarding Acute Chemical Exposures ISG (ML16032A047) Revised version of the ISG (ML16056A301) and public comment resolution matrix (ML15253A694 and ML15295A163). SECY-17-0006, Interim Staff Guidance on Evaluating Chemical Exposures at Fuel Cycle Facilities. (ML15295A148). NEI Letter to NRC Chairman regarding SECY-17-0006 "Interim Staff Guidance on Evaluating Chemical Exposures at Fuel Cycle Facilities." (ML17083A216).
Meeting Information	None scheduled.

Financial Assurance for Material Licensees (ISG)	
Key Contact:	Kenneth Kline, 301-415-7075.
Purpose:	Provide guidance regarding inventory and efficiencies in preparing decommissioning funding plans for 10 CFR Part 70 licensees.
Key Information	 New Interim Staff Guidance under development. By letter dated June 27, 2016 (ML16229A175), NEI expressed concern with Part 70 reviews of DCEs primarily concerning NRC's inventory RAIs. NRC held a public meeting (ML16295A049) with NEI and industry to discuss these issues. By letter dated January 25, 2017 (ML16307A014), NRC formally responded to the NEI letter. This letter also outlines a number of acceptable ways to meet the regulation. The draft ISG is scheduled to be completed in June 2018.
Related Documents	 NUREG-1757, Vol. 3, Rev. 1: "Consolidated Decommissioning Guidance: Financial Assurance, Recordkeeping, and Timeliness," (<u>ML12048A683</u>). RG 4.22, "Decommissioning Planning During Operations," (<u>ML12158A361</u>).
Public Interaction	• June 2018 – 45-day comment period on draft ISG.

IN - Reporting of Unplanned Contamination Events	
Key Contact:	Alayna Pearson, 301-415-1096.
Purpose:	Develop an Information Notice to highlight the staff position regarding the regulatory requirements contained in 10 CFR 40.60(b)(1) and 70.50(b)(1), related to reporting unplanned contamination events in radiologically controlled areas.
Key Information	 Through the use of the NEI 14-14 protocol, industry requested clarification of the definition of "unplanned" as it relates to the 24-hour reporting requirements described in 10 CFR 40.60(b)(1) and 70.50(b)(1). Public meetings were held to discuss the reporting requirements and both the industry and the NRC staff position. An IN is being developed to highlight the staff position on reporting unplanned contamination events. The final IN is scheduled to be issued in June 2018.
Related Documents	 Use of NEI 14-14, "Regulatory Issue Resolution Protocol" to Clarify 10 CFR 40.60 and 10 CFR 70.50 (ML15217A487) Response to Nuclear Energy Institute 14-14 Reporting Unplanned Contamination (ML17065A175)
Public Interaction	None scheduled.

RG 3.71, "Nuclear Criticality Safety Standards for Nuclear Materials Outside Reactor Cores," Revision 3		
Key Contact:	Christopher Tripp, 301-415-8741.	
Purpose:	RG 3.71, Revision 3 provides an up-to-date guidance based on the changes that occurred with the American National Standards Institute/American Nuclear Society (ANSI/ANS-8) standards. In addition, the scope of this revision is expanded beyond 10 CFR Part 70 fuel facilities to include transportation and storage facilities under 10 CFR Part 71 and 10 CFR Part 72. The NRC staff has also endorsed International Organization for Standardization (ISO) Standard 7753:1987, "Nuclear Energy— Performance and Testing Requirements for Criticality Detection and Alarm Systems," in this revision.	
Key Information	 This RG applies to license applicants, licensees, and certificate holders authorized under 10 CFR Part 70, 10 CFR Part 71, and 10 CFR Part 72. Draft RG 3.71, Revision 3 (82 FR 40173) was published in the <i>Federal Register</i> for public comment on August 24. 2017, and the comment period closed on October 23, 2017. RG 3.71, Revision 3 is scheduled to be completed in May 2018. 	
Related Documents	 Public Comments on Draft Regulatory Guide DG-3053 Mr. Lon Paulson, GE-Hitachi/Global Nuclear Fuel – Americas (<u>ML17352A513</u>) Mr. Daniel Cronin, University of Florida Training Reactor (<u>ML17242A021</u>) Mr. Ronald Lavera, U.S. Nuclear Regulatory Commission (<u>ML18071A045</u>) Mr. David Erickson, Savannah River Site (<u>ML17276A315</u>) Ms. Patricia Schroeder, American Nuclear Society (<u>ML17290A355</u>) Mr. Nima Ashkeboussi, Nuclear Energy Institute (<u>ML17304A064</u>) 	
Public Interaction	None scheduled.	

Determination of Management Measures for Process Isolation Controls Designated as Items Relied on for Safety and Implementation of Adequate Quality Assurance Measures for Plant Features and Procedures– Information Notice (IN)

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Key Contact:	April Smith, 301-415-6547.
Purpose:	Provide information to the industry about recent instances of inadequate implementation of quality assurance measures for isolation controls.
Key Information	 Inspections at three facilities in 2016 and 2017 have resulted in inspection findings related to inadequate testing and maintenance of isolation controls credited for preventing natural phenomena hazard accident sequences. IN 2018-06 was issued April 10, 2018 (<u>ML18029A105</u>)
Related Documents	 NRC Inspection Report 40-3392/2016-005 (ML17030A108). NRC Inspection Report 40-3392/2017-002 (ML17115A006). NRC Inspection Report 70-143/2017-006 (ML17216A146). NRC Inspection Report 70-1113/2017-006 (ML17354A197).
Public Interaction	None scheduled.

Unanalyzed or Improperly Analyzed Conditions Involving Long-Term Fissile Accumulation at Fuel Cycle Facilities – Information Notice (IN)

Key Contact:	Jeremy Munson, 404-997-4732
Purpose:	To inform licensees of recent operating experience involving improper or incomplete analysis result in unanticipated long-term fissile accumulation in uncontrolled geometry systems.
Key Information	 Event occurred at BWXT on July 4, 2017, involving unanticipated highly- enriched uranium accumulation in two desiccant filters. IN 2018-05 was issued March 26, 2018 (<u>ML18022A211</u>).
Related Documents	None.
Public Interaction	None scheduled.

Fuel Cycle Information Exchange		
Key Contact:	DyLanne Duvigneaud, 301-415-4010 and Mollie Semmes, 301-415-7486.	
Purpose:	The Fuel Cycle Information Exchange (FCIX) provides an opportunity for NRC staff, industry representatives, licensees, and other stakeholders to openly discuss regulatory issues of mutual interest, as they relate to key sectors of the nuclear fuel cycle.	
Key Information	The FCIX is held biennially.	
Related Documents	 Link to the NRC public website on the 2017 FCIX <u>http://www.nrc.gov/public-involve/conference-symposia/fcix.html</u>. 	
Meeting Information	The next FCIX will be held in June 2019.	