

Licensing Program Meeting Notes and Themes

NRC membership of the licensing working group should include individuals from NRC's Office of Nuclear Reactor Regulation and Nuclear Material Safety and Safeguards Division of Spent Fuel Management, benchmarking the fuel cycle licensing program with others could identify efficiencies and management tools to ensure continuity.

- Discussion Theme: Clear Licensing Milestones, Schedules, and Cost Estimates
 - Solicit input from each licensee regarding milestones that should be established, these may vary based on the complexity of the licensing action and estimated timeline.
 - Consider sharing standard metrics from Web Based Licensing along with the hours estimated in the acceptance letter.
 - Consider updating the status of the review as it progresses. Licensees are planning capital projects, so the status of the reviews will allow them to keep their management informed.
 - Consider a meeting with the applicant during the acceptance review to better understand the unique aspects of the licensee's request.
 - Consider if multiple steps of the licensing process can be combined for simple reviews.
 - Clarify when NRC's Office of General Counsel (OGC) is involved with the review of a licensing action and share milestones for OGC reviews.
 - Commenter: Industry should be provided advanced notice of OGC review
 - Commenter: Industry inquired as to whether NRC's "Fuel Cycle Licensing Review Handbook" was publicly available, particularly to better understand the threshold of an OGC review. NRC stated it was not publicly available but would review this section.

- Discussion Theme: Site Visits
 - Site visits are valuable, and the timing of the visits should optimize the effort of NRC's review and with respect to requests for additional information (RAIs). One NRC staff member encouraged OGC to participate in site visits. Industry reps encouraged more routine reliance on site visits by licensing staff.

- Discussion Theme: Requests for Additional Information
 - RAIs should have a clear regulatory basis, perhaps a uniform template is needed.
 - Commenter: Some RAIs simply cite a NUREG as the regulatory basis, which are not regulatory requirements; therefore, they cannot be the sole basis for an RAI. RAIs should be tied to specific holes in Safety Evaluation Report and NRC requirements.
 - Commenter: Some RAI's request documentation which is available elsewhere to the NRC.
 - Commenter: RAIs from other NRC offices (outside of NMSS) have different formats. Formatting across the NRC should be consistent.

- Consider if RAIs should be discussed with the licensee in draft form to confirm understanding of the request.
 - Commenter: Whether or not NRC staff shares RAIs in draft is dependent on the reviewer. The pros and cons of doing so should be evaluated on a case-by-case basis.
 - Commenter: A question was asked if NRC would accept draft responses from licensees.
 - Commenter: RAIs in draft are preferable because the licensee can better evaluate the potential level of effort.
 - Consider when the clock should start on NRC's metrics surrounding RAIs. Some possible drawbacks to staggered RAIs were identified.
 - Consider if the requirement to notice a public meeting 10-days in advance limit the benefit of discussing draft RAIs. Use phone calls or emails.
 - Limit the quantity and number of rounds of RAIs.
- Discussion Theme: Need for Strong Project Management
 - The continuity of licensing process quality and efficiency must be maintained despite staff and/or management turnover.
 - Commenter: One licensee provided an example of an NRC staff member who worked on an Environmental Review for a license renewal; the staff member left the project after charging nearly 2000 hours. The only documentation provided to the licensee was a site visit summary.
- Discussion Theme: License Renewals and Alternative Dispute Resolution (ADR)
 - Commenter: License renewals should focus only on safety significant areas of change. Lessons can be learned from recent renewals.
 - Commenter: If ADR is pursued, the importance of following the established "mediation process" was emphasized. It was also encouraged that both the Region and HQ participate in the ADR. (Context of comment was related to ADR and oversight)
- NRC Staff Takeaways:
 - Evaluate the potential pros and cons of the recommendations provided during the public meeting and listed in the working group charter using NRC's Principles of Good Regulation.
 - Review the section in the "Fuel Cycle Licensing Review Handbook" concerning OGC involvement and provide relevant information at the next public meeting.
 - Benchmark the fuel cycle licensing program against those in NRR and NMSS/DSFM to identify potential efficiencies.
 - Consider if multiple steps of the licensing process can be combined for simple reviews.