

**Building a Smarter Fuel Cycle Licensing Program –  
Comment Resolution Table**

#	Comment	NRC Response	Resolution/Path Forward/Action Item
1	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.	The comment primarily aligns with the reliability principle from the NRC's Principles of Good Regulation.	A recommendation will be made to incorporate the establishment of licensee coordinated milestones into publicly available procedures governing the fuel cycle licensing program.
2	Consider sharing standard metrics from Web Based Licensing along with the hours estimated in the acceptance letter.	The comment primarily aligns with the clarity principle from the NRC's Principles of Good Regulation. This process was recently implemented by FCSE project managers and should continue.	A recommendation will be made to continue sharing standard metrics and hours estimates with licensees. Future revisions of the procedures governing the fuel cycle licensing program should ensure this practice is maintained.
3	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.	The comment primarily aligns with the openness principle from the NRC's Principles of Good Regulation. Clarity is needed on when these updates should occur and what method is appropriate (e.g., telephone, email, or letter). Would it be sufficient to update the status at each of the licensee coordinated milestones discussed in Comment #1?	During the public meeting on August 8, 2019, discuss the additional information needed to clarify this comment.
4	Consider a meeting with the applicant during the acceptance review to better understand the unique aspects of the licensee's request and provide for early identification of complexities or unique aspects of the review and provide for early identification of complexities or unique aspects of the review.	The comment primarily aligns with the efficiency principle from the NRC's Principles of Good Regulation. However, this process (either during pre-application or the acceptance phase) could increase the initial cost to the licensee, but efficiencies may be realized over the course of the review. Should this meeting become a standard practice or only utilized if requested by either the applicant or the NRC?	During the public meeting on August 8, 2019, discuss the additional information needed to clarify this comment.

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5	Consider if multiple steps of the licensing process can be combined for simple reviews.	The comment primarily aligns with the efficiency principle from the NRC's Principles of Good Regulation. This process was recently implemented by FCSE project managers and should continue.	A recommendation will be made to continue evaluating each review for potential time savings. Future revisions of the procedures governing the fuel cycle licensing program should ensure that project managers continue to be aware of this option and that metrics do not obstruct this efficiency.
6	Clarify when NRC's Office of General Counsel (OGC) is involved with the review of a licensing action and share milestones for OGC reviews.	The comment primarily aligns with the openness principle from the NRC's Principles of Good Regulation. A representative from OGC will discuss this comment during the public meeting on August 8, 2019.	To be determined
7	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).	The comment primarily aligns with the efficiency principle from the NRC's Principles of Good Regulation. This process has been implemented by some FCSE project managers but should be more uniformly applied.	A recommendation will be made to continue optimizing the timing of site visits and to leverage "virtual audits/visits" using available technology. Future revisions of the procedures governing the fuel cycle licensing program should ensure this practice is maintained.
8	RAIs should have clear regulatory bases, perhaps a uniform template is needed.	The comment primarily aligns with the clarity principle from the NRC's Principles of Good Regulation. The importance of providing regulatory bases for RAIs has been communicated to the staff but should be more uniformly applied.	A recommendation will be made to develop a template for RAIs to further ensure that regulatory bases for RAIs are consistently provided. The recommendation will suggest inclusion of the template in future revisions of the procedures governing the fuel cycle licensing program.

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9	Consider if RAIs should be discussed with the licensee in draft form to confirm understanding of the request.	The comment primarily aligns with the efficiency principle from the NRC's Principles of Good Regulation. This process has been implemented by some FCSE project managers but should be more uniformly applied. This is also related to Comment # 7 in that a site visit could be coordinated at the draft RAI stage for larger applications.	A recommendation will be made for NRC project managers to arrange discussions of draft RAIs with the licensee at an established milestone and for larger applications to consider scheduling a site visit (per Comment # 7) at this stage. Future revisions of the procedures governing the fuel cycle licensing program should ensure this practice is maintained.
10	Consider when the clock should start on NRC's metrics surrounding RAIs.	To be determined	To be determined
11	Consider if the requirement to notice a public meeting 10-days in advance limits the benefit of discussing draft RAIs.	To be determined	To be determined
12	Limit the quantity and number of rounds of RAIs.	The comment primarily aligns with the efficiency principle from the NRC's Principles of Good Regulation. This goal is already captured in review guidance and is routinely communicated to FCSE staff and the messaging should continue. Current guidance states that RAIs should not be submitted if the information is available elsewhere or can be inferred from other information. Clarifying calls should also address or confirm such information. Current review guidance also indicates that RAIs should be developed from gaps in a draft SER. Addressing Comments # 7 and 9 would also support achieving this goal.	A recommendation will be made to continue emphasizing the tools that are available to facilitate achieving the goal of a single round of RAIs. Future revisions of the procedures governing the fuel cycle licensing program should ensure this practice is maintained.

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13	The continuity of licensing process quality and efficiency must be maintained despite staff and/or management turnover.	The comment primarily aligns with the reliability principle from the NRC's Principles of Good Regulation. The importance of providing for continuity of reviews has been communicated to the staff and guidance on this topic has recently been incorporated into the FCSE Licensing Review Handbook. The staff agrees that continuity should be more uniformly achieved. In addition, current guidance recommends development of draft SER inputs early in the review process which ensures more efficient development of RAls (supporting Comment #s 7, 9, and 12) and provides more effective turnover.	Development of draft inputs early in reviews will continue to be emphasized. A recommendation will be made for NRC project managers to request draft deliverables at specific interim milestones to better ensure staff effort is captured. Future revisions of the procedures governing the fuel cycle licensing program should ensure this practice is maintained.
14	License renewals should focus only on safety significant areas of change. Lessons can be learned from recent renewals.	The comment primarily aligns with the efficiency principle from the NRC's Principles of Good Regulation. The Working Group will seek clarity on this comment during the public meeting on August 8, 2019.	Seeking clarity on the following questions: What defines safety significant? Are there examples of focusing on non-safety significant areas? Is "only" the right word?
15	Consider incorporating concepts from the recently issued NRR LIC-206, "Integrated Risk-Informed Decision-Making for Licensing Reviews," into the fuel cycle licensing program.	The comment primarily aligns with the efficiency principle from the NRC's Principles of Good Regulation. A key concept, that is directly implementable by FCSE for larger team reviews, is the use of integrated teams throughout the review and the use of relative risk insights in planning and conducting the review. LIC-206 is available at: <a href="https://www.nrc.gov/docs/ML1903/ML19031C861.pdf">https://www.nrc.gov/docs/ML1903/ML19031C861.pdf</a>	During the public meeting on August 8, 2019, discuss concepts from LIC-206 and how they could be applied to the fuel cycle licensing program.

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16	Consider developing an instruction for the Fuel Facility Business Line on license amendments like NRR's LIC-101, "License Amendment Review Procedures." This would take the relevant information out of the internal desk guide (FCSE Licensing Review Handbook) and place it into a publicly available document that is applicable to all NRC staff performing work under the Fuel Facility Business Line.	The comment primarily aligns with the openness principle from the NRC's Principles of Good Regulation. The NRC staff views this as the preferred path forward and would be more useful instead of redacting the FCSE License Review Handbook.	A recommendation will be made to develop publicly available procedures governing the fuel cycle licensing program and have stakeholder feedback incorporated into the development process.
17	Develop a tool to track licensing actions in accordance with the new metrics associated with the Nuclear Energy Innovation and Modernization Act.	To be determined	To be determined
18	Ensure internal NRC work requests identify the appropriate technical staff and that resource estimates are consistent with the projected scope and focus of each review area.	The comment primarily aligns with the reliability principle from the NRC's Principles of Good Regulation. This process was recently implemented by FCSE project managers and should continue.	A recommendation will be made to continue developing and utilizing accurate internal work requests. Future revisions of the procedures governing the fuel cycle licensing program should ensure this practice is maintained.
19	Training on the licensing program, that highlights recent changes and longstanding fundamentals, should be provided for fuel cycle project managers and technical reviewers	To be determined	To be determined
20	A standard review plan is needed for reviews of greater than critical mass licensees.	To be determined	To be determined