June 12, 2000

MEMORANDUM TO: Chairman Meserve

FROM: William D. Travers ***/RA/***
Executive Director for Operations

SUBJECT: UPDATE TO STAFF RESPONSE TO TASKING MEMORANDUM AND STAKEHOLDER CONCERNS

Attached for your information is the staff's May 2000 update to the plan of short- and long-term actions to respond to selected issues raised during the July 30, 1998, hearing before the Senate Subcommittee on Clean Air and Wetlands, Private Property, and Nuclear Safety and the July 17, 1998, Commission meeting with stakeholders. Please note that an update was not issued for the month of April because the staff adjusted issuance of the update to coincide with issuance of the monthly congressional letters.

Since the last update, the following significant milestones have been completed:

1. Issued safety evaluation reports concerning Waterford 3's applications for relaxation of allowed outage time for containment spray and low pressure safety injection systems;
2. Developed a screening process to aid project managers and technical staff in determining which proposed licensing actions should be reviewed for risk significance;
3. Published the Revised Enforcement Policy incorporating Reactor Oversight changes;
4. Developed Enforcement Guidance relating to 10 CFR 50.59;
5. Briefed the ACRS on risk-based performance indicators program overview white paper;
6. Issued a draft regulatory guide involving 10 CFR 50.59;
7. Completed training of project managers and technical staff on Office Letter 803 (relating to requests for additional information);
8. Submitted a memorandum to the Commission on planned significant changes to Management Directive 8.11, and held a Commission briefing on planned process improvements and disposition of specific comments from stakeholders concerning 2.206 petitions;
9. Prepared final guide, final standard review plan, and Federal register notice concerning the revised source term rulemaking;
10. Issued a 5% power uprate amendment to Lasalle Units 1 and 2;
11. Completed several orders involving license transfers;
12. Issued rulemaking, safety evaluation report, and certificate of compliance involving dual purpose spent fuel cask reviews;
13. Published the final version of a standard review plan for license termination plans;
14. Provided to the Commission draft final rules involving 10 CFR Part 30, 63, and 70;
15. Briefed the Commission on the Lessons Learned Concerning the Nuclear Criticality Accident at Tokaimura;
16. Issued a Commission Paper concerning establishment of an agreement with the State of Oklahoma pursuant to Section 274b of the Atomic Energy Act, as amended; and

17. Held public meetings and public workshops on various issues including risk-informed scope of certain Part 50 requirements (Option 2); identification and resolution of open questions on analysis procedures and inputs in probabilistic friction mechanics, thermal-hydraulics, and probabilistic risk assessment areas; reactor safeguards initiatives; and risk-informing and performance-basing an oversight program for fuel cycle facilities.

Further, additions and changes to the March 2000 update are marked in redline and strikeout. Minor editorial changes have not been highlighted. Since the March update, there are schedule changes associated with: (1) development of revised pressurized thermal shock risk acceptance criterion; (2) milestones involving completion of Phase 2 of risk-based performance indicators development; (3) issuance of improved standard technical specifications amendments for the Fitzpatrick and Arkansas 1 plants; (4) milestones involving implementation of the planned process improvements to Management Directive 8.11; (5) issuance of the backfit audit, and completion of training on the backfit rule; (6) finalization of the decommissioning spent fuel pool draft study and risk objectives; (7) completion of the event reporting rulemaking; (8) conducting a public workshop to solicit feedback on implementation of the direct final rule for 10 CFR 50.54(a); (9) issuance of, and meeting with ACRS to discuss, a draft Phenomena Identification and Ranking Tables report on reactivity insertion accidents and loss of coolant accidents at pressurized water reactors; (10) completion of several orders involving license transfers; (11) completion of Part 71 certificate of compliance for the TN-68 dual purpose cask system; and (12) issuance of a draft environmental impact statement involving Private Fuel Storage. Explanations for changes are provided in the associated remarks.

Attachment: As stated

cc:	Commissioner Diaz	OGC
	Commissioner Dicus	CFO
	Commissioner McGaffigan	CIO
	Commissioner Merrifield	SECY

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STAFF RESPONSE TO TASKING MEMORANDUM AND STAKEHOLDER CONCERNS

as of May 30, 2000

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I. Topic Area: Risk-Informed and Performance-Based Regulation

A. Evaluation of Industry Proposals

SES Managers: Thomas King, Director, DRAA /RES

Objective: The objectives are enhancing safety decisions, efficiently utilizing NRC resources, reducing unnecessary conservatism, as well as soliciting industry insights.

Coordination: Tasks associated with conducting discussions with ACRS and milestones 2 and 3 require close coordination and integration by NRR and RES staff. Responsible project managers are coordinating these activities with other ongoing activities and ensuring that the overall objectives for each project are achieved.

Prior to February 2000		
Milestone	Date	Lead
1. Issue safety evaluation on EPRI ISI topical report	10/28/99C	S. Ali, DE (NRR)

Through June 30, 2000		
Milestone	Date	Lead
2. Proposed Final Safety Goal Policy (199700262) (SECY-00-0077)	3/30/00C (see comment)	J. Murphy, RES

Beyond June 30, 2000		
Milestone	Date	Lead
3. Endorse ASME RI-ISI code cases via Regulatory Guide 1.147, contingent upon ASME completing code case by 12/00	9/01 (see comment)	D. Jackson, RES/ S. Ali, DE (NRR)

Comments:

2. SECY-00-0077, Modifications to the Reactor Safety Goal Policy Statement, dated 3/30/00.
3. ASME is revising all 3 RI-ISI code cases. The code cases are presently going through reviews at the subcommittee level at ASME. Projected date for ASME to publish all 3 code cases has slipped from 6/00 to 12/00.

I. Topic Area: Risk-Informed and Performance-Based Regulation

B. Plant-Specific Licensing Reviews

SES Manager: Gary Holahan, Director, DSSA, NRR

Objective: The use of probabilistic risk assessment in risk-informed decision making for changes to plant-specific licensing basis is intended to enhance safety decisions, efficiently utilize NRC resources and reduce unnecessary conservatism. The goal is to complete first of a kind risk-informed licensing reviews such that lessons learned may be utilized for future staff reviews.

Prior to February 2000		
Milestone	Date	Lead
1. Risk-Informed Licensing Panel (RILP) Meetings - assists in focusing management attention, as necessary, on risk-informed licensing actions.	Ongoing	G. Holahan, DSSA
2. Issue reliefs from augmented examination requirements for various licensees on BWR reactor pressure vessel circumferential welds.	(See comments) Complete	G. Carpenter, DE
3. SER to be issued on CE Owners Group Joint Applications Report for CSS system AOT extensions for 8 sites.	12/22/99C	R. Goel, SPLB/ M. Wohl, SPSB
4. SER to be issued on St. Lucie 1/2 application for LPSI system AOT relaxation.	2/15/00C	M. Wohl, SPSB

Through June 30, 2000		
Milestones	Date	Lead
5. SER to be issued on Waterford 3 application for CSS AOT relaxation.	5/15/00C	M. Wohl, SPSB
6. SER to be issued on Waterford 3 application for LPSI system AOT relaxation.	~~5/30/00~~ 5/25/00C	M. Wohl, SPSB
7. SER to be issued on CE Owners Group Joint Applications Report for HPSI system AOT extensions for 8 sites.	(See comments) 6/30/00	J. Cushing, DLPM/LPD4

Through June 30, 2000		
8. SER to be issued on CE Owners Group Joint Applications Report for Containment Isolation Valve AOT Relaxation for 8 sites.	6/30/00	M. Wohl, SPSB

Beyond June 30, 2000		
Milestone	Date	Lead
9. SER to be issued on Waterford 3 application for EDG AOT extension.	7/31/00 (See coments)	I. Jung, SPSB
10. SER to be issued on the South Texas Project request for multiple exemptions to exclude certain components from the scope of special treatment requirements in the regulations.	9/29/00 (See comment)	S. Lee, SPSB
11. SER to be issued on Oconee application for HPSI system AOT extensions.	12/01/00 (see comments)	D. O'Neal, SPSB

Comments:

2. As stated in Generic Letter 98-05, "Boiling Water Reactor Licensees Use of the BWRVIP-05 Report to Request Relief From Augmented Examination Requirements on Reactor Pressure Vessel Circumferential Shell Welds," dated November 10, 1998, " ... licensees of BWRs may request permanent (i.e., for the remaining term of operation under the existing, initial, license) relief from the inservice inspection requirements of 10 CFR 50.55a(g) for the volumetric examination of circumferential reactor pressure vessel (RPV) welds." To date, the staff has issued over twelve reliefs, and may issue approximately two dozen more, if the remaining licensees request this relief. Future relief requests will be handled as routine reliefs, and this issue does not require further tracking.

7. Previously, this item addressed an SRXB transmittal of its SER to LPD4. The change is to reflect LPD4 issuing the staff SER to the Owners Group. The staff's review identified unanticipated, complex issues that led to a significant, unplanned effort, and the vendor and owners groups have requested changes in the material to be reviewed. All parties agree that the most effective and efficient course of action is to extend the due date for completion of the review as opposed to withdrawing and resubmitting the amendment request. It has taken the vendor and owners group longer than they had anticipated to revise the Report.

9. After review of the licensee's submittal, the staff concluded that the proposed amendment did not meet the criteria of Reg Guides 1.174 and 1.177. Following discussions with the staff, the licensee proposed a plant improvement and an accompanying re-analysis of the change in risk associated with the proposed AOT extension from 3 to 10 days. A revised application ~~is expected in April.~~ was received on May 22, 2000.

10. The staff has yet to receive a complete RAI response from the licensee, hence, the projected completion date has been changed from 6/28/00 to 9/29/00. The staff is currently working with the licensee to obtain an acceptable response to the staffs requests for additional information.

11. This schedule is contingent upon (1) the timeliness and quality of Oconee responses to the RAI, and (2) whether there are complications associated with review of the information received. The staff's review will interface with the CEOG HPSI joint application review for consistency.

I. Topic Area: Risk-Informed and Performance-Based Regulation

C. Guidance Documents

SES Manager: Gary Holahan, Director, DSSA, NRR

Objective: To provide guidance for the staff and the industry which will enhance consistency and provide an infrastructure for use in risk-informed regulation.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestones	Date	Lead
1. Issue a Regulatory Issue Summary (RIS) informing industry of NRC interim position on the use of risk information in license amendment reviews.	3/28/00C	R. Palla, SPSB
2. Develop a screening process to aid project managers and technical staff in determining which proposed licensing actions should be reviewed for risk significance.	4/28/00C ~~(see comment)~~	I. Jung, SPSB
3. Issue Proposed modifications to regulatory guidance documents for comment (e.g., RG 1.174).	4/10/00C	R. Palla, SPSB

Beyond June 30, 2000		
Milestone	Date	Lead
4. Complete meetings with stakeholders, ACRS, and CRGR on proposed modifications to guidance documents.	9/00 (see comment)	R. Palla, SPSB
5. Transmit to the Commission the proposed final modifications to guidance documents. (19990064)	9/00 (see comment)	R. Palla, SPSB

6. Issue RIS with final guidance on use of risk-informed decisionmaking.	~ 1 month after Commission consent (see comment)	R. Palla, SPSB

Comments:

~~2. There may be a delay in meeting this milestone while the NRC contractor assisting the staff works to resolve staff comments on the draft report.~~

4 - 6. As directed by the Staff Requirements Memorandum dated January 5, 2000, the schedule for these items has been provided to the Commission and further described in a memorandum dated February 14, 2000.

I. Topic Area: risk-Informed and Performance-Based Regulaiton

D.1. Risk-Informed Scope of Certain Part 50 Requirements (Option 2)

SES Manager: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR

Objective: To modify the scope of certain Part 50 regulations to be risk-informed, consistent with Option 2 of SECY-98-300 and its associated SRM dated June 8, 1999.

Prior to February 2000		
Milestone	Date	Lead
1. Informational briefing for CRGR on rulemaking plan	10/12/99C	T. Bergman, DRIP
2. Public meeting to discuss draft ANPR and draft rulemaking plan	10/13/99C	T. Bergman, DRIP
3. PRA Steering Committee briefing on rulemaking plan	10/13/99C	T. Bergman, DRIP
4. PRA Steering Committee/Industry counterpart meeting	10/19/99C	T. Bergman, DRIP
5. Submit a paper and rulemaking plan to Commission - Option 2 (199900061) (SECY 99-256)	10/29/99C	T. Bergman, DRIP
6. Meet with stakeholders in Houston, Texas	12/06/99C	T. Bergman, DRIP
7. Meet with stakeholders, Rockville, Maryland	12/14/99C	T. Reed, DRIP
8. Meet with stakeholders, Rockville, Maryland	02/23/00C	T. Reed, DRIP

Through June 30, 2000		
Milestone	Date	Lead
9. Publish ANPR for public comment	03/03/00C	M. Shuaibi, DSSA
10. Meet with stakeholders~~, Rockville, Maryland~~	02/23/00C 03/30/00C 04/20/00C 06/00	T. Reed, DRIP

Through June 30, 2000		
Milestone	Date	Lead
11. NEI submits implementing guidance document	~~4/20/00~~ 5/31/00 (see comment)	T. Bergman, DRIP
12. Categorization pilot plants identified	6/30/00 (see comment)	J. Williams, DLPM
13. Public workshop ~~on~~ to facilitate ANPR comments	04/27/00C	T. Bergman, DRIP
14. ANPR public comment period expires	05/17/00C	T. Bergman, DRIP

Beyond June 30, 2000		
Milestone	Date	Lead
15. Public workshop on draft proposed rulemaking	07/00 (see comment)	T. Reed, DRIP
16. Commission paper addressing ANPR comments and any potential impact on schedule.	08/00	T. Reed, DRIP
17 ~~16~~. Submit proposed rulemaking to Commission (199900061)	09/00 (see comment)	T. Reed, DRIP
18~~17~~. Categorization pilot programs complete (issue exemptions)	07/01 (see comment)	J. Williams, DLPM
19~~18~~. Submit final rulemaking to Commission (199900061)	10/01 (see comment)	T. Bergman, DRIP
20~~19~~. Publish final rulemaking	03/02 (see comment)	T. Bergman, DRIP

Comment:

The staff provided its proposed rulemaking plan and schedule for risk-informing the special treatment requirements of 10 CFR Part 50 in SECY-99-256, dated October 29, 1999. The staff based its schedule on assumptions about when it would begin work on key tasks, some of which depend on industry input. Since the issuance of SECY-99-256, the following circumstances have unfolded that are expected to impact the plan and schedule proposed by the staff: (1) based on the SRM issuance date, the ANPR was published on March 3, 2000; (2) to date, NEI has not submitted ~~the~~ a complete industry guidance document for the categorization and treatment of SSCs, which the staff expected to receive by December 31, 1999; and (3) to date, NEI has not confirmed any pilot plants, other than South Texas, which the staff expected to occur during January 2000.

At the meeting on March 30, 2000, NEI provided a partial draft guideline document and the BWROG indicated interest in pilot applications that could be applied to all BWR owner facilities. At the meeting on April 20, 2000, the staff discussed with NEI its preliminary views on the partial draft of the industry guidance document. NEI estimated that it would submit a complete guideline document by the end of May 2000. ~~The industry view is that clarification of issues needs to proceed through the South Texas and guideline reviews prior to further pilot plan activity.~~ As discussed in its memorandum to the Commission of April 3, 2000, the staff is assessing its proposed plan and schedule and the potential impacts of the aforementioned circumstances. The staff will reflect ~~any~~ changes to its plan and schedule in ~~a future~~ the June CTM, and an August paper to the Commission.

I. Topic Area: Risk-Informed and Performance-Based Regulation

D.2. Risk-Informed Technical Requirements in 10 CFR Part 50 (Option 3)

SES Manager: Mark Cunningham, Branch Chief, PRAB/DRAA/RES

Objective: To identify and evaluate technical requirements of 10 CFR Part 50 that are candidates to be risk-informed and then to recommend modifications to Part 50, consistent with Option 3 of SECY-98-300 and its associated SRM dated June 8, 1999. The goal is for the technical requirements of Part 50 to be commensurate with their contribution to public health and safety such that safety is maintained without unnecessary regulatory burden.

Prior to February 2000		
Milestone	Date	Lead
1. Propose staff plan for risk-informing technical requirements in 10CFR Part 50 - Option 3 (SECY 99-264) (199900062)	11/8/99C	M. Cunningham PRAB/DRAA
2. Develop Web site	11/30/99C	M. Drouin, PRAB/DRAA
3. Complete trial analyses on potential revisions to 50.44 and special treatment requirements	1/31/00C	M. Drouin, PRAB/DRAA

Through June 30, 2000		
Milestone	Date	Lead
4. Hold public workshop on trial application results	2/24-25/00C	M. Drouin, PRAB/DRAA
5. Provide status report to Commission (199900062)	4/12/00C	M. Drouin, PRAB/DRAA

Beyond June 30, 2000		
Milestone	Date	Lead
6. Identify preliminary set of proposed changes and recommendations (199900062)	8/00	M. Drouin PRAB/DRAA
7. Hold public workshop on preliminary set of proposed changes and recommendations	9/00	M. Drouin, PRAB/DRAA
8. Final report to Commission (199900062)	12/00	M. Drouin, PRAB/DRAA

Comments:

5. Paper submitted to Commission 4/12/00.

I. Topic Area: Risk-Informed and Performance-Based Regulation

E. Develop Standards for the Application of Risk-informed, Performance-based Regulation in Conjunction with National Standards Committees

SES Manager: Mark Cunningham, Branch Chief, PRAB/DRAA/RES

Objective: To make efficient use of agency resources by actively participating in the consensus standards process to develop standards for PRA that support the implementation of risk-informed regulation in a manner that maintains safety.

Prior to February 2000		
Milestone	Date	Lead
1. Phase 1 PRA standard comments received.	5/1/99C See comment #1	M. Drouin, RES
2. Draft fire PRA standard issued by NFPA	1/20/00C	N. Siu, RES

Through June 30, 2000		
Milestone	Date	Lead
None		

Beyond June 30, 2000		
Milestone	Date	Lead
3. Draft Phase 2 PRA standard issued for comment by ANS seismic 6/00; LPSD 9/00. Phase 2 PRA standard comments received and final draft developed. Seismic 9/00;LPSD	See comment #3 12/00	M. Drouin, RES
4. Final Phase 1 PRA standard issued by ASME	01/01	M. Drouin, RES
5. Final fire PRA standard issued by NFPA	3/01	N. Siu, RES
6. Final Phase 2 PRA standard issued by ANS: SEISMIC LPSD	6/01	M. Drouin, RES

Comments:

1. The final draft is captured in Milestone 3.

2. NFPA is the National Fire Protection Association. The title of the standard is "Performance-Based Standard for Fire Protection for Light Water Reactor Electrical Generating Plants."

3. Phase 2 of the PRA standard covers accidents initiated by external events (e.g., earthquakes) and accidents initiated during low power and shutdown (LPSD) operations. ANS is developing these standards.

4. As discussed in SECY-00-0062, "Risk-Informed Regulations Implementation Plan," dated 3/15/00, ASME requires additional time to reflect public comment on the draft standard.

I. Topic Area: Risk-Informed and Performance-Based Regulation

F. Reevaluate the Technical Basis for the Pressurized Thermal Shock Rule (10 CFR 50.61)

SES Manager: Michael Mayfield, Branch Chief, MEB/DET/RES

Objective: To develop the technical basis for a risk-informed revision to the pressurized thermal shock rule, 10CFR 50.61, screening criteria, by applying recent advances in probabilistic RPV integrity analysis, methods for calculating the thermal-hydraulics (TH) response of a PWR to potential PTS loading transients, and application of PRA results in identifying key operational transients that could affect the RPV.

Prior to February 2000		
Milestone	Date	Lead
1. Conduct public meetings and workshops to identify and resolve open questions on analysis procedures and inputs in PFM, TH and PRA areas	4/20/99C	S. Malik, D. Bessette, R. Woods, RES
2. Present to ACRS an introductory plan on PTS re-evaluation project	7/14/99C	M. Mayfield, F. Eltawila, M. Cunningham, RES

Through June 30, 2000		
Milestone	Date	Lead
3. Present to ACRS the methodology to perform PTS risk analysis	3/16/00C	S. Malik, D. Bessette, R. Woods, N. Siu, RES
4. Present to ACRS the revised PTS risk acceptance criterion	3/16/00C	N. Siu, R. Woods, M. Cunningham, PRAB/RES
5. Conduct public workshops to identify and resolve open questions on analysis procedures and inputs in PFM, TH and PRA areas	5/2/00C ~~5/00~~	S. Malik, D. Bessette, R. Woods, RES

Through June 30, 2000		
6. Develop revised PTS risk acceptance criterion (199900115)	5/31/00 ~~5/15/00~~	N. Siu, R. Woods, M. Cunningham, PRAB/RES

Beyond June 30, 2000		
Milestone	Date	Lead
7. Present to ACRS the PTS risk analysis of the selected PWR plants	9/00	S. Malik, D. Bessette, R. Woods, RES
8. Develop Integrated PTS risk estimate for a generic PWR plant	10/01	N. Siu, R. Woods, S. Malik, D. Bessette, RES
9. Present to ACRS the technical basis for proposed changes in 10 CFR 50.61 PTS screening criterion	12/01	S. Malik, D. Bessette, R. Woods, N. Siu, RES

Comments:

6. The Commission paper on revised Pressurized Thermal Shock Rule acceptance criterion was originally due to the Commission on May 15, 2000. A draft version of the paper was provided to the ACRS and discussed at an April 27, 2000 subcommittee meeting. The subcommittee provided substantial and important comment on the draft paper. These comments have implications to both the possible PTS Rule revision and other possible risk-informed rule changes now being studied in the staff's risk-informed Part 50 work. The staff needs to reflect the comments in a revised version of the paper and discuss it with PRA Steering Committee on May 8, 2000 and with the full ACRS on May 12, 2000. To permit this additional discussion with ACRS, as well as to obtain final NRR and OGC review, the staff requested the due date be changed to May 31, 2000.

~~None~~

II. Topic Area: Reactor Inspection and Enforcement

A. Risk Informed Baseline Inspection Program

SES Manager: William M. Dean, PIPB/DIPM/NRR
Program Manager: Alan L. Madison, NRR

Objective: To develop and implement a more risk informed, efficient, and effective baseline inspection program. By risk informed, it is meant that the inspection program's scope will be defined primarily by those areas that are significant from a risk perspective and that the inspection methods used to assess these areas will take advantage of both generic and plant specific risk insights.

Coordination: Issues II.A. "Risk Informed Baseline Inspection Program," II.B. "Enforcement Program Initiatives," III.A. "Performance Assessment Process Improvements", III. B. "Risk-Based Performance Indicator Development," and IV.I "Event Reporting Rulemaking," require close coordination and the integration of specific tasks by the NRC staff. Responsible project managers are coordinating these activities by assessing the impact of proposed program changes with the other ongoing activities and ensuring that the overall objectives for each project are achieved. Examples include intra-project task force participation, workshop attendance, concurrent review of projects and periodic senior management briefings.

Prior to February 2000		
Milestone	Date	Lead
1. Begin drafting program changes and start conducting training of staff	2/99C	A. Madison, DIPM
2.a. Begin pilot implementation of new baseline inspection program	5/30/99C	W. Dean, DIPM
2.b. Monitor pilot implementation of new baseline inspection program and review results	12/99C (see comment)	A. Madison, DIPM
3a. Complete pilot implementation of new baseline inspection program	12/99C (see comment)	A. Madison, DIPM
3b. Conduct Lessons Learned Public Workshop	1/00C	W. Dean, DIPM

Through June 30, 2000		
Milestone	Date	Lead
4. Issue Commission paper and brief Commission on the Revised Reactor Oversight Process results of the pilot program and staff recommendation for Initial Implementation (199900070)	3/00C (see comment)	W. Dean, DIPM
5. Commence initial implementation of the risk informed baseline inspection program at all operating sites	4/00C (see comment)	W. Dean, DIPM

Beyond June 30, 2000		
Milestone	Date	Lead
6. Complete evaluation of implementation and effectiveness of the first year of implementation of the risk informed baseline inspection program (199900070)	6/01	C. Holden, DIPM

Comments:

2.b&5. The staff implemented the pilot baseline inspection program through April 1, 2000. The SRM for SECY 99-007 and SECY 99-007A directed the staff to defer initial implementation of the new oversight program to April 1, 2000, to allow additional time for staff to review results of the pilot program, develop lessons learned from the pilots, and solicit feedback on process changes. On April 2, 2000, the staff commenced initial implementation of the risk informed baseline inspection program at all operating sites, with the exception of the D. C. Cook plants, due to their extended shutdown.

3a. The staff implemented the baseline inspection program at the nine pilot plants through initial implementation at all operating sites in April 2000.

4. The Commission paper was issued on February 24, 2000, and the Commission briefing was conducted on March 7, 2000.

The Commission has approved a staff recommendation that the SALP process, which was suspended in late 1998, be officially terminated.

II. TOPIC AREA: Reactor Inspection and Enforcement

B. Enforcement Program Initiatives

SES Manager: R. W. Borchardt, Director, Office of Enforcement

Objective(s): Develop and implement improvements to the Enforcement program to increase efficiency and effectiveness, to reduce unnecessary regulatory burden, and to be coordinated with the reactor oversight process.

Prior to February 2000		
Milestone	Date	Lead
Publish revised enforcement policy that addresses elimination of "regulatory significance."	10/26/99C	R. Pedersen
Assemble the collective views of the staff and stakeholders to determine whether the Revised Enforcement Policy has accomplished the objectives, or whether further staff action is needed. (199800159) (OE)	11/24/99C	B. Westreich
Revise EGM 99-006 to address reporting of historical PI data for all reactors.	12/20/99C	B. Westreich

Through June 30, 2000		
Milestone	Date	Lead
Develop Enforcement Policy for the new reactor oversight process. (200000022)	3/9/00C	B. Westreich
Publish Revised Enforcement Policy incorporating Reactor Oversight changes.	~~4/00~~ 5/1/00C	R. Pedersen
Develop 10 CFR 50.59 Enforcement Guidance (related to IV.B.)	~~5/00~~ 5/1/00C	T. Reis
Revise Enforcement Manual to incorporate Reactor Oversight Program changes.	6/1/00	R. Pedersen

Beyond June 30, 2000		
Milestone	Date	Lead
None		

III. Topic Area: Reactor Licensee Performance Assessment

A. Performance Assessment Process Improvements (IRAP, Industry's Proposal, and Performance Indicators)

SES Manager: William M. Dean, PIPB/DIPM/NRR
Program Manager: Alan L. Madison, PIPB/DIPM/NRR

Objective: The objective of this task is to develop and implement improvements to the NRC plant performance assessment process (and the overall reactor oversight process) to make it more risk-informed, efficient, and effective while combining the best attributes of the IRAP effort, the regulatory oversight approach proposed by NEI, and the staff efforts designed to develop risk-informed performance indicators.

Coordination: Issues II.A. "Risk Informed Baseline Inspection Program," II.B. "Enforcement Program Initiatives," III.A. "Performance Assessment Process Improvements," III.B. "Risk-based Performance Indicator Development," and IV.K. "Event Reporting Rulemaking," require close coordination and the integration of specific tasks by the NRC staff. Responsible project managers are coordinating these activities by assessing the impact of proposed program changes with the other ongoing activities and ensuring that the overall objectives for each project are achieved. Examples include, intra-project task force participation, workshop attendance, concurrent review of projects and periodic senior management briefings.

Prior to February 2000		
Milestone	Date	Lead
1. Obtain Commission approval for pilot program implementation of recommended changes	6/99C	W. Dean, DIPM
2. Complete development of implementation plan. Start phase-in (pilot) of the revised reactor oversight process.	6/99C	A. Madison, DIPM
3. Continue pilot implementation of new reactor oversight process	7/99 - 12/99C (see comment)	A. Madison, DIPM
4. Conduct Lessons Learned Public Workshop	1/00C	W. Dean, DIPM

Through June 30, 2000		
Milestone	Date	Lead
5. Complete NRC training and licensee workshops on new reactor oversight process in preparation for initial implementation	11/99 - 4/7/00C	A. Madison, DIPM
6. Issue Commission paper and brief Commission on the Revised Reactor Oversight Process results of the pilot program and staff recommendation for initial implementation (199900070)	3/00C (see comment)	W. Dean, DIPM
7. Commence initial implementation of new reactor oversight process at all operating sites	4/00C	W. Dean, DIPM
8. Final Senior Management Meeting to assess plant performance	5/00C	W. Dean, DIPM

Beyond June 30, 2000		
Milestone	Date	Lead
9. First Agency Action Review Meeting to discuss agency response for plant performance assessment inputs	5/01	W. Dean, DIPM
10. Complete evaluation of implementation and effectiveness of the first year of implementation of the revised assessment process (199900070)	6/01	M. Johnson, DIPM

Comments:

3. The staff implemented the revised reactor oversight process at the nine pilot plants through initial implementation at all operating sites in April 2000.

5. Workshops were completed on March 23, 2000, and all required inspector training courses were completed on April 7, 2000.

6. The Commission paper was issued on February 24, 2000, and the Commission briefing was conducted on March 7, 2000.

The Commission has approved a staff recommendation that the SALP process, which was suspended in late 1998, be officially terminated.

III. Topic Area: Reactor Licensee Performance Assessment

B. Risk-based Performance Indicator Development

SES Manager: Patrick Baranowsky, Branch Chief, OERAB/DRAA/RES

Program Manager: Thomas Wolf, RES

Objective: The objective of this task is to develop risk-based performance indicator (RBPIs) which will be considered for use as part of the risk-informed plant performance assessment process. Risk-based performance indicators will help the agency make regulatory decisions to maintain plant safety while not imposing unnecessary regulatory burden.

Prior to February 2000		
Milestone	Date	Lead
1. Begin trial application of risk-based performance indicators (RBPI)	11/99C	T. Wolf, DRAA/RES
2. Publish last performance indicator report using current performance indicators	1/00C	M. Harper, DRAA/RES

Through June 30, 2000		
Milestone	Date	Lead
3. Issue RBPI program overview white paper for stakeholder comment	2/25/00C	H. Hamzehee, DRAA/RES
4. Brief ACRS on RBPI program overview white paper	4/05/00C ~~04/00~~	H. Hamzehee, DRAA/RES
5. ~~Brief~~ Provide the Commission with a ~~on~~ risk-based performance indicators (RBPI) program overview white paper (199800160) (RES)	06/00	H. Hamzehee, DRAA/RES

Beyond June 30, 2000		
Milestone	Date	Lead
6. Issue Phase 1 RBPI development progress report for stakeholder comment	07/00	H. Hamzehee, DRAA/RES
7. Brief ACRS on Phase 1 RBPI development progress	10/00	H. Hamzehee, DRAA/RES

8. Brief Commission on Phase 1 RBPI development progress (199800161) (RES)	12/00	H. Hamzehee, DRAA/RES
9. Issue Phase 2 RBPI progress report for stakeholder comment	07/01 ~~03/01~~	H. Hamzehee, DRAA/RES
10. Brief ACRS on Phase 2 RBPI development progress	10/01 ~~06/01~~	H. Hamzehee, DRAA/RES
11. Brief Commission on Phase 2 RBPI development progress (19980161) (RES)	12/01 ~~08/01~~	H. Hamzehee, DRAA/RES

Comments:

~~3,4,5,6,7,8,~~9,10,11: The milestones and schedule for the risk-based performance indicators have been revised to reflect:

- Complete technical analyses that are more challenging than originally anticipated

  - Evaluate various Bayesian priors (e.g., industry experience, constrained non-informative prior, zero prior) for reliability indicators to minimize the likelihood of false positive and false negative indications.

  - Obtain reliability and availability information from EPIX that is being developed more slowly than originally anticipated.

  - Develop RBPIs for shutdown modes for which limited PRA studies and reliability data are available.

  - Develop more risk-informed threshold for Green/White performance zone (e.g., 1.0E-6 versus 95%).

  - Develop RBPIs for fire risk for which IPEEEs provide limited risk information and there are limited sources of reliability data

- Provide greater opportunity for internal and external stakeholder participation in RBPI development than originally planned.

  - More frequent interactions/meetings with NRR and Regions points-of-contact on methodology and interim results, and more interactions with NRR management.

  - Public meetings with external stakeholders on methodology and preliminary results to obtain early feedback.

  - Allow more time to incorporate lessons learned from preliminary results of Phase-1 study into the Phase-2 study.

- Allow more time between Phase-1 and Phase-2 studies in order to be able to hold public workshops and to incorporate insights obtained from these workshops into the Phase-2 study.

- Provide additional time to incorporate lessons learned from the current RROP pilot programs and the initial industry-wide experience with the implementation of the new reactor oversight program.

  - RROP implementation started later than originally planned.

  - Potential problems with RROP need to be identified to determine how RBPIs might accommodate them.

~~• Complete technical analyses that are more challenging than originally anticipated~~
~~• Provide greater opportunity for internal and external stakeholder participation in RBPI development than originally planned~~
~~• Provide additional time to incorporate lessons learned from the current reactor oversight pilot programs and the initial industry-wide experience with the implementation of the new reactor oversight program~~

The program overview white paper summarizes what RBPIs are, what benefits they bring to the reactor oversight process and what the development of RPBIs entails.

The Phase 1 development effort includes risk-based performance indicators for component-, train- or system-level reliability, containment, fire events, and shutdown. Phase 1 indicators will also include industry trends. The Phase 2 indicators include plant-specific availability indicators and an integrated indicator which will combine the PI results and the inspection findings in a coherent way to determine their overall impact on risk significant performance.

3. A public meeting on the RBPI white paper was held on 4/28/00~~.~~

6. A public meeting on the Phase 1 RBPI report will be held approximately 60 days after release for public comment.

IV. Topic Area: Reactor Licensing and Oversight

A. 50.59 Rulemaking and Guidance Development

SES Manager: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR

Objective: To provide clarity and flexibility in existing requirements.

Prior to February 2000		
Milestone	Date	Lead
1. Publish final rule change 10 CFR 50.59 (199700191)	10/04/99C	E. McKenna, DRIP
2. NEI provides draft revision of NEI 96-07 for staff review and comment	9/17/99C	E. McKenna, DRIP
3. NEI submits revised NEI 96-07 for NRC endorsement	12/20/99C 1/18/00C (see comments)	E. McKenna, DRIP

Prior to June 30, 2000		
Milestone	Date	Lead
4. Commission briefing	2/29/00C	E. McKenna, DRIP
5 Information copy of NEI guidance and draft RG to Commission SECY-00-0071 (199700191)	3/24/00C	E. McKenna, DRIP
6. Draft Regulatory Guide issued for public comment	4/25/00C	E. McKenna, DRIP

Beyond June 30, 2000		
Milestone	Date	Lead
7. CRGR review of final guidance and RG	8/00	E. McKenna, DRIP
8. ACRS review of final guidance and RG	9/00	E. McKenna, DRIP

Beyond June 30, 2000		
Milestone	Date	Lead
9. Final Regulatory Guide sent to Commission for approval (199700191)	9/30/00	E. McKenna, DRIP
10. Issue final inspection guidance	Milestone 9 + 1 month	E. McKenna, DRIP
11. Conduct training for NRC staff on rule and inspection guidance	Milestone 10 continuing for 4 months	E. McKenna, DRIP
12. Publish FR notice with approval of regulatory guidance to establish effective date of rule	(see comment)	E.McKenna, DRIP
13. Revisions to 10 CFR 50.59 become effective	90 days after milestone 12	E. McKenna, DRIP

Comments:

~~ACRS decided not to meet further with the staff on the draft RG.~~

6. RG ~~will be published mid-April~~ was published in the Federal Register on April 25, 2000 (65 FR 24231) for a 45 day comment period.

~~7,8 An additional milestone was added to separate the CRGR meeting from the ACRS meeting. Staff expects CRGR meeting will occur in August.~~

11. Training will be conducted as close to finalization of guidance as possible, with a goal of completion prior to the effective date of the rule.

12. Publication date will depend upon Commission action on the final regulatory guide due to the Commission on September 30, 2000.

IV. Topic Area: Reactor Licensing and Oversight

B. Define Design Basis

SES Manager: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR

Objective: To provide a clear definition of what constitutes design bases information.

Prior to February 2000		
Milestone	Date	Lead
1. Resolve final staff comments and develop draft regulatory guide	9/99C	S. Magruder, DRIP
2. NEI resubmits revised guidance for review and endorsement	10/28/99C	S. Magruder, DRIP
3. ACRS review of SECY and draft regulatory guide	11/99C	S. Magruder, DRIP

Through June 30, 2000		
Milestone	Date	Lead
4. Submit paper with draft regulatory guide to Commission (199800044) (NRR)	2/23/00C	S. Magruder, DRIP
5. SRM to direct staff to publish draft regulatory guide for public comment (60 days)	3/27/00C	S. Magruder, DRIP

Beyond June 30, 2000		
Milestone	Date	Lead
6. Resolve issues identified during public comment period	8/00	S. Magruder, DRIP
7. ACRS and CRGR review of paper and final regulatory guide	9/00	S. Magruder, DRIP
8. Submit paper and final regulatory guide (199800044) (NRR)	10/00	S. Magruder, DRIP
9. SRM to direct staff to publish final regulatory guide	11/00	S. Magruder, DRIP
10. Issue final regulatory guide	12/00	S. Magruder, DRIP

Comments:

5. Commission SRM dated March 27, 2000, approved publication of draft RG for comment. RG ~~being published early April~~ was published in Federal Register for public comment on April 12, 2000. Comment period ends June 15, 2000.

IV. Topic Area: Reactor Licensing and Oversight

C. Improved Standard TS

SES Manager: William Beckner, Branch Chief, RTSB/DRIP/NRR

Lead: RTSB Lead PM for each facility conversion

Objective: Conversion of facility technical specifications to the improved standard technical specifications (iSTS) will promote more consistent interpretation and application of technical specification requirements, thereby reducing the need for interpretations and frequent changes to the technical specifications. The goal for each milestone listed below is to complete the conversions currently under review such that the above objectives are met for the affected facilities.

Prior to February 1, 2000		
Milestone	Date	Lead
3. Issue iSTS Amendment for Fermi 2	9/30/99C	J. Foster, DRIP
4. Issue iSTS Amendment for Palisades	11/30/99C	C. Harbuck, DRIP
5. Issue iSTS Amendments for Farley 1&2	11/30/99C	C. Schulten, DRIP

Through June 30, 2000		
Milestone	Date	Lead
4. Issue iSTS Amendment for NMP-2	2/15/00C	R. Tjader, DRIP

Beyond June 30, 2000		
Milestone	Date	Lead
5. Issue iSTS Amendment for IP-3	RAI response + 6 mo.	R. Tjader ~~M. Weston~~, DRIP
6. Issue iSTS Amendment for FitzPatrick	2/01 ~~9/00~~	T. Le, DRIP
7. Issue iSTS Amendment for Point Beach	4/01	C. Harbuck, DRIP

Beyond June 30, 2000		
8. Issue iSTS Amendment for ANO, Unit 1	6/01 ~~see comment~~	J. Foster, DRIP
9. Issue iSTS Amendment for LaSalle	3/01	C. Schulten, DRIP
10. Issue iSTS Amendment for Quad Cities	3/01	C. Schulten, DRIP
11. Issue iSTS Amendment for Dresden	3/01	C. Schulten, DRIP

Comments:

~~5. RAI responses were not received by 2/29/00. The schedule has been revised to reflect that the iSTS amendment will be issued within 6 months of receipt of RAI responses.~~

6. Schedule revision agreed upon with licensee after delay in responses to RAIs. Schedule dependent on licensee responses being provided by 7/00.

~~8. A screening review of the submittal, which was received on 2/1/00, has resulted in a number of questions about the submittal including the licensee's required implementation date. A schedule will be developed after these concerns are clarified.~~ This is a new schedule based on the information received from the licensee regarding implementation date.

9-11. Licensee has requested an ambitious one year schedule for all three sites which has not previously been achieved. The staff has agreed to attempt to meet this schedule subject to the licensee's ability to support this accelerated program.

IV. Topic Area: Reactor Licensing and Oversight

D. 2.206 Petitions

SES Manager: Brian Sheron, Associate Director for Project Licensing and Technical Analysis, NRR

Objective: The objectives of the 2.206 Petition review process include ensuring the public health and safety through the prompt and thorough evaluation of any potential safety problem addressed by a petition filed under 10 CFR 2.206 and to ensure effective, timely communication with the petitioner (Management Directive 8.11). The objective of the actions listed below is to identify and implement measures to improve the staff's responsiveness to stakeholder needs (e.g., timeliness, communications) during the processing of 2.206 petitions.

Prior to February 2000		
Milestone	Date	Lead
1. FR Publication of the July 1, 1999, Revision of Management Directive(MD) 8.11	10/7/99C	S.Black/H.Berkow/ A. Kugler
2. Public Meeting with 2.206 Stakeholder's Task Group	12/15/99C	S.Black/H.Berkow/ A. Kugler
3. FR Comment Period Ends	01/31/00C	S.Black/H.Berkow/ A. Kugler

Through June 30, 2000		
Milestone	Date	Lead
4. Public Meeting to Discuss Comments in Response to FR Notice	2/10/00C	S. Black/H.Berkow/ A. Kugler
5. Submit Memorandum to Commission on Planned Significant Changes to MD 8.11 (199900113)	5/3/00C	S. Black/H.Berkow/ A. Kugler
6. Commission Briefing on Planned Process Improvements and Disposition of Specific Comments from Stakeholders (M991216A)	5/25/00C	S. Black/H.Berkow/ A. Kugler
7. Implement the Planned Process Improvements on an interim basis pending Revision to MD 8.11	6/30/00	S. Black/H.Berkow/ A. Kugler

Beyond June 30, 2000		
Milestone	Date	Lead
8. Publish Draft Revision to MD 8.11 and Disposition of Comments in FR For Public Comment(30 days)	7/31/00 see comment	S.Black/H.Berkow/ A. Kugler
9. Issue Revision to MD 8.11 (199900113)	10/20/00	S.Black/H.Berkow/ A.Kugler

Comments:

8. Staff will consider preparing another memorandum to the Commission if significant comments are received from Milestone 7 that result in substantive changes to the draft revision to MD 8.11

IV. Topic Area: Reactor Licensing and Oversight

E. Application of the Backfit Rule

SES Manager: Tad Marsh, Branch Chief, REXB/DRIP/NRR

Objective: Ensure that the staff closely adheres to the backfit rule, 10 CFR 50.109, in evaluating all additional requirements, expansion in scope, or unique interpretations against actual impact on public health and safety.

Prior to February 1, 2000		
Milestone	Date	Lead
1. CRGR Annual Report - Includes Program Office Feedback and the Committee's Self Assessment on Value Added by CRGR Review (RES) 199700390	11/9/99C	CRGR J. Lyons

Through June 30, 2000		
Milestones	Date	Lead
2. RES Backfit Audit Issued	10/00 ~~6/00~~	CRGR J. Lyons, NRR J. Rosenthal, RES

Beyond June 30, 2000		
Milestone	Date	Lead
3. Backfit training at Headquarters and Regions	12/00 ~~8/00~~	RES/NRR/HR J. Lyons

Comments:

2. ~~Backfit Audit Report will be submitted for external peer review to obtain industry feedback in lieu of CRGR/NUBARG meeting.~~ Backfit Audit Report issue date revised as resources were diverted to support higher priority work.

3. Training will occur two months after Milestone 2.

IV. Topic Area: Other Agency Programs and Areas of Focus

F. Decommissioning Regulatory Improvements

SES Manager: Stuart Richards, Director, PDIV/DLPM/NRR

Objective: Initiate rulemaking activities based on an integrated approach to decommissioning nuclear power plants as discussed in SECY-99-168.

Coordination: This issue requires close coordination with internal and external stakeholders. The internal stakeholders include NMSS and RES. The external stakeholders include the public (interested individuals and public interest groups), various federal and state regulatory organizations, and the industry. Responsible staff, supervisors and managers are insuring that each step in the development of the various milestones is evaluated for its need to have active participation by the stakeholders. There have been numerous meetings, correspondence and telephone conversations throughout the process with the stakeholders. Examples of stakeholder involvement have included placing public and industry representatives on the agenda for Commission meetings with the staff, stakeholder attendance and participation at decommissioning workshops, and various public meetings to ~~obtain stakeholder~~ provide input into the staff's regulatory development activities.

Prior to February 2000		
Milestone	Date	Lead
1. Conduct a workshop with NEI and public stakeholders regarding the staff's preliminary assessment of the risks from spent fuel pools at decommissioning reactors	7/16/99C	R. Dudley, PDIV-3

Through June 30, 2000		
Milestone	Date	Lead
2. Technical staff to finalize decommissioning spent fuel pool draft study and risk objectives that can be used for decommissioning regulatory decision making (199900132)	~~5/30/00~~ 8/31/00 See comment 2	G. Hubbard, SPLB/DSSA
3. Submit an integrated, risk-informed rulemaking plan for decommissioning nuclear power plants that addresses emergency planning, insurance, safeguards, operator staffing & training, and possibly other areas ~~(such as fitness-for-duty)~~ (199900072)	6/30/00	B. Huffman, PDIV-3

Beyond June 30, 2000		
Milestone	Date	Lead
4. Submit a rulemaking plan for consolidating decommissioning regulations into a separate dedicated location with Title 10 of the Code of Federal Regulations (contingent on Commission approval of SECY-99-168) (199900133)	7/15/00	B. Huffman, PDIV-3

Comments:

2. ~~The Technical Working Group's draft spent fuel pool study was presented to the ACRS on April 5, 2000. The ACRS report~~As discussed with the Commissioners' TA's on May 4, 2000, a three month delay in issuance of the final report is necessary to perform additional technical work to address comments provided by the ACRS in a letter to the Chairman, dated April 13, 2000, concerning the staff's "Draft Final Technical Study of Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Plants. While additional work is being performed, the staff continues to believe that the principal findings of the report are valid and, that addressing the ACRS concerns will not affect the rulemaking schedule. Therefore, the staff is proceeding with rulemaking and will submit a rulemaking plan to the Commission ~~is expected to be issued in~~at the ~~near future~~ end of June 2000.

IV. Topic Area: Reactor Licensing and Oversight

G. Event Reporting Rulemaking

SES Manager: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR

Objective: Revise event reporting requirements to reduce the reporting burden associated with events of little or no risk significance, obtain information better related to risk, and extend reporting time limits consistent with the need for prompt NRC action.

Coordination: Issues II.A, "Risk Informed Baseline Core Inspection Program," II.B, "Enforcement Program Initiatives," III.A, "Performance Assessment Process Improvements," III. B. Risk-based Performance Indicator Development," and IV.I., "Event Reporting Rulemaking," require close coordination and the integration of specific tasks by the NRC staff. Responsible project managers are coordinating these activities by assessing the impact of proposed program changes with the other ongoing activities and ensuring that the overall objectives for each project are achieved. Examples include, intra-project task force participation, workshop attendance, concurrent review of projects and periodic senior management briefings. In addition, industry-developed initiatives such as the NEI New Regulatory Oversight Process are being reviewed by all project groups and evaluated for impact.

Prior to February 2000		
Milestone	Date	Lead
1. Publish Proposed Rule (10 CFR 50.72 and 50.73)	7/6/99C	D. Allison, DRIP
2. Conduct a public workshop	8/3/99C	D. Allison, DRIP

Through June 30, 2000		
Milestone	Date	Lead
3. Brief CRGR	2/8/00C	D. Allison, DRIP
4. a. Brief ACRS b. Brief ACRS	2/3/00C 3/2/00C	D. Allison, DRIP D. Allison, DRIP
5. Final rule to Commission (199800096) (NRR)	4/21/00C	D. Allison, DRIP
6. Publish final rule	OMB clearance + 1 mo.	D. Allison, DRIP

Comments:

5. The final rule package was provided to the Commission on 4/21/00, via SECY-00093.

6. On 9/21/99, OMB responded to, but did not approve, the information collection submittal on the proposed rule. OMB stated, "...NRC has indicated that it is in the process of changing the collection to respond to comments received during the comment period. OMB will wait to evaluate the collection at the final rule stage." Accordingly, publication of the final rule will be delayed until approximately one month after receipt of OMB's approval of the information collection requirements of the final rule. Current plans are to provide the supporting statement to OMB for review about 2 weeks after the Commission approves the final rule. It is estimated that the OMB review will take approximately 3 months.

IV. Topic Area: Reactor Licensing and Oversight

H. Proposed KI Rulemaking

SES Managers: Cynthia Carpenter, Branch Chief, RGEB/DRIP/NRR (Rulemaking);
Frank Congel, Director, IRO (Other Activities)

Objective: To implement Commission decision regarding the use of KI as a protective measure for the general public after a severe reactor accident. In addition, to work with other Federal agencies to revise the Federal policy on the use of KI in the event of a severe nuclear power plant emergency and to develop aids to assist the states in applying the revised Federal policy.

Prior to February 2000		
Milestone	Date	Lead
1. Brief CRGR and ACRS	12/99C (see comments)	M. Jamgochian, DRIP
2. Forward Final KI Rule Package to EDO (NRR) (199800173)	1/24/00C	M. Jamgochian, DRIP

Through June 30, 2000		
Milestone	Date	Lead
3. Revise KI technical paper (NUREG-1633) to address public comments and provide to Commission (199700193) (IRO)	6/00	Frank Congel, IRO
4. Develop final KI Federal policy FRN reflecting FRPCC review and send to Commission (199700193) (IRO)	6/00	Frank Congel, IRO
Beyond June 30, 2000		
Milestone	Date	Lead
5. Final brochure on use of KI provided to Commission for review (199700193) (IRO)	7/00	Frank Congel, IRO

Beyond June 30, 2000		
6. Publish Final Rule (199800173) (NRR)	SRM + 1 month (see comments)	M. Jamgochian, DRIP
7. Publish KI Federal Policy FRN	8/00	Frank Congel, IRO
Milestone	Date	Lead
8. Publish final technical paper (NUREG-1633)	9/00	Frank Congel, IRO
9. Finalize the public brochure on use of KI and provide to FEMA for publication	10/00	Frank Congel, IRO
10. Establish procedures to access Federal stockpiles with FEMA	8/00 (see comments)	Frank Congel, IRO

Comments:

1. CRGR and ACRS declined the opportunity to be briefed on the KI rulemaking package in December.

2. The rulemaking package (SECY-00-0040) was forwarded to the Commission on February 14, 2000. The final rule will be published within one month of the issuance of the SRM.

3&4. The FDA continues to review its 1978 and 1982 position on the use of KI. The FDA's position is important to the content of the NUREG. The NRC draft guidance will be submitted to the Commission shortly after the FDA's draft revised position is issued. The final revised guidance may be out by June 2000.

4&7. As explained in the comment above, the Federal policy cannot be revised until the FDA completes its review and announces its revised position. The Commission decision of April 22, 1999, not to fund State Stockpiles requires more negotiations with other federal agencies, particularly FEMA. This schedule will need to be negotiated, current best estimate is 6/00 . With regards to regional stockpiling of KI, the NRC staff met with FEMA staff and CDC on August 4, 1999, to begin negotiations to achieve convergence between the agencies on the attributes of a revised Federal KI Policy. A second meeting was conducted on August 26, 1999, to continue negotiations. A third meeting to achieve convergence was held on September 23, 1999. The Deputy EDO was

briefed on October 25 and the EDO on November 1, 1999. The Commissioner TAs were briefed on December 20, 1999. The impact of various activities on each other was discussed. The staff is preparing a memo to the Commission describing the status of the KI activities and seeking approval to pursue potential option with FEMA. The issue is to ensure that the key Federal agencies agree on the revision of the Federal policy on KI in a timely manner. Key Federal agencies are NRC, FEMA, FDA, CDC, and to some extent EPA.

5&9. The development of the public brochure is tied to the completion of the NUREG.

8. The NUREG will be finalized after public comment.

10. Based on the Commission SRM dated April 22, 1999, the staff is directed to work with FEMA to establish and maintain regional KI stockpiles to be used in the event of a severe nuclear power plant accident. This is a new initiative and will have to be negotiated with FEMA. Best estimate is 8/00 , subject to future revision. (See 4, 7 above).

IV. Topic Area: Reactor Licensing and Oversight

I. NEI Petitions - Petition for Modifying 50.54(a)

SES Manager: Ted Quay, Branch Chief, IQMB/DIPM/NRR

Objective: Complete the NEI Petition, accepting in part to modify 10 CFR Part 50.54(a), as it pertains to Quality Assurance Program Change Control and is intended to reduce burdens on industry.

Prior to February 2000		
Milestone	Date	Lead
1. Publication of a Federal Register Notice to accept in part the NEI petition for rulemaking and proposing a Direct Final Rule (199800166) (NRR) (SECY 98-279)	2/99C	R. Gramm, DRCH
2. Direct Final Rule effective	4/26/99C	D. Dorman, DIPM
3. Coordinate a workshop with NEI to discuss implementation aspects of Direct Final Rule	6/21/99C	D. Dorman, DIPM

Through June 30, 2000		
Milestones	Date	Lead
4. Develop a plan and schedule for completing petition (199900004)	~~4/30/00~~ 5/8/00C See comments	D. Dorman, DIPM
5. Conduct a public workshop to solicit feedback on implementation of the direct final rule for 10 CFR 50.54(a)	6/00	R. Pettis, DIPM

Beyond June 30, 2000		
Milestones	Date	Lead
None		

Comments:

1&2. The Direct Final Rule was published on 2/23/99 and became effective on 4/26/99 based on a determination that no significant adverse comment was received by 3/25/99. Six comment letters were received. NEI and two licensees provided favorable comments on the Direct Final Rule. Other letters (from a licensee and

members of the public) requested clarification of certain provisions of the rule. The staff determined that none of the comments constituted significant adverse comments, therefore the Direct Final Rule became effective 4/26/99.

QA plan change control, and 50.54(a), was a topic of a panel discussion during the Regulatory Information Conference.

4. SECY-98-279 stated that a voluntary option proposed rule will be developed one year after receipt of the SRM, and a final rule the following year.

   SECY-98-300 subsequently proposed options for Risk-Informing 10 CFR Part 50 (RIP-50). SECY-99-256 proposed a rulemaking plan for RIP-50, Option 2. SECY-99-256 identified 10 CFR 50.54(a)(3) as a candidate for changes as part of that rulemaking. Action on the 50.54(a) rulemaking was deferred to assess the Option 2 rulemaking direction.

   A Commission memorandum to provide a revised schedule for WITS 199900004 ~~is in concurrence. Additional milestones for the plan will be added to reflect the schedule~~ was issued on 5/8/00.

5. Based on the workshop and discussions with the petitioner, if the staff concludes there is a need for additional rulemaking, it will forward a rulemaking plan to the Commission by November 2000.

IV. Topic Area: Reactor Licensing and Oversight

J. Revised Source Term Rulemaking and Guidance Development

SES Manager: Gary Holahan, Director, DSSA/NRR

Objective: To revise Part 50 to allow holders of operating power reactor licensees to voluntarily amend the facility design basis to use revised source terms in design basis accident radiological analyses. This action would allow these facilities to pursue risk-informed licensing actions made possible through the use of the revised source term.

Prior to February 2000		
Milestone	Date	Lead
1. Final rule; draft guide; draft SRP to EDO (199700025) (NRR)	9/8/99C	R. Barrett,DSSA
2. Final rule; draft guide; draft SRP to Commission (SECY 99-240)	10/5/99C	R. Barrett,DSSA
3. Publish final rule, announcement of draft guide and draft SRP section	12/23/99C	R. Barrett,DSSA

Through June 30, 2000		
Milestone	Date	Lead
4. Public comment period on guide/SRP ends	~~See comment~~ 3/31/00C	R. Barrett,DSSA
5. Resolve public comments	4/28/00C	R. Barrett,DSSA
6. Prepare final guide, final SRP, FR notice	4/28/00C	R. Barrett,DSSA
7. SPSB Review	5/5/00 C	R. Barrett,DSSA
8. NRR Branches & Divisions / RES /OGC	6/2/00	R. Barrett,DSSA
9. ACRS Review	6/2/00	R. Barrett,DSSA
10. CRGR Review	6/30/00	R. Barrett,DSSA

Beyond June 30, 2000		
Milestone	Date	Lead
11. Forward to RES for publishing via DSSA memo	7/6/00	R. Barrett,DSSA
12. Due to EDO as Commission Information paper (199700025)	7/7/00	R. Barrett DSSA

Comments:

~~4. The Federal Register notice identified the end of the public comment period as 3/7/2000. NEI requested extension to 3/31/2000. Comment period closed on 3/31/00. Comments received from NEI, Duke Power, and Nuclear Utility Group on Equipment Qualification~~

IV. Topic Area: Reactor Licensing and Oversight

K. Maintenance Rule Rulemaking (10 CFR 50.65) and Guidance Development

SES Manager: Ted Quay, Branch Chief, IQMB/DIPM/NRR

Objective: Revise 10 CFR 50.65, "Requirements for monitoring the effectiveness of maintenance at nuclear power plants," and associated guidance to require that power plant licensees, before performing maintenance, assess and manage the increase in risk that may result from the maintenance activities. The revised rule becomes effective ~~120~~ 180 days after issuance of the associated regulatory guidance.

Prior to February 2000		
Milestone	Date	Lead
1. Publish proposed rule	9/30/98C	R. Correia, DIPM
2. Publish final rule	7/19/99C	R. Correia, DIPM
3. Conduct public meetings with NEI regarding revised Section 11 of NUMARC 93-01	5/28/99C 6/17/99C 7/9/99C 9/13/99C 10/25/99C	W. Scott, DIPM
4. ACRS Briefing on draft regulatory guide	7/14/99C 11/4/99C	W. Scott, DIPM
5. CRGR Briefing on draft regulatory guide	8/4/99C	W. Scott, DIPM
6. Commission Meeting	11/10/99C	W. Scott, DIPM
7. Provide Commission with draft regulatory guide (199800032)	12/2/99C	W. Scott, DIPM

Through June 30, 2000		
Milestones	Date	Lead
8. ACRS Briefing on final regulatory guide	3/2/00C	W. Scott, DIPM
9. CRGR 7-day negative consent	3/14/00C	W. Scott, DIPM
10. Provide Commission with final regulatory guide for review and approval (199800032)	3/28/00C	W. Scott, DIPM

Beyond June 30, 2000		
Milestones	Date	Lead
11. Final rule effective date	~~TBD~~ 11/27/00	W. Scott, DIPM

Comments:

3. In accordance with the May 13, 1999, SRM, staff is working in a collaborative fashion with stakeholders to produce a final regulatory guide for Commission approval. Section 11 of NUMARC 93-01, "Industry Guideline for Monitoring the Effectiveness of Maintenance at Nuclear Power Plants," deals with the assessment of risk resulting from performance of maintenance activities.

10. The staff has developed Draft Regulatory Guide DG-1082, which endorses Final Draft Section 11 of NUMARC 93-01 without regulatory exception. Ten public comments were received on DG-1082 and have been incorporated in the final guidance as appropriate. The final regulatory guide was provided for Commission review in SECY-00-0074, issued March 28, 2000.

11. ~~Per SECY-99-133 SRM dated 6/22/99, rule will become effective 120 days from Commission approval of the associated regulatory guidance~~ Per SECY-00-0074 SRM dated 5/1/00, the rule will become effective 180 days from issuance of Regulatory Guide 1.182 in the *Federal Register*, which will occur on June 1, 2000.

IV. Topic Area: Reactor Licensing and Oversight

L. Reactor Fire Protection Risk-Informed, Performance-Based Rulemaking

SES Manager: J. Hannon, Branch Chief, SPLB/DSSA/NRR

Objective: To revise the fire protection regulations to endorse a risk-informed, performance-based consensus standard, National Fire Protection Association (NFPA) Standard 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants," as an alternative to the existing requirements.

Prior to February 2000		
Milestone	Date	Lead
1. Submit rulemaking plan to the Commission. (199900032)	1/14/00C	E. Connell, SPLB

Through June 30, 2000		
Milestone	Date	Lead
None		

Beyond June 30, 2000		
Milestone	Date	Lead
2. NRC conducts a public meeting with interested stakeholders	4/30/01	E. Connell, SPLB
3. Brief ACRS fire protection subcommittee on rulemaking efforts	5/31/01	E. Connell, SPLB
4. Brief CRGR on rulemaking efforts	6/31/01	E. Connell, SPLB
5. Publish proposed rule change for public comment	7/30/01	E. Connell, SPLB
6. Resolve public comments	11/30/01	E. Connell, SPLB
7. Brief ACRS & CRGR on final rule	1/31/02	E. Connell, SPLB
8. Submit final rule for Commission approval (199900032)	3/31/02	E. Connell, SPLB

Comments:

NFPA issued NFPA 805 for public comment, and it is anticipated that NFPA will resolve public comments on the proposed industry standard and revise the standard by June 16, 2000; that the proposed NFPA 805 will be approved by the NFPA membership by November 15, 2000; and that NFPA will publish NFPA 805 by March 31, 2001.

IV. Topic Area: Reactor Licensing and Oversight

M. Reactor Safeguards Initiatives

SES Manager: ~~Frank Gillespie, Deputy Director, DIPM/NRR~~ Glenn Tracy, Chief, IOLB/DIPM

Objective: Revise physical security requirements to require power reactor licensees to identify target sets of equipment that must be protected to maintain safe operation or shutdown of the plant, develop protective strategies to protect against an armed assault by the design basis threat of radiological sabotage, and exercise these strategies periodically.

Coordination: Issues IV.P, "Reactor Safeguards Initiatives," and VII.X, "Threat Assessment Activities," require close coordination between NRR and NMSS staff and the integration of specific tasks. Responsible project managers from both offices are coordinating these activities by incorporating insights from threat assessment activities, as applicable, into the ongoing considerations in revising power reactor physical security requirements.

Prior to February 2000		
Milestone	Date	Lead
1. Issue recommendations of the Safeguards Performance Assessment Task Force (SECY-99-024)	1/22/99C	R. Rosano, DIPM
2. Conduct Commission briefing for SECY-99-024	5/5/99C	R. Rosano, DIPM
3. Complete rulemaking plan for development of an exercise rule and review of 10 CFR 73.55 and associated security regulations (SECY-99-241)	10/5/99C	R. Rosano, DIPM
4a. Conduct public meetings with industry groups and other stakeholders	12/2/99C 12/22/99C 1/19/00C 2/00C	R. Rosano, DIPM

Through June 30, 2000		
Milestones	Date	Lead
4b. Conduct public meetings with industry groups and other stakeholders	4/00C	R. Rosano, DIPM

Beyond June 30, 2000		
Milestones		Lead
5. ACRS Briefing	3/01	R. Rosano, DIPM
6. CRGR Briefing	4/01	R. Rosano, DIPM
7. Proposed rule to Commission (199800188)	5/01	R. Rosano, DIPM
8. Proposed rule published in the *Federal Register* with a 75-day comment period	11/01	R. Rosano, DIPM
9. Resolution of public comments	3/02	R. Rosano, DIPM
10. Final rule to EDO (199800188)	5/02	R. Rosano, DIPM
11. Final rule to Commission	7/02	R. Rosano, DIPM
12. Publication of rule	11/02	R. Rosano, DIPM

Comments:

4-12. The SRM for SECY-99-241 was issued on November 22, 1999 and approved Option 3 of the rulemaking plan. The SRM for SECY-00-0063 was issued on April 12, 2000, and approved the staff's proposed approach to re-evaluate the power reactor physical protection regulations and the proposed definition of radiological sabotage by providing performance criteria as the basis for physical protection regulations.

4b. The staff is conducting public working meetings on a routine basis to obtain stakeholder input for the rulemaking effort.

IV. Topic Area: Reactor Licensee Performance Assessment

N. Utilization of MOX Fuel in Nuclear Power Reactors

SES Manager: Farouk Eltawila, Branch Chief, SMSAB/DSARE/RES

Program Manager: Richard Lee, RES

Objectives: To modify NRC neutronics and fuel codes, to obtain the necessary experimental data needed to confirm these codes, which will be used to perform analyses to assess the risk associated with the use of MOX fuel in commercial PWRs. This program will also develop the technical basis to evaluate whether the regulatory criteria and guidelines developed for UO_2 fuel is adequate for MOX fuel.

Prior February 2000		
Milestone	Date	Lead
1. Develop a program plan	2/11/00C	F. Eltawila, DSARE

Through June 30, 2000		
Milestone	Date	Lead
2. Hold a public meeting to identify phenomena affecting MOX fuel behavior under reactivity insertion accidents (RIA), and LOCA	02/08-10/00C	D.Persinko,NMSS R. Caruso, NRR R. Lee, RES
3. Issue Phenomena Identification and Ranking Tables (PIRT) report summarizing the expert elicitation to identify, and importance rank phenomena affecting MOX fuel behavior under reactivity insertion accidents (RIA) ~~and LOCA~~	12/01/99C ~~05/00~~	R. Lee, DSARE
4. Meet with the ACRS subcommittee to discuss PIRT results and proposed research plan	06/00	R. Lee, DSARE

Beyond June 30, 2000		
Milestone	Date	Lead
5. ~~7.~~ Complete agreements with Belgonucleaire, Belgium, Institute de Protection et de Surte Nuclleire (IPSN), France, and Japan Atopic Energy Research Institute (JAERI), ~~Japan~~ to obtain data on MOX fuel	01/01	A. Szukiewicz, RES ~~R. Lee, DSARE~~
6. ~~5.~~ Issue ~~a~~ draft PIRT report on RIA, PWR LOCA and the Applicability of NUREG-1465 Source Term to MOX fuels	06/01 ~~12/00~~	R. Lee, DSARE
7. ~~6.~~ Meet with the ACRS subcommittee to discuss PIRT results and proposed research plan to address source term issues	07/01 ~~01/01~~	R. Lee, DSARE
8. This activity is long-term with an anticipated completion date (e.g., SRP, Regulatory Guide) in 2005	06/05	F. Eltawila, DSARE

Comments:

1. Memo to Commission 2/11/00.
2. Meeting held in conjunction with UO_2 fuel reactivity accidents meeting on 2/8/00-2/10/00.
3. PIRT for MOX fuel has been considered under PIRT for high burnup fuel.
4. Per discussion with ACRS, and due to PIRT activities for RIA, PWR LOCA and source term will consider both high burnup fuel and MOX.
6. Combine with PIRT for high burnup fuel.
7. Combine briefing to ACRS on PIRT for high burnup fuel and MOX.

IV. Topic Area: Reactor Licensing and Oversight

O. High Burnup Fuel

SES Manager: Farouk Eltawila, Branch Chief, SMSAB/DSARE/RES

Objectives: To develop the technical bases for confirming or revising existing criteria and analytical methods for high burnup fuel with respect to reactivity insertion accident, the loss-of-coolant accidents and requirements in 10 CFR 50.46, Appendix A and Appendix K, and related source term.

Prior to February 2000		
Milestone	Date	Lead
1. Develop a program plan	07/06/98C	R. Meyer, DSARE
2. Issue draft Phenomena Identification and Ranking Tables (PIRT) report summarizing the expert elicitation to identify, and importance rank phenomena affecting high burnup fuel behavior under reactivity insertion accidents (RIA)	12/01/99C	R. Meyer, DSARE

Through June 30, 2000		
Milestone	Date	Lead
3. Meet with the ACRS subcommittee to discuss RIA PIRT results and proposed research plans	03/03/00C	R. Meyer, DSARE
4. Hold a public meeting to identify phenomena affecting high burnup fuel behavior under BWR anticipated transient without scram	04/06/00C	R. Caruso, NRR R. Meyer, RES
5. Complete Agreements with Institute de Protection et de Sûrté Nucléire (IPSN), France, and Japan Atomic Energy Research Institute (JAERI) Japan, to obtain data on RIA Tests for high burnup fuel	06/00	A. Szukiewicz, RES
6. Establish a baseline of technical knowledge in collaboration with EPRI, DOE, and foreign sources	06/00	R. Meyer, DSARE

Beyond June 30, 2000		
Milestone	Date	Lead
7. ~~Identification and Ranking Tables (PIRT) reports summarizing the expert elicitation to identify, and important rank phenomena affecting high burnup fuel behavior under LOCA conditions~~	~~09/00~~	~~R. Meyer, DSARE~~
8. ~~Meet with the ACRS subcommittee to discuss LOCA PIRT results and proposed research plans~~	~~10/00~~	~~R. Meyer, DSARE~~
9. Issue draft Phenomena Identification and Ranking Tables (PIRT) report summarizing the expert elicitation to identify, important rank phenomena affecting high burnup fuel behavior under BWR stability, LOCAs and on applicability of NUREG 1465 Source Term to high burnup fuels	06/01	R. Meyer, DSARE
10. Meet with the ACRS subcommittee to discuss ~~BWR stability~~ PIRT results and proposed research plans	07/01	R. Meyer, DSARE
11. ~~Issue a PIRT report on Applicability of NUREG-1465 Source Term to high burnup fuel fuels~~	~~03/01~~	~~R. Meyer, DSARE~~
12. ~~Meet with the ACRS subcommittee to discuss PIRT results and proposed research plan to address source term issues~~	~~04/01~~	~~R. Meyer, DSARE~~
13. Complete LOCA Oxidation tests for Zircaloy-2	09/01	S. Basu ~~H. Scott~~, DSARE
14. Complete 2 RIA tests at the Cabri (sodium loop) reactor	12/01	R. Meyer, DSARE
15. The activity is long-term with an anticipated completion date for the RIA tests and issuance of modification to (e.g., the SRP or Regulatory Guide) in 2007	06/07	F. Eltawila, DSARE

Comments:

2. Draft Report is on NRC website: WWW.NRC.GOV/RES/PIRT.
3. Per discussion with ACRS.
4. The PIRT for the reactivity insertion accidents (RIA) was completed earlier (milestones 2 and 3). The PIRT for LOCA conditions will be performed later (milestones 7 and 8).
5. Date revised due to delay in submittal of final agreements to the NRC.
6. This date will be updated as activities commence and progress is made.

7. Activity integrate with milestone 9. A combined report will be issued.
8. Combine briefing into milestone 10.
11. Activity integrated with milestone 9. A combined report will be issued.
12. Combine briefing into milestone 10.

IV. Topic Area: Reactor Licensing and Oversight

P. Power Uprates

SES Manager: Suzanne Black, Deputy Director, Division of Licensing Project Management

Objective: Review licensee applications for increased reactor power levels and provide improvements in licensing requirements which will permit efficiency in granting power uprate requests. ~~by revising 10 CFR 50, Appendix K to permit small increases in reactor power level based on improved flow rate measurement. This rule revision will reduce the number of exemptions needed to grant certain power uprate requests.~~

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Background: The staff has coordinated with the industry to improve planning and staff review of licensee applications for extended power uprate. The Generic Topical Reports for the BWR Extended Power Uprate Program were approved in 1998. Monticello and Hatch (Units I & II) have applied for and received approvals for 6.5% and 8% uprates, respectively in late 1998. ~~Two utilities have expressed interest in pursuing extended uprate in the near future.~~ For the period of 1990-1999, 31 units received power uprates, totaling about 1370 MWe. ~~For the 1% power increase~~

In 1999, Comanche Peak, Unit 2 received the staff's approval for a 1% power increase with an exemption to 10 CFR Part 50 Appendix K. ~~in 1999 which~~ This approval increased the Unit's electrical output by about 10 MWe. ~~While no other licensee requests have been received so far, it is expected that many licensees will apply for the 1% power increase upon the NRC's issuance of the Revision to Appendix K.~~

~~The staff has already approved Caldon's "Leading Edge" Flow Meter~~ Associated with Comanche Peak's Appendix K exemption request, the staff has already approved Caldon's "Leading Edge" Flow Meter. ~~Currently,~~ The staff has also ~~is review~~ approved ~~ing~~ ABB's "Cross Flow" flow meter topical report. ~~It is not clear how many licensees will use the ABB system as the basis for a 1% uprate. While the initial target completion date for the staff review was March 20, 2000, the staff is reevaluating this target date in light of substantial revisions to the topical report recently submitted by ABB (additional changes to the topical report based on previous staff questions are being worked by ABB). The staff will renegotiate a target completion date with ABB.~~

A final rule change to 10 CFR Part 50 Appendix K will allow licensees to modify the assumed power level in the ECCS analyses. This change could allow certain licensees to pursue small (i.e., about 1%) power uprates. The final rule change (refer to SECY 00-0057) was approved by the Commission on May 3, 2000. The revised Appendix K will be effective by the end of July 2000.

Coordination: Rule changes associated with revision to 10 CFR 50, Appendix K have been coordinated with ACRS, CRGR, OGC, and RES.

Prior to February 2000		
Milestone	Date	Lead
1. Issue safety evaluation report for the ABB "Cross Flow" Meter Topical Report	3/20/00C	I. Ahmed, DE

Through June 30, 2000		
Milestone	Date	Lead
2. Issue Final Rule change revising 10 CFR 50, Appendix K (199800181)	~~4/30/00~~ 5/3/00C	J. Donoghue, DSSA
3. Issue 5% power uprate amendment to Lasalle units 1 and 2	5/9/00C	T. J. Kim DLPM
4. Issue 5% power uprate amendment to Perry	5/31/00	T. J. Kim DLPM

Beyond June 30, 2000		
Milestone	Date	Lead
5. Issue 5% power uprate amendment to River Bend	8/30/00	T. J. Kim DLPM
6. Issue 2% power uprate amendment to Diablo Canyon Unit 1	10/1/00	T. J. Kim DLPM

Comments:

Duane Arnold application for a 15% power uprate is expected in October 2000.

ComEd is scheduled to meet with the staff on May 31 to discuss their plans for power uprates at both Dresden and Quad Cities.

V. Topic Area: License Renewal

A. License Renewal (includes Plant Specific Reviews and Generic Process Improvements)

SES Manager: Chris Grimes, Director, RLSB/DRIP/NRR

Objective: Demonstrate that license renewal applications submitted under 10 CFR Parts 54 & 51 can be reviewed effectively, efficiently, and promptly.

Prior to February 1, 2000		
Milestone	Date	Lead
1. Issue Supplemental Safety Evaluation Report (SER) and Final Environmental Impact Statement - Calvert Cliffs	11/16/99C See comments	C. Grimes, DRIP C. Carpenter, DRIP
2. ACRS subcommittee meeting on Calvert Cliffs Supplemental SER	11/18/99C	C. Grimes, DRIP
3. ACRS full committee meeting on Calvert Cliffs Supplemental SER	12/2/99C	C. Grimes, DRIP

Through June 30, 2000		
Milestone	Date	Lead
4. Receive Arkansas Nuclear One, Unit 1, (ANO-1) license renewal application	2/1/00C	C. Grimes, DRIP C. Carpenter, DRIP
5. Issue Supplemental SER and Final Environmental Impact Statement - Oconee	2/3/00C See comments	C. Grimes, DRIP C. Carpenter, DRIP
6. ACRS subcommittee meeting on Oconee Supplemental SER	2/24/00C	C. Grimes, DRIP
7. Receive Hatch, Units 1 and 2, license renewal application	3/1/00C	C. Grimes, DRIP C. Carpenter, RLSB
8. ACRS full committee meeting on Oconee Supplemental SER	3/2/00C	C. Grimes, DRIP

Through June 30, 2000		
Milestone	Date	Lead
9. License renewal Commission decision complete for Calvert Cliffs	3/23/00C See Comments	C. Grimes, DRIP

Beyond June 30, 2000		
Milestone	Date	Lead
10. License renewal Commission decision complete for Oconee (24 months from receipt of application -- no hearing required)	7/00 See comments	C. Grimes, DRIP
11. Issue draft Generic Aging Lessons Learned (GALL) report, Standard Review Plan (SRP), and Regulatory Guide (RG)/industry implementation guideline (NEI 95-10) for public comment (199900103)	8/00	C. Grimes, DRIP
12. Commission briefing on GALL report , SRP, and RG/NEI 95-10 public comments (199900103)	11/00	C. Grimes, DRIP
13~~2~~. Issue ANO-1 Draft Environmental Impact Statement Supplement	12/00	C. Carpenter, DRIP
14~~3~~. Issue ANO-1 Safety Evaluation Report (SER) and identify open items	1/01	C. Grimes, DRIP
~~14. Commission briefing on GALL report , SRP, and RG/NEI 95-10 public comments (199900103)~~	~~1/01~~	~~C. Grimes, DRIP~~
15. Issue Hatch Draft Environmental Impact Statement Supplement	1/01	C. Carpenter, DRIP
16. Issue Hatch SER and identify open items	2/01	C. Grimes, DRIP
17. ACRS full committee meeting on ANO-1 SER and open items	2/01	C. Grimes, DRIP
18. ACRS full committee meeting on Hatch SER and open items	3/01	C. Grimes, DRIP
19. Submit final GALL report and SRP to the Commission for approval (199600056)	4/01	C. Grimes, DRIP
20. Issue ANO-1 Final Environmental Impact Statement Supplement	7/01	C. Carpenter, DRIP

Beyond June 30, 2000		
Milestone	Date	Lead
21. Issue Hatch Final Environmental Impact Statement Supplement	7/01	C. Carpenter, DRIP
22. Provide recommendations to the Commission regarding potential rulemaking (199900104)	8/01	C. Grimes, DRIP
23. Issue ANO-1 Supplemental SER	9/01	C. Grimes, DRIP
24. ACRS full committee meeting on ANO-1 Supplemental SER	10/01	C. Grimes, DRIP
25. Issue Hatch Supplemental SER	10/01	C. Grimes, DRIP
26. ACRS full committee meeting on Hatch Supplemental SER	11/01	C. Grimes, DRIP
27. Commission decision on ANO-1 license renewal	7/02	C. Grimes, DRIP
28. Commission decision on Hatch license renewal	8/02	C. Grimes, DRIP

Comments:

1. The staff issued the final supplemental environmental impact statement to the Environmental Protection Agency on October 5, 1999. No concerns were raised by a Federal agency and on November 15, 1999, the environmental review was considered complete. The supplemental SER was issued on Nov. 16, 1999.

5. The staff issued the final supplemental environmental impact statement to the Environmental Protection Agency on December 9, 1999. No concerns were raised by a Federal agency and on January 21, 2000, the environmental review was considered complete. The supplemental SER was issued on February 3, 2000.

8. The ACRS review of the Oconee application is complete. The ACRS provided its report to the Commission on March 13, 2000.

9. The Commission approved the issuance of the Calvert Cliffs renewed licenses on March 23, 2000, and the licenses were issued the same day.

   The Commission's denial of the request for hearing on the Calvert Cliffs application was appealed to the Court of Appeals for the D.C. Circuit. On November 12, 1999, the U.S. Court of Appeals for the District of Columbia Circuit issued a decision remanding the Calvert Cliffs proceeding to the Commission for further action. However, on Nov. 22, 1999, the court vacated its earlier judgement and accompanying majority opinion. The court heard oral

arguments on March 2, 2000. On April 11, 2000, the court issued its decision denying the petition for review. The petitioners have 45 days to seek rehearing in the court of appeals and 90 days to seek Supreme Court review.

10. The staff's recommendation regarding issuance of the Oconee renewed licenses was provided to the Commission in SECY-00-0081, dated April 10, 2000.

12 and Previous 14. Corrected date for Commission briefing.

~~15, 16, 18, 21, 25, 26, 28.~~
~~Added Hatch milestones.~~

VI. Topic Area: License Transfers

A. License Transfers

SES Manager: John Zwolinski, Director, DLPM

Objective: To ensure that license transfers are conducted in a timely and technically correct manner and that review and submittal guidance is appropriately disseminated.

Prior to February 2000		
Milestone	Date	Lead
1. Issue final SRP on foreign ownership	9/28/99C	S. Hom, OGC R. Wood, DRIP
2. Develop SRP on technical qualifications	11/29/99C	J. Bongarra, DIPM
3. Develop integrated SRP on license transfer process reflecting lessons learned and process improvements (199800195)	12/99C	R. Wood, DRIP S. Hom, OGC
4. Complete the orders and conforming amendments for the direct license transfer for Nine Mile Point 1/2 resulting from the sale of NMPC and NYSEG interest in the facilities to AmerGen.	See comment ~~4~~	E. Adensam, PDI
5. Complete the orders and conforming amendments for the direct license transfers for Hope Creek, Peach Bottom 2/3, and Salem 1/2 resulting from the corporate restructuring of PSE&G to PSEG Nuclear.	2/10/00C	E. Adensam, PDI
6. Complete the order for the indirect transfer for Millstone 3 resulting from the acquisition of Central Maine Power Company's interest by New England Electric System.	2/4/00C	E. Adensam, PDI
7. Complete the orders and conforming amendments for the direct license transfers for Haddam Neck, Millstone 3, Maine Yankee, Seabrook, Vermont Yankee, and Yankee Rowe, resulting from the acquisition of Montaup Electric Company's interest by New England Power Company.	2/24/00C	E. Adensam, PDI
8. Complete the orders for the indirect license transfer for Quad Cities 1/2 resulting from changes in the share-holder ownership of MidAmerican Energy Company.	2/15/00C	S. Bajwa, PDIII

Prior to February 2000		
Milestone	Date	Lead
9. Complete threshold review of minority owner merger for Fermi 2.	2/15/00C	S. Bajwa, PDIII

Through June 30, 2000		
Milestone	Date	Lead
10. Complete the order and conforming amendment for the direct license transfer for Oyster Creek resulting from the sale to AmerGen. (020000105)	6/7/00 See comment	E. Adensam, PDI
11. Complete the orders and conforming amendments for the direct license transfers for Monticello and Prairie Island 1/2 resulting from the merger of Northern State Power and New Central Energy. (020000106)	5/15/00C See comment	S. Bajwa, PDIII
12. Complete the orders and conforming amendments for the license transfers for Duane Arnold, Kewaunee, Monticello, Point Beach 1/2, and Prairie Island 1/2 resulting from the formation of the Nuclear Management Company, LLC, to operate these facilities. (020000107)	5/15/00C See comment	S. Bajwa, PDIII
13. Complete the orders for the indirect license transfers for Hope Creek, Peach Bottom 2/3, and Salem 1/2 resulting from the acquisition of Conectiv's interest in the facility by PSEG Nuclear. (020000108)	~~5/6/00 See comment~~ 4/21/00C	E. Adensam, PDI
14. Complete the orders and conforming amendments for the direct license transfers for Susquehanna 1/2 resulting from the restructuring of PP&L Inc. to PPL Susquehanna, LLC. (020000109)	5/31/00 See Comment	E. Adensam, PDI
15. Complete the orders and conforming amendments for Braidwood 1/2, Byron 1/2, Dresden 1/2/3, LaSalle 1/2, Limerick 1/2, Peach Bottom 2/3, Quad Cities 1/2, Salem 1/2, and Zion 1/2 resulting from the merger of UNICOM and PECO. (020000110)	6/30/00 See comment	S. Bajwa, PDIII
16. Complete the orders for Indian Point 1/2, Millstone 1/2/3, and Seabrook resulting from the merger of Consolidated Edison and Northeast Utilities. (020000111)	~~6/09/00~~ 7/31/00 See comment	E. Adensam, PDI

Through June 30, 2000		
17. Complete the order and conforming amendment for the acquisition of Vermont Yankee by AmerGen. (020000112)	7/7/00 ~~6/01/00~~ See comment ~~17~~	E. Adensam, PDI
18. Complete the order for the acquisition of Florida Progress (Crystal River 3) by Carolina Power & Light. (020000113)	6/1/00	H. Berkow, PDII
19. Complete the order and conforming amendment for Trojan resulting from the acquistion of Portland General Electric by Sierra Pacific Resources. (020000115)	6/13/00	S. Richards, PDIV
20. Complete the order and conforming amendment for Waltz Mills resulting from the merger of CBS Corporation and VIACOM.	~~6/15/00 See comment~~ 4/13/00C	L. Marsh, REXB

Beyond June 30, 2000		
Milestone	Date	Lead
21. Complete the orders for Seabrook and Millstone 3 resulting from a minority owner reorganization (United Illuminating Company). (020000114)	7/31/00	E. Adensam, PDI
22. Complete the orders and conforming amendments for Calvert Cliffs 1/2 resulting from the restructuring of Baltimore Gas & Electric, and its parent company (Constellation Energy).	8/29/00 See comment	E. Adensam, PDI
23. Complete the orders and conforming amendments for Palo Verde 1/2/3 resulting from the reorganization of Public Service Company of New Mexico (minority owner).	8/31/00	S. Richards, PDIV
24. Complete the orders and conforming amendments for Clinton, ~~Nine Mile Point 1/2,~~ Oyster Creek, TMI 1, and Vermont Yankee resulting from the merger of UNICOM and PECO (AmerGen).	10/1/00 See comment	E. Adensam, PDI
25. Complete the orders and conforming amendments for Indian Point 3 and Fitzpatrick resulting from the acquisition of the plants by Entergy.	10/1/00	E. Adensam, PDI

Comments:

4. Rochester Gas and Electric (RG&E) has made a counter offer that may moot the AmerGen transfer. Licensee had requested approval by 01/15/2000. With the licensee's consideration of the counter offer by RG&E, completion of the AmerGen sale is being delayed with a resultant delay in the issuance of the conforming amendment. A minority owner, NY State Electric and Gas, has filed a petition with the New York Public Service Commission to withdraw its request to sell its interest in Unit 2 to AmerGen. The licensee for Nine Mile Point 1/2 is expected to withdraw its request in the near future.

10. ~~A petition for intervention and request for hearing has been filed and may result in a delay in completion of this action.~~ Changes in AmerGen ~~will necessitate~~ required additional information from the licensee. Updated technical qualification information was provided by AmerGen on April 6, 2000, ~~that must be considered~~ and was incorporated into the staff's technical qualification review. ~~This has delayed the staff's issuance of the safety evaluation. The staff will establish a new completion date based on completing the review of the technical qualification information.~~ The ~~earliest the~~ staff anticipates completion of this action by June 7, 2000 ~~is Mid-May 2000~~.

11. ~~The date for the Northern State Power and New Central Energy Merger was changed to be consistent with the formation of the Nuclear Management Company license transfer action (item 12) that affects these facilities also. The staff coordinated with the licensees to determine the sequencing of these license transfers. The sequencing of these transfers resulted in a minor delay in the completion the staff's review. The date for completion of these actions has slipped as the result of prioritization of other license transfers related to Waltz Mill (item 23), Conectiv (item 13), and Oyster Creek (item 9). The orders are complete and are in the process of being reviewed by OGC. The orders for the indirect license transfers are expected to be issued by 5/15/00. Due to higher priority work, the completion date for this action was extended to May 15, 2000.~~While the staff has completed the orders and conforming amendments for these license transfers two petitions to intervene have been filed related to the New Century Energies Merger. The Commission has not yet made a determination on standing for these petitions and there is a backlog of petitions on license transfers to be considered by the Commission. Consistent with 10 CFR 2.1316(a), the staff has issued the orders, conforming amendments, and SEs approving the transfer noting that the Commission has the petitions under consideration.

12. ~~The staff is coordinating the sequencing of Nuclear Management Company license transfers with the license transfer resulting from the Northern State Power and New Central Energy merger (item 11). The sequencing of these transfers resulted in a minor delay in the completion the staff's review. The date for completion of these actions has slipped as the result of prioritization of other license transfers related to Waltz Mill (item 23), Conectiv (item 13), and Oyster Creek (item 9). The orders are complete and are in the process of being reviewed by OGC. The orders for the indirect license transfers are expected to~~

~~be issued by 5/15/00.~~While the staff has completed the Orders and Conforming Amendments for these license transfers three petitions to intervene have been filed related to the NSP-NMC submittals, but none against the DAEC-NMC, Kewuanee-NMC, or Point Beach-NMC submittals. The Commission has not yet made a determination on standing for these petitions and there is a backlog of petitions on license transfers to be considered by the Commission. Consistent with 10 CFR 2.1316(a), the staff has issued the orders, conforming amendments, and SEs approving the transfer noting that the Commission has the petitions under consideration.

~~13. The application was submitted on December 20, 1999. The licensee had requested that the NRC approve the transfers resulting from the acquisition of Conectiv's interest by PSEG Nuclear by March 15, 2000. Completion of the PSE&G to PSEG Nuclear reorganization (item 5) by the licensee is required before final staff action can be taken on this action. The staff is working to complete its review and approval on an expedited basis to support the licensee's request.~~

14. Timely licensee submittal will enable the staff to meet the licensee's requested date of 6/1/2000.

15. This is a complex review involving a new entity acquiring 20 units.~~ and may require management attention to complete the review by the scheduled date. Items 17 and 19 are related.~~ The staff has been informed recently that the license transfer applications will be supplemented to detail the creation of a necessary holding company to be inserted into the new corporate structure. Once the supplement is submitted and the staff reviews it, an suitable extension to the 06/30/00 completion date may be necessary to incorporate this new information into the staff's safety evaluations currently under review.

16. Staff resource loading resulted in a schedule change. However, this is a complex review involving a new entity acquiring 6 units and may require management attention to complete the review by the scheduled date. Additional information on technical and financial qualification that was requested by the staff in February 2000 was provided by the licensee on May 2, 2000. The delay in receiving this information has caused the staff to delay the issuance of the orders approving the transfers. The licensee also informed the staff that the merger will now be effected by late summer 2000. Also, there has been a petition to intervene and a request for a hearing regarding Millstone's license transfer that may impact the issuance of the license transfer orders.

17. In its application, the licensee had originally requested NRC approval of the resulting license transfer by June 1, 2000. This requested date was to support the PECO and Commonwealth merger (item 15) that also involves AmerGen. The fact that this review is tied to the PECO Commonwealth merger makes this

a complex review and may require management attention to complete the review in the sequence requested by the licensee. The staff is working to coordinate the reviews to facilitate these mergers and acquisitions as expeditiously as practical.

22. This is a complex application involving a number of indirect and direct transfers of the licenses for Calvert Cliffs 1/2. The final licensed owner/operator of the plants will be Calvert Cliff, Inc. This transfer includes the independent spent fuel storage installation (ISFSI) located at Calvert Cliffs. The licensee had requested a completion date of 6/1/00. However, with the current workload in license transfers for this timeframe, it is unlikely the staff can support this date and has told the licensee that 8/29/00 is its projected completion date.

24. The subject merger is related to and as a result of the UNICOM/PECO Merger (item 15). PECO is a partner in AmerGen, therefore each of the facilities either currently owned by, or being acquired by AmerGen, are subject to review as a result of the UNICOM/PECO merger. The acquisitions by AmerGen of ~~Nine Mile Point 1/2,~~ Oyster Creek, and Vermont Yankee must be completed before the staff can complete action on the February 29, 2000, application. ~~No completion date has been projected for issuance of the orders for the UNICOM/PECO/AmerGen license transfers related to Nine Mile Point 1/2, Oyster Creek, or Vermont Yankee.~~

~~22. The licensee submitted this application on 2/14/00 and requested approval by 3/30/00. It is unlikely that the staff will be able to meet the date requested by the licensee. The staff is working to complete its review of the 2/14/00 application to facilitate this merger as expeditiously as practical.~~

VII. Topic Area: Materials and Waste Programs

A. Dual Purpose Spent Fuel Cask Reviews

1) Transnuclear TN-68 Cask Review

SES Manager: Susan F. Shankman, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

Project Manager: David Tiktinsky, SFPO

Objective: To issue a Part 72 (storage) SER and certificate of compliance (through rulemaking) and a Part 71 (transportation) certificate of compliance for the TN-68 dual purpose cask system.

Coordination: ~~The Part 72 (storage) SER and certificate of compliance have been issued for use. in draft for rulemaking. SFPO is coordinating with OGC and IMNS to complete rulemaking and issue the certificate of compliance for use in April 2000.~~Coordinate with OGC and NMSS/IMNS for rulemaking and issuance of the certificate of compliance.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
1. Staff completes rulemaking; issues CoC for use under Part 72	~~04/00~~ 4/28/00C	P. Eng, SFPO P. Holahan, IMNS

Beyond June 30, 2000		
Milestone	Date	Lead
2. Staff issues Part 71 SER and CoC	~~11/00~~ 02/01	D. Tiktinsky, SFPO

Comments:

2. Transnuclear's RAI response, submitted four months late on March 2, 2000, did not fully respond to several of the staff's questions. The staff documented these findings in a letter to the applicant dated March 29, 2000. Once the staff has

received the applicant's complete response to the RAI, the staff will assess the need for further changes to the review schedule.

VII. Topic Area: Materials and Waste Programs

A. Dual Purpose Spent Fuel Cask Reviews
2) BNFL FuelSolutions - FuelSolutions Cask Review

SES Manager: Susan F. Shankman, Deputy Director, Licensing and Inspection Directorate, SFPO

Project Manager: Mary Jane Ross-Lee

Objective: To issue a Part 72 (storage) SER and certificate of compliance (through rulemaking). BNFL Fuel Solutions will submit a revised application for a Part 71 license in the future to allow transportation of the FuelSolutions cask.

Coordination: The Part 72 (storage) SER and certificate of compliance have ~~not yet~~ been issued in draft for rulemaking. ~~Once they are issued,~~ SFPO will coordinate with OGC and IMNS to complete rulemaking and issue the certificate of compliance.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
5. Staff issues draft storage SER and CoC for rulemaking	~~04/00~~ 4/27/00C	M. Ross-Lee, SFPO

Beyond June 30, 2000		
Milestone	Date	Lead
6. Staff completes rulemaking; issues CoC for use under Part 72	03/01	P. Eng, SFPO P. Holahan, IMNS

Comments:

~~On March 22, 1999, BNFL completed the purchase of the commercial nuclear power business of Westinghouse Electric Company. As a result, BFS will combine with~~

~~Westinghouse Spent Nuclear Fuel Programs to form a single company that will oversee the design and licensing of the dual purpose cask applications.~~

~~The staff had identified concerns with BFS' design control of the TranStor dual purpose cask. To date, these problems have not manifested themselves in the Wesflex application and, therefore, the Wesflex review remains on schedule. BFS decided not to pursue a shipping cask application for the Wesflex design. Instead, BFS planned to amend the TranStor shipping cask application to also transport the Wesflex storage cask. However, on February 4, 2000, due to design problems, BFS asked the staff to cease review of the TranStor shipping cask. BFS currently plans to submit a rebaselined transportation application in March 2001 to be used with the Wesflex storage system.~~

On March 23, 2000, BFS notified NRC that it was formally changing the name of the Wesflex storage system to the FuelSolutions storage system. BFS currently plans to submit a rebaselined transportation application in March 2001 to be used with the FuelSolutions storage system

~~1 - 2. By letter dated January 26, 2000, BFS notified NRC that there would be a delay in submitting information pertaining to the storage of high burn-up fuel that is required by the staff to complete their review. BFS provided the information in February 2000.~~

VII. Topic Area: Materials and Waste Programs

A. Dual Purpose Spent Fuel Cask Reviews
3) NAC-UMS Cask Review

SES Manager: Susan F. Shankman, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

Project Manager: Timothy McGinty

Objective: To issue a Part 72 (storage) SER and certificate of compliance (through rulemaking) and a Part 71 (transportation) certificate of compliance for the NAC-UMS dual purpose cask system.

Coordination: The Part 72 (storage) SER and certificate of compliance have been issued in draft for rulemaking. SFPO is coordinating with OGC and IMNS to complete rulemaking and issue the certificate of compliance for use in October 2000.

Prior to February 2000		
Milestone	Date	Lead
1. Staff issues draft storage SER and CoC for rulemaking	11/1/99C	T. McGinty, SFPO

Through June 30, 2000		
Milestone	Date	Lead
None		

Beyond June 30, 2000		
Milestone	Date	Lead
2. Staff completes rulemaking; issues CoC for use under Part 72	10/00	P. Eng, SFPO P. Holahan, IMNS

Comments: On July 16, 1999, NAC submitted an amendment request for the Part 72 application to include all fuel to be stored at Maine Yankee. At the request of NAC, the staff has deferred review of the NAC-UMS transportation application. This will allow the staff to focus resources on the amendment request and support the decommissioning schedule for Maine Yankee.

VII. Topic Area: Materials and Waste Programs

B. ISFSI Licensing - Private Fuel Storage

SES Manager: Susan F. Shankman, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

Project Manager: Mark Delligatti

Objective: Complete all actions associated with the review of the Private Fuel Storage, LLC application (includes: development of a Safety Evaluation Report, an Environmental Impact Statement, and completion of adjudicatory hearings before the Atomic Safety and Licensing Board).

Coordination: The SFPO coordinates with the OGC, particularly on matters associated with the adjudicatory proceedings before the Atomic Safety and Licensing Board. In addition, the staff has sought and received review assistance for the review of the financial aspects of the license application, accident analysis, and review of the Emergency Plan and geotechnical issues from NRR. Review assistance is also being received from NMSS for the review of the physical security plan and fire protection issues. This assistance has also extended to activities related to the hearings.

Prior to February 2000		
Milestone	Date	Lead
1. Staff issues site SER	11/30/99C	Delligatti, SFPO

Through June 30, 2000		
Milestone	Date	Lead
2. Issue Draft EIS	~~5/00~~ 6/00	Delligatti/ Flanders, SFPO
3. Staff issues supplement to SER	see comment	Delligatti/SFPO
4. Begin ASLB Hearing on Safety Contentions	6/00	Bullwark, ASLB, Turk, OGC

Beyond June 30, 2000		
Milestone	Date	Lead
5. Issue Final Safety Evaluation Report	9/00	Delligatti/ Bailey, SFPO
6. Issue Final EIS	2/01	Delligatti/ Flanders, SFPO
7. Hearing on Environmental Contentions	07/01	Bullwark, ASLB, Turk, OGC
8. Final Decision on Licensing	12/01	Commission

Comments:

1. Site SER was completed on November 30, 1999; however, SER was actually issued on December 15, 1999, in order to incorporate minor changes to the financial qualifications review and to ensure consistency with staff positions taken with regard to contentions before the Atomic Safety and Licensing Board.

2. Issuance of the draft EIS has been delayed to address changes in the application by PFS and to allow resolution of comments provided by the Bureau of Indian Affairs, Bureau of Land Management, and the Surface Transportation Board.

3. Due to delays by the applicant to provide seismic and airplane accident data required to complete the evaluation, the evaluation of seismic and airplane accidents will be addressed in the final SER (milestone 5).

~~6 - 7. The ASLB hearing on Environmental Contentions was re-scheduled for 07/01, to allow more time for review between the final EIS and the hearing. The final decision on licensing will, therefore, also be delayed.~~

VII. Topic Area: Materials and Waste Programs

C. Generic Spent Fuel Transportation Studies

1) Re-examination of ~~Generic EIS for~~ Spent Fuel Shipment~~s~~ Risk Estimates, NUREG ~~0170~~ CR6672

2) Package Performance ~~in Transportation Accidents~~ Study: "Update of Spent Fuel Shipping Container Performance in Severe Highway and Railway Accidents"

SES Manager: Susan F. Shankman, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

Project Managers: John Cook and Robert Lewis, SFPO

Objective: Reassess previous assumptions and analysis contained in: (1) NUREG-0170, "Final Environmental Statement on the Transportation of Radioactive Material by Air and Other Modes," and (2) NUREG/CR-4829, "Shipping Container Response to Severe Highway and Railroad Accidents."

Coordination: SFPO will coordinate internally with HLW, OGC, NRR, OPA, OCA, and OSP, and externally with the U.S. Department of Transportation to ensure that all technical, regulatory and stakeholder issues are considered and addressed.

Staff conducted a series of public meetings in November-December 1999 and plans to hold more in late FY 2000 to obtain public stakeholder views on spent fuel package performance under severe accidents.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
1. Publish reassessment of NUREG-0170 (NUREG/CR-~~XXX~~6672)	3/29/00C	J. Cook, SFPO
2. Publish Phase I of Package Performance Study report: ~~on~~ results of public meetings and contractor reviews	6/00	R. Lewis, SFPO

Beyond June 30, 2000		
Milestone	Date	Lead
3. After NRC review and assessment of public comments on NUREG/CR-~~XXX~~6672 and Phase I of Package Performance Study report, NMSS determines if additional actions are required	12/00	S. Shankman, SFPO

Comments: None

VII. Topic Area: Materials Programs and Waste Programs

C. Generic Spent Fuel Transportation Studies
3) Burnup Credit for Transportation

SES Manager: Farouk Eltawila, Branch Chief, SMSAB/DSARE/RES

Objective: The objectives are to develop the technical bases to allow the utilization of burnup credit in such areas as spent fuel transportation packages, on-site dry storage, reactor pool storage, and disposal of high level waste in the repository. The information would be used by the staff to develop a Regulatory Guide and a Standard Review Plan to assist the staff in properly reviewing licensee requests for use of burnup credit.

Prior to February 2000		
Milestone	Date	Lead
1. Develop short-term regulatory process on review and acceptance of burnup credit package design	08/99C	C. Nilsen, DSARE

Through June 30, 2000		
Milestone	Date	Lead
2. Hold a public meeting to identify phenomena affecting burnup credit	05/00C	NMSS/RES
3. Issue Phenomena Identification and Ranking Tables (PIRT) report summarizing the expert elicitation to identify, and rank important phenomena affecting burnup credit	06/00	D. Ebert ~~C. Nilsen~~, DSARE
4. Develop proposal for activities with France Institute de Protection et du Surte Nucleaire (IPSN) ~~Complete Agreements with Belgonucleaire, Belgium,~~	06/00	A. Szukiewicz, RES ~~C. Nilsen, DSARE~~
5. Present proposal to Japan Atomic Energy Research Institute (JAERI), ~~Japan~~ to obtain data on burnup credit	09/00	A. Szukiewicz PMPDAS F. Eltawila, DSARE

Beyond June 30, 2000		
Milestone	Date	Lead
6. ~~5.~~ Meet with the ACRS subcommittee to discuss PIRT results and proposed research plans to address source term issues	08/00	D. Ebert ~~C. Nilsen~~, DSARE
7. ~~6.~~ Establish a baseline of technical knowledge in collaboration with EPRI, DOE, and foreign sources	12/00	D. Ebert ~~C. Nilsen~~, DSARE
8. ~~7.~~ Develop the technical bases to reduce uncertainty and refine the NRC technical position on review and acceptance of extended burnup credit package design	09/01	D. Ebert ~~C. Nilsen,~~ DSARE
9. ~~8.~~ Issue a Standard Review Plan to assimilate the technical areas and provide the NRC staff with criteria and processes to review and approve burnup credit in safety analysis	09/02	W. Hodges, SFPO
10. ~~9.~~ This activity is long-term with an anticipated completion date (e.g., SRP, Regulatory Guide) in 2004	06/04	F. Eltawila, DSARE

Comments:

2. RES reprogrammed resources to support NMSS/SFPO development of Interim Staff Guidance on burnup credit for transportation casks. (Milestone #8). This has led to the delay in completing the work needed to support interaction with Stakeholders and other parties.

4. Agreement with Belgonucleaire signed January 5, 2000. Activities with JAERI have not yet been proposed. We expect that a proposal will be presented to JAERI in September 2000 when A. Thadani visits Japan.

VII. Topic Area: Materials Programs and Waste Programs

C. Generic Spent Fuel Transportation Studies
4) Characterization of Fuel Stored in Dry Cask

SES Manager: Michael Mayfield, Branch Chief, MEB/DET/RES and
Farouk Eltawila, Branch Chief, SMSAB/DSARE/RES

Objective: Develop the technical basis to establish standard review plans for the renewal of certificates for Spent Fuel Storage Dry Casks.

Through June 30, 2000		
Milestone	Date	Lead
1. Complete visual inspections of the exterior and interior of the Castor-V/21 cask, cask seals, fuel tubes, fuel assemblies, and selected Surry nuclear power plant fuel rods placed into dry storage in 1985	02/00C	M. Mayfield, DET
2. Complete scoping study on the effects of zinc vapor on the mechanical properties of fuel cladding, assess the need for additional research	04/06/00C	M. Mayfield, DET

Beyond June 30, 2000		
Milestone	Date	Lead
3. Perform destructive and nondestructive examinations on the Surry fuel; compare results from the Surry fuel examinations to segments from controlled environment to determine if there are any differences between the condition of the two claddings	03/02	F. Eltawila, DSARE
4. Meet with the ACRS/ACNW subcommittee to discuss results and proposed research plan	03/02	F. Eltawila, DSARE
5. Develop technical bases for evaluating the high-burnup nuclide inventories and associated source terms to be used for the cask license renewal.	9/03	F. Eltawila, DSARE
6. Provide data and reports (NUREG/CRs) that can be used to update the Standard Review Plan for Dry Cask Storage Systems (NUREG-1536) and to develop a Standard Review Plan for Renewal of Licenses and Certificates of Compliance for Spent Fuel Dry Cask Storage System	9/03	M. Mayfield, DET F. Eltawila, DSARE

Comments:

2. Additional time needed due to unforeseen problems in performing the mechanical properties tests.

VII. Topic Area: Materials and Waste Programs

D. Uranium Recovery Concerns (NMA White Paper Issues)

- Dual regulation of ground water at in situ leach (ISL) facilities
- Expanded use of mill tailings impoundments to dispose of other material
- Eliminate consideration of economics in the processing of alternate feedstock

SES Manager(s): Thomas Essig, Chief, Uranium Recovery and Low-Level Waste Branch, Division of Waste Management (DWM)

Objectives: To look for ways to: (1) eliminate dual regulation of ISLs facilities; (2) reduce unnecessary regulatory burden on uranium mills wanting to expand the use of impoundments for disposal of other materials besides mill tailings; and (3) reduce unnecessary regulatory burden on uranium mills who want to engage in recycling of materials for their uranium content

Coordination: OGC

Prior to February 2000		
Milestone	Date	Lead
1. Paper on concurrent jurisdiction to Commission (199900085) (SECY 99-277)	12/02/99C	Mike Fliegel, DWM
2. Provide EPA comments on Commission papers to Commission	01/19/00C	Jim Kennedy, DWM

Through June 30, 2000		
Milestone	Date	Lead
3. Briefed TAs on the 4 Commission papers	02/10/00C	Dan Gillen, DWM
4. Respond to EPA comments w/ copy to Commission (200000011)	03/02/00C	Jim Kennedy, DWM

Beyond June 30, 2000		
Milestone	Date	Lead
5. Complete Part 41 rulemaking plan, including recommendations on regulatory changes to address the three issues (199800177) (SECY-99-012)	4 months after Comm. Direction	Mark Haisfield, IMNS Mike Fliegel, DWM

Beyond June 30, 2000		
6. Issue revised draft guidance on disposal capability with any Commission-approved revisions (SECY-99-012)	6 months after Comm. Direction	Dan Gillen, DWM
7. Implement any changes in review of alternate feedstock that result from hearing and Commission review of previous hearing orders (SECY-99-13)	6 months after Comm. Direction	Dan Gillen, DWM
8. Revise ISL Standard Review Plan to implement staff recommendations if approved by Commission	6 months after Comm. Direction	Bill Ford, DWM
9. Publish proposed Part 41 for public comment, including regulatory changes to address three issues (199800177) (SECY-99-011)	12 months after completion of the rulemaking plan	Mark Haisfield, IMNS Mike Fliegel, DWM
10. Publish final Part 41 codifying agency policy on resolution of three issues (199800177)	11 months after publication of the proposed rule	Mark Haisfield, IMNS Mike Fliegel, DWM

Comments: The three issues were raised in a Senate report and were addressed in the National Mining Association white paper that was presented to the Commission in April 1998.

VII. Topic Area: Materials and Waste Programs

E. Part 40: Licensing of Source Material

SES Manager: Donald Cool, Director, Division of Industrial and Medical Nuclear Safety (IMNS)

Objective: Develop risk-informed and coherent regulations for licensing of source material and work towards addressing the jurisdictional and technical issues associated with regulating low-level source material (excluding uranium recovery), minimizing duplication in regulatory authority between NRC under the Atomic Energy Act (AEA), the States under State law, and the Environmental Protection Agency (EPA) under various Federal statutes.

Coordination: OSP, OGC, OE, ADM, CIO. RES is developing technical basis for exemptions in Parts 30 and 40.

Interaction with States, EPA, etc. will begin following Commission directives in the SRM. The proposed rule on transfers from licensees (related to Milestone 2) will be sent to the Agreement States in June 2000. The draft rule plan on control of distribution (related to Milestone 4) will be sent to the Agreement States in December 2000.

Prior to February 2000		
Milestone	Date	Lead
1. Commission paper (SECY 99-259) (199800203)	11/1/99C	C. Mattsen, IMNS

Through June 30, 2000		
Milestone	Date	Lead
None.		

Beyond June 30, 2000		
Milestone	Date	Lead
2. Proposed rule (on transfers from licensees) to Commission (200000041)	9/8/00	C. Prichard IMNS
3. Provide additional recommendations to Commission on exemption issues based on results of ORNL's report (199000208) (In addition to source material, this paper will also include recommendations on byproduct material.)	12/28/01	C.Mattsen, IMNS

Beyond June 30, 2000		
4. Rule plan (on control of distribution) to Commission (200000042)	3/9/01	C. Mattsen, IMNS
5. Status report on interaction with States and other Federal Agencies	3/9/01	C. Haney, IMNS
6. Final rule (on transfers from licensees) to Commission (200000041)	End of comment period in response to Milestone 2 + 6 mon.	C. Pritchard ~~C. Haney~~, IMNS

Comments:

2. Date changed from 12/00 to 12/01 based on Office of Nuclear Regulatory Research finalizing the report in December 2000.

VII. Topic Area: Materials and Waste Programs

F. Part 41 Rulemaking: Domestic Licensing of Uranium and Thorium Recovery Activities

SES Manager: Thomas Essig, Branch Chief, Uranium Recovery and Low-Level Waste Branch, DWM

Objective: Separate out and update uranium recovery regulations into new Part 41.

Coordination: OGC and OSP

Prior to February 2000		
Milestone	Date	Lead
None.		

Through June 30, 2000		
Milestone	Date	Lead
None.		

Beyond June 30, 2000		
Milestone	Date	Lead
1. Issue final rulemaking plan (199800177)	4 months after Comm. Direction	M. Haisfield, IMNS M. Fliegel, DWM
2. Publish proposed Part 41 for public comment	12 months after completion of the rulemaking plan	M. Haisfield, IMNS M. Fliegel, DWM
3. Publish final rule	11 months after publication of the proposed rule	M. Haisfield, IMNS M. Fliegel, DWM

Comments: None

VII. Topic Area: Materials and Waste Programs

G. Reactor Decommissioning Guidance

SES Manager: J. Greeves, Director, Division of Waste Management

Objective: Incorporate public comments into a final version of the SRP for License Termination Plans

Coordination: NRR, Regions, RES. A Multi-Agency Radiologic Laboratory Analysis Procedure (MARLAP) manual is being developed with EPA, DOE, NIST, DOI, and DOD. This manual will ensure common laboratory radioanalysis procedures are used to support final radiologic survey sample analysis. This document has been issued for internal agency review for the period February 10, 2000 through May 10, 2000.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
1. Publish final version of SRP for License Termination Plans	5/00(C)	L. Pittiglio, NMSS
2. Complete D&D, Version 2, computer code	6/00	C. Trottier, RES
3. Complete RESRAD, Version 6.0, and RESRAD-BUILD, Version 3.0, computer codes	6/00	C. Trottier, RES

Beyond June 30, 2000		
Milestone	Date	Lead
4. Issue user's guide and parameter description for D&D, Version 2, computer code	11/00	C. Trottier, RES
5. Publish manual and code testing RESRAD, Version 6.0, and RESRAD-BUILD, Version 3.0, computer codes	11/00	C. Trottier, RES

Comments:

1. This task is independent of activities covered under IV.H, “Decommissioning Regulatory Improvements” which are guidance activities under NRR lead. Extension approved to incorporate OGC and CRGR comments.

2. - 5. Substantial modeling effort is underway to revise D&D and RESRAD. The staff anticipates that refinement to the dose modeling will continue. MARLAP and other guidance are under development and are scheduled for completion in FY 2001.

   NMSS ~~RES~~ is developing guidance in support of demonstrating compliance with radiological criteria for license termination. This will be incorporated into a Standard Review Plan currently being developed by NRC staff for reviewing and evaluating plans and information submitted by licensees to support the decommissioning of nuclear facilities. (198900194)

VII. Topic Area: Materials and Waste Programs

H. Atlas Bankruptcy and Site Reclamation

SES Manager: Thomas Essig, Branch Chief, Uranium Recovery and Low-Level Waste Branch, DWM

Objective: Complete Reclamation of Atlas Site in Moab, Utah

Coordination: OGC

A public meeting on status was held in Moab, Utah, on January 13, 2000.

Prior to February 2000		
Milestone	Date	Lead
1. Select Trustee for Atlas Trust	11/99C	M. Fliegel, DWM
2. Transfer license and assets to Trust	12/30/99C	M. Fliegel, DWM

Through June 30, 2000		
Milestone	Date	Lead
None		

Beyond June 30, 2000		
Milestone	Date	Lead
3. NRC approve tailings dewatering plan	7/00	M. Fliegel, DWM
4. Staff Qs on revised ground-water corrective action program	5/01	M. Fliegel, DWM
5. Staff approve revised ground-water corrective action program	10/01	M. Fliegel, DWM
6. Staff approve radon barrier construction	12/02	M. Fliegel, DWM
7. Staff approve completion of surface reclamation	12/05	M. Fliegel, DWM
8. Staff approve completion of ground-water corrective action program	7/08	M. Fliegel, DWM

Comments:

3. Approval of the tailings dewatering plan delayed from 02/00 to 07/00 due to delay in transferring the license to the Trustee and to delay in the Trustee selecting a groundwater consultant. Trustee submitted recent amendment request and is expected to provide the plan in June 2000 and the staff will approve it within 30 days of receipt.

4&5. Actions related to groundwater corrective action program are delayed due to need to collect seasonal ground and surface water data. Trustee is expected to provide revised ground-water corrective action program in Spring 2001.

8. Trustee submitted the March 2000 amendment request which indicated when they will submit plans.

VII. Topic Area: Materials and Waste Programs

I. West Valley Decommissioning Criteria

SES Manager: J. Greeves, Director, Division of Waste Management

Objective: Prescribe decommissioning criteria for use by the Department of Energy for the West Valley Demonstration Project and for any follow-on licensing activities.

Coordination: Region I

Public meeting on policy statement at West Valley site was conducted on January 5, 2000, at the Ashford Office Complex, West Valley, New York as announced in the December 3, 1999, Federal Register Notice. The end of the comment period on the Draft Policy Statement was extended 60 days from February 1, 2000, to April 1, 2000.

Public comments will be incorporated into revised policy statement by May 31, 2000.

Prior to February 2000		
Milestone	Date	Lead
1. Publish draft West Valley decommissioning criteria policy statement in the Federal Register (199800178)	12/03/99C	J. Parrott, DWM

Through June 30, 2000		
Milestone	Date	Lead
None.		

Beyond June 30, 2000		
Milestone	Date	Lead
2. Commission Paper, with revised policy statement, to Commission for approval (199800178)	8/30/00	J. Parrott, DWM
3. Publish revised policy statement in Federal Register	11/30/00	J. Parrott, DWM
4. After publication of West Valley Supplemental EIS, approve specific criteria for West Valley site	TBD	J. Parrott, DWM

Comments:

2 & 3. Based on public comments at the January 5, 2000, meeting, staff extended the public comment period.

4. Timing of final decommissioning criteria issuance will depend on DOE publication of the West Valley Supplemental EIS.

VII. Topic Area: Materials and Waste Programs

J. Decommissioning Management Plan Site Status

SES Manager: J. Greeves, Director, Division of Waste Management

Objective: Implement the Site Decommissioning Management Plan (SDMP).

Coordination: Region I

Prior to February 2000		
Milestone	Date	Lead
1. Remove the Pesses site from the SDMP	9/24/99C	R. Bellamy, R-I

Through June 30, 2000		
Milestone	Date	Lead
2. SDMP Master Schedule developed	3/31/00C	L. Camper, DWM

Beyond June 30, 2000		
Milestone	Date	Lead
3. Remove the Watertown Mall site from SDMP	9/00	R. Bellamy, R-I

Comments:

2. The Master Schedule will be updated on an ongoing basis.

   Due to the complexity of removing sites, staff is working to identify a third SDMP site for removal during FY 2000.

VII. Topic Area: Materials and Waste Programs

K. Part 61: Mixed Waste Rulemaking

SES Managers: Donald Cool, Director, Industrial and Medical Nuclear Safety
John Greeves, Division of Waste Management

Objective: Develop final rule for disposal of mixed waste in a RCRA facility following promulgation of EPA final rule.

Coordination: OGC, OSP

Will continue to work with EPA on the development of EPA proposed rule.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
1. Staff comments on EPA proposed rule to the Commission (199900116)	EPA publication date + approx. 60 days	

Beyond June 30, 2000		
Milestone	Date	Lead
2. Paper to Commission on proposed rule following publication of EPA's proposed rule (199900116)	EPA publication date + 9 months	M. Haisfield, IMNS
3. Paper to Commission on final rule (199900116)	Close of public comment period + 9 months	M. Haisfield, IMNS

Comments:

1. The vehicle for providing comments has not yet been established; comments may be provided in the form of a Commission paper, or a meeting with the Commissioner's assistants.

VII. Topic Area: Materials and Waste Programs

L. Prepare for Licensing a HLW Repository:
1) Part 63 Rulemaking: HLW Repository Licensing

SES Managers: Donald Cool, Director, Division of Industrial and Medical Nuclear Safety
Bill Reamer, Division of Waste Management

Objective: To develop licensing criteria for disposal of high-level radioactive waste at the proposed geologic repository at Yucca Mountain, Nevada.

Coordination: OGC

A facilitated public meeting on defense in depth was held on November 2, 1999.

ACNW meeting on draft staff responses to public comments was held on November 18, 1999.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
1. Draft final rule to Commission. (199800029) (SECY-00-0084)	4/12/00C	J. Kotra, DWM, T. McCartin, DWM C. Prichard, IMNS

Beyond June 30, 2000		
Milestone	Date	Lead
None		

Comments:

~~1. Additional time needed to incorporate comments on the rule.~~

VII. Topic Area: Materials and Waste Programs

L. Prepare for Licensing a HLW Repository:
2) Staff Review of DOE Draft Environmental Impact Statement (DEIS) for Yucca Mountain

SES Managers: Bill Reamer and Joe Holonich, Division of Waste Management

Objective: Provide DOE with NRC comments on DEIS for Yucca Mountain

Coordination: OGC

Prior to February 2000		
Milestone	Date	Lead
1. Paper to Commission transmitting staff comments (199900094)	1/14/00C	James Firth, DWM

Through June 30, 2000		
Milestone	Date	Lead
2. Provide comments to DOE	2/28/00C	James Firth, DWM

Beyond June 30, 2000		
Milestone	Date	Lead
None		

Comments:

The Nuclear Waste Policy Act, as amended, requires DOE to include NRC comments on the environmental impact statement with any site recommendation.

2. Comment period on the DEIS was extended to 2/28/00 as announced in the 2/8/00 Federal Register Notice. Milestone and schedule are dependent upon Commission decision.

VII. Topic Area: Materials and Waste Programs

L. Prepare for Licensing a HLW Repository
3) NRC Comments on DOE HLW Site Recommendation

SES Manager: Bill Reamer, DWM

Objective: Provide DOE in FY 2001 with the Commission preliminary comments concerning the extent to which the at-depth site characterization analysis and waste form proposal seem sufficient for inclusion in the license application.

DOE will incorporate the Commission comments in its Site Recommendation Report to the President in mid-FY 2001. These activities are required by the Nuclear Waste Policy Act.

Coordination: OGC

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
None		

Beyond June 30, 2000		
Milestone	Date	Lead
1. Paper to Commission on Final Staff Guidance for Site Recommendation Review (199900117)	9/30/00	Manny Comar, DWM
2. Paper to Commission on Final Site Recommendation Review to Commission (199900117)	4/30/01	Manny Comar, DWM

Comments:

1. Commission paper and comments to DOE are subject to receiving DOE Site Recommendation report by 11/30/00.

VII. Topic Area: Materials and Waste Programs

M. Part 35 Rulemaking: Medical Use Regulation

SES Manager(s): Donald Cool, Director, IMNS

Objective: Primary: Revise Part 35, "Medical Use of Byproduct Material," into a risk-informed, more performance-based regulation. Secondary objectives include: provide for incorporation of regulatory requirements for new treatment modalities in a timely manner; revise the quality management program to focus on those requirements that are essential for patient safety; and incorporate or reference available industry guidance and standards.

Coordination: The revised Part 35 and Medical Policy Statement (MPS) were developed by a Working Group and Steering Group that included representatives of other offices (OGC, OSP, OE) and the regional licensing and inspection staff. The associated guidance document (draft NUREG-1556, Volume 9, "Consolidated Guidance about Materials Licenses: Program-Specific Guidance about Medical Licenses") was developed by licensing and inspection staff from several regions. Once the revised Part 35 becomes final, this document will be used for preparing and reviewing applications for medical use licenses.

Prior to February 2000		
Milestone	Date	Lead
1. Submit draft final rule to Commission for approval	8/3/99C	D. Flack, IMNS

Through June 30, 2000		
Milestone	Date	Lead
2. Submit final rulemaking package (including draft NUREG-1556, Vol.9) to the Commission for approval (199700065)	5/31/00	D. Flack, IMNS
3. Submit revision of NRC's Medical Policy Statement to the Commission for approval (199700065)	5/31/00	C. Haney, IMNS

Beyond June 30, 2000		
Milestone	Date	Lead
4. Revise rulemaking package and Medical Policy Statement following Commission review and approval of final rulemaking package and MPS	SRM in response to Milestones 2 & 3 + 2 mo.	D. Flack, IMNS

Beyond June 30, 2000		
5. Publication of final rule in the Federal Register	Approx. 90 days after OMB approval of information collection requirements	D. Flack, IMNS

Comments:

- SECY-99-201 in response to 4/23/99 SRM issued 8/3/99.
- Briefed Commission on SECY-99-201 on 10/21/99

1- 3. The schedule for completion of the rulemaking, associated guidance, and Medical Policy Statement was provided in the February 16, 2000 SRM for SECY-99-201.

Enforcement - When the revision becomes final, minor changes will be made in the examples of violations in Appendix B of NUREG 1600. A FRN announcing these changes will be part of the Part 35 rulemaking package.

Inspection - A separate NMSS task is the development of more performance-based inspection procedures for material licensees. The medical licensee inspection procedures are being developed with the current Part 35. Therefore, when Part 35 is finalized ~~and~~ the ~~draft~~ inspection procedures ~~are approved, they~~ will need to be revised to conform with the revised regulations.

VII. Topic Area: Materials and Waste Programs

N. General Licenses Regulation (Part 30)

SES Manager: Donald Cool, Director, IMNS

Objectives: Improve accountability for certain generally licensed devices, allow NRC to better track certain general licensees and the devices they possess, and to further ensure that general licensees are aware of and understand the requirements for the possession of devices containing byproduct material.

Coordination: OSP, OGC, OE, ADM, CIO

NRC sent the draft final comprehensive rule to Agreement States on March 24, 2000.

Prior to February 2000		
Milestone	Date	Lead
1. Final rule on requests for information published	8/4/99C	C. Mattsen, IMNS
2. Draft licensee guidance published for public comment	9/99C	S. Merchant, IMNS

Through June 30, 2000		
Milestone	Date	Lead
3. Final comprehensive rule to Commission (199800071)	5/15/00(C)	C. Mattsen, IMNS
4. Complete development of general license database and a registration system	6/30/00	M. Raddatz, IMNS

Beyond June 30, 2000		
Milestone	Date	Lead
5. Publish final comprehensive rule	Approx. 90 days after OMB approval of information collection requirements	C. Mattsen, IMNS

Beyond June 30, 2000		
6. Publish draft licensee guidance for public comment	FRN +1 mon.	C. Brown, IMNS

Comments:

4. The development of the system will be completed by 6/30/00. However, we will not issue registration until OMB clearance is approved.

VII. Topic Area: Materials and Waste Programs

O. Release of Solid Materials

SES Managers: Donald Cool, Director, IMNS
John Greeves, Director, DWM

Objective: To consider preparing a dose-based regulation for control of solid materials, including enhanced public participation in such a process. A paper on results of the Fall 1999 public meetings and comment and recommendations for next steps was submitted to the Commission on March 23, 2000.

Coordination: Public meetings were held between September 1999 - December 1999. An ACNW meeting was held in December, 1999.

Prior to February 2000		
Milestone	Date	Lead
1. Published FRN with Issues Paper and announcement of scoping; Issues Paper placed on NRC Website	6/30/99C	F. Cardile, IMNS

Through June 30, 2000		
Milestone	Date	Lead
2. Commission paper to Commission (199400059)	3/23/00C	F. Cardile, IMNS

Beyond June 30, 2000		
Milestone	Date	Lead
3. Further activities based on Commission review of Commission paper	Depends on SRM directives	F. Cardile, IMNS

Comments:

Commission briefing has been scheduled for May 2000.

VII. Topic Area: Materials and Waste Programs

P. Part 73 Rulemaking: Spent Fuel Shipment Information Protection Requirements

SES Manager: Don Cool, Director, IMNS

Objective: Advanced notification for proposed rulemaking to amend Part 73. This rule would require licensees to notify Federally recognized Native American Tribes of certain radioactive waste shipments, including spent nuclear fuel, before shipments are transported to or across the boundary of Tribal lands.

Coordination: OSP, OE, OGC, NRR

Prior to February 2000		
Milestone	Date	Lead
1. ANPR published in the FR	12/21/99C	A. DiPalo, IMNS

Through June 30, 2000		
Milestone	Date	Lead
None		

Beyond June 30, 2000		
Milestone	Date	Lead
2. Rulemaking plan to Commission for approval (199900123)	~~02/07/01~~ 01/31/01 ~~see comment~~	S. Bush-Goddard, A. DiPalo, IMNS
3. Proposed rule to Commission (199900123)	SRM in response to Milestone 2+ 6 mo.	S. Bush-Goddard, A. DiPalo, IMNS
4. Final rule to Commission (199900123)	SRM in response to Milestone 2 + 6 mo.	S. Bush-Goddard, A. DiPalo, IMNS
5. Publish final rule	Approx. 90 days after OMB approval of information collection requirements	S. Bush-Goddard, A. DiPalo, IMNS

Comments:

~~2. The date for completion of rulemaking plan needs to be extended because the Commission extended the public comment period by 90 days, closing on July 5, 2000.~~

VII. Topic Area: Materials and Waste Programs

Q. Part 71 Rulemaking: Packaging and Transportation of Radioactive Material

SES Manager: Donald A. Cool, Director, IMNS

Objectives: To prepare a rulemaking to revise Part 71 to: (1) make it compatible with the IAEA Transportation Standards, (2) revise the fissile material exempt and general license provisions to address any unintended economic impact caused by the 1997 emergency final rule, and (3) implement other changes directed by NRC Management (in accordance with Commission's SRM - SECY-99-200 dated 9/17/99).

Coordination: SFPO, OSP, OGC

A draft rulemaking plan will be sent to Agreement States in February 2000.

Prior to February 2000		
Milestone	Date	Lead
1. Revise FRN responding to public comments on the fissile material emergency final rule, to indicate the Commission's need for cost information regarding any unintended economic impact caused by the emergency final rule. Published FRN.	10/27/99C	N. Tanious, IMNS
2. Revise the same FRN to indicate that any unintended economic impact issue will be addressed as part of the rulemaking to make Part 71 compatible with the IAEA transportation standards. Published FRN.	10/27/99C	N. Tanious, IMNS

Through June 30, 2000		
Milestone	Date	Lead
3. Revised Commission paper to the Commission (199800008)	5/31/00	N. Tanious, IMNS

Beyond June 30, 2000		
Milestone	Date	Lead
4. Publish, concurrently with DOT, proposed rule to revise Part 71	03/31/01	N. Tanious, IMNS

Beyond June 30, 2000		
5. Publish final rule concurrently with DOT	06/30/02	N. Tanious, IMNS

Comments:

4 and 5: Due to the variety of complex technical issues to be addressed in this rulemaking, the need for coordination with DOT, and the anticipated stakeholder involvement and public comment, these dates have been revised to reflect a more realistic schedule. Moreover, there may be a delay in Europe in implementing the new requirements.

VII. Topic Area: Materials and Waste Programs

R. Part 72 Rulemaking: Independent Storage of Spent Nuclear Fuel and High Level Radioactive Waste
1) Greater-Than-Class-C (GTCC) Waste

SES Manager: Donald Cool, Director, IMNS

Objective: Staff response to Commission SRM dated March 12, 1999, to develop a proposed rule to allow the interim storage of GTCC waste under the provisions of 10 CFR Part 72. This responds to PRM-72-2 from Portland General Electric Company.

Coordination: OSP, OGC

Prior to February 2000		
Milestone	Date	Lead
1. Proposed rulemaking package to Commission (199600157)	1/27/00C	M. Haisfield, IMNS

Through June 30, 2000		
Milestone	Date	Lead
2. Publish proposed rule	06/12/00 ~~SRM+ 45 days~~	M. Haisfield, IMNS

Beyond June 30, 2000		
Milestone	Date	Lead
3. Final rulemaking package to Commission (199600157)	Proposed rule publication date + 9 mo.	M. Haisfield, IMNS

Comments:

1. SECY-00-0021, dated 01/27/00.

2. ~~Staff provided a recommendation on Version C of the draft SRM on 4/11/00, which requested that the proposed rule be published 45 days after the SRM was issued.~~ SRM issued 4/25/00.

VII. Topic Area: Materials and Waste Programs

R. Part 72 Rulemaking: Independent Storage of Spent Nuclear Fuel and High Level Radioactive Waste
2) Clarification and Addition of Flexibility

SES Manager: Don Cool, Director, IMNS

Objective: Amend spent fuel storage regulations in 10 CFR Part 72 to specify those sections that apply to general licensees, specific licensees, applicants for a specific license, certificate holders and applicants for a certificate. The proposed rule would (1) eliminate ambiguity for those persons by clarifying which sections apply to their activities, (2) eliminate the necessity for repetitious Part 72 specific license hearing reviews of cask design issues that the Commission previously considered and resolved during approval of the cask design, and (3) allow an applicant for a COC to begin fabrication under an NRC-approved QA program before the COC is issued.

Coordination: OSP, OE, OGC, NRR

Prior to February 2000		
Milestone	Date	Lead
1. Publish proposed rule in Federal Register	11/3/99C	A. DiPalo, IMNS

Through June 30, 2000		
Milestone	Date	Lead
2. Paper to Commission (199600159)	6/30/00	A. DiPalo, IMNS

Beyond June 30, 2000		
Milestone	Date	Lead
3. Publish final rule in Federal Register	Approx. 90 days after OMB approval of information collection requirements	A. DiPalo, IMNS

Comments: None

VII. Topic Area: Materials and Waste Programs

S. Part 70 Rulemaking: Domestic Licensing of Special Nuclear Material

SES Manager: Theodore S. Sherr, Chief, Licensing and International Safeguards Branch, Division of Fuel Cycle Safety and Safeguards (FCSS)

Project Manager: Andrew Persinko, FCSS

Objectives: To issue final amendments to 10 CFR Part 70. The amendments, as proposed in July 1999, would identify appropriate consequence criteria and the level of protection needed to prevent or mitigate accidents that exceed these criteria; require affected licensees to perform an integrated safety analysis (ISA) to identify potential accidents at the facility and the items relied on for safety necessary to prevent these potential accidents and/or mitigate their consequences; require the implementation of measures to ensure that the items relied on for safety are available and reliable to perform their function when needed; require the inclusion of the safety bases, including a summary of the ISA, with the license application; and allow for licensees to make certain changes to their safety program and facilities without prior NRC approval. The rulemaking package submitted to the Commission will include a ~~draft~~ final rule and associated draft Standard Review Plan for fuel cycle facilities.

Coordination: The Part 70 rulemaking effort requires close coordination with the Office of the General Counsel (OGC). FCSS and OGC staff will continue to work closely in developing the draft final rulemaking package.

Prior to February 2000		
Milestone	Date	Lead
1. Complete proposed approaches to resolve public comments on the draft Part 70 Standard Review Plan to be discussed at a public meeting.	1/28/00C	A. Persinko, FCSS

Through June 30, 2000		
Milestone	Date	Lead
2. ~~Draft~~ Final rule and draft ~~final~~ Standard Review Plan to Commission (199500041) (SECY-00-0111)	5/19/00C	A. Persinko, FCSS

Beyond June 30, 2000		
Milestone	Date	Lead
None.		

Comments: None.

VII. Topic Area: Materials and Waste Programs

T. Develop Rulemaking for Parts 40, 75, 110, and 150 (Implement IAEA Safeguards Agreement)

SES Manager: Donald Cool, Director, IMNS

Objective: To incorporate into NRC's regulations the requirements contained in a new Protocol agreement with the International Atomic Energy Agency.

Coordination: OIP, OSP, OGC

Draft rulemaking plan was sent for Agreement State review on February 8, 2000.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
None		

Beyond June 30, 2000		
Milestone	Date	Lead
1. Send rulemaking plan to Commission for approval (199900118)	8/11/00	J. Telford, IMNS
2. Send proposed rule to Commission for approval (199900118)	SRM + 6 months	J. Telford, IMNS

Comments:

1. The rulemaking plan was posted on the (Agreement State) web site on 2/8/00 for 45-day comment period. The Agreement State comment period ended on March 27, 2000. No comments on rulemaking plan were received. However, seven States provided information on the number of their licensees that will be impacted.

The date for Milestone 1 has been changed to 8/11/00 because the staff is considering whether to publish an advance notice for proposed rulemaking, instead of a proposed rule. This change is in response to a recent request from the State Department. However, this due date is tentative because NMSS is continuing to interact with the State Department regarding any additional efforts. If additional efforts are needed, it would require further modification of the rulemaking plan and may require additional time.

VII. Topic Area: Materials and Waste Programs

U. MOX Licensing

SES Manager: Robert C. Pierson, Deputy Director, FCSS

Project Manager: Melanie Galloway, Section Chief, Enrichment Section, FCSS
Andrew Persinko, FCSS

Objective: To license the mixed-oxide (MOX) fuel fabrication facility. During FY 2000, NRC will prepare a licensing Standard Review Plan and conduct limited pre-licensing consultation and submittal reviews.

Coordination: NMSS has the agency lead for coordination with the MOX consortium and internally with NRR, RES, OIP, and ADM on issues concerning MOX fuel fabrication licensing and subsequent irradiation. OGC will be consulted on legal matters regarding MOX.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
1. Publish Standard Review Plan (second draft)	6/00	M. Galloway, FCSS

Beyond June 30, 2000		
Milestone	Date	Lead
2. Initiate review of application	9/00	M. Galloway, FCSS A. Persinko, FCSS

Comments:

This program depends on a number of factors outside of NRC control, including National policy, DOE funding, and Russian progress on dispositioning excess plutonium. NRC is working with the applicant to determine dates for the issuance of the draft Safety Evaluation Report, the Safety Evaluation Report, the Draft Environmental Impact Statement and the Final Environmental Impact Statement.

5. Completion date to publish a second draft extended to 6/00 because the Department of Energy requested, and NRC approved, a 2-week extension to the public comment period on NUREG-1718, Standard Review Plan for the Review of an Application for a Mixed Oxide Fuel Fabrication Facility.

VII. Topic Area: Materials and Waste Programs

V. Lessons Learned Concerning the Nuclear Criticality Accident at Tokaimura

SES Manager: Philip Ting, Chief, FCOB/FCSS/NMSS

Project Manager: William Troskoski, FCOB/FCSS

Objective: Analyze the Tokai nuclear criticality accident, to identify implications for NRC fuel cycle licensees and certificate-holders and determine whether any changes to NRC's regulatory program for fuel cycle facilities are needed. Disseminate lessons learned to NRC licensees, certificate-holders, and other stakeholders.

Coordination: This project is being coordinated between NMSS, Regions II, III, and IV, OIP, OGC, and OEDO. Coordination will also be done with DOE, DOS, EPA, and NSC. In addition, the results of an industry external review of operations, including nuclear criticality safety programs, led by NEI, will be reviewed prior to completing task.

Prior to February 2000		
Milestone	Date	Lead
None		

Through June 30, 2000		
Milestone	Date	Lead
1. Provide briefing to Senate staff concerning the accident	TBD	W. Troskoski FCOB
2. Notation Paper to Commission (SECY-00-0085) concerning lessons learned from DOE and Government of Japan review of the accident (199900119)	4/12/00C	W. Troskoski FCOB
3. Commission Briefing	5/8/00C	W. Troskoski FCOB

Beyond June 30, 2000		
Milestone	Date	Lead
None		

Comments:

1. Date extended to accommodate Senate staff schedule. No date has been set by the Senate staff.

2. ~~Commission briefing has been scheduled for 5/8/00. Paper to Commission 4/12/00, SECY-00-0085.~~

VII. Topic Area: Materials and Waste Programs

W. Risk-Informed and Performance-Based Oversight Program for Fuel Cycle Facilities

SES Manager: Philip Ting, Chief, FCOB/FCSS

Program Manager: Walter Schwink, Assistant Chief, FCOB/FCSS

Objective: To develop and implement a revised oversight program for fuel cycle facilities that is more risk-informed and performance-based. The revised oversight program is intended to: maintain safety and national security; increase public and other stakeholder confidence; increase effectiveness, efficiency and realism; and reduce unnecessary regulatory burden. Revision of the oversight program will address licensee performance indications, risk- informed inspections, risk significance determination, enforcement, assessment of licensee performance, and communication of risk significant performance to the licensee, public, and other stakeholders.

Coordination: NMSS is soliciting public and other stakeholder views in developing revisions to the oversight program. Program development is coordinated with NMSS organizations; Regions II, III, and IV; NRR; OPA; OCA; OSP; OE; and OGC. Program development is also integrated with other NRC initiatives, such as described in CTM items II.A., Risk-Informed Oversight Program (for reactors), and VII.S., Part 70 Rulemaking, to ensure the revised oversight program will comport with emerging requirements, guidance, and policies pertaining to fuel cycle facilities.

Prior to February 2000		
Milestone	Date	Lead
1. Hold a public workshop with the stakeholders	10/99C	W. Schwink, FCSS
2. Hold a public workshop with the stakeholders	12/99C	W. Schwink, FCSS

Through June 30, 2000		
Milestone	Date	Lead
3. Hold a public workshop	02/00C	W. Schwink, FCSS
4. Hold monthly public stakeholder workshops (Cornerstones)	03/22-23/00C	W. Schwink, FCSS

Through June 30, 2000		
5. Hold monthly public stakeholder workshops (Performance Indicators)	05/24-25/00C	W. Schwink, FCSS

Beyond June 30, 2000		
Milestone	Date	Lead
6. Information Paper to Commission concerning the status of revising the oversight program (199900120)	07/21/00	W. Schwink, FCSS
7. Information Paper to Commission concerning the status of the revisions of the oversight program (199900120)	12/00	W. Schwink, FCSS
8. Information Paper to Commission concerning the pilot program results (199900120)	08/01	W. Schwink, FCSS

Comments:

3, 4, 5, 6, 7 and 8 Based on stakeholder request, a) the scope of work has been expanded to include revision of the entire oversight program (not including regulatory requirements) including the baseline inspection program; b) monthly workshops are planned to obtain public and other stakeholder views on revision of the oversight program; and c) implementation of the pilot program has been deferred.

6. Date changed to support Commission schedule.

VII. Topic Area: Materials and Waste Programs

X. Threat Assessment Activities (Coordinated with Reactor Safeguards Initiatives, IV.M.)

SES Manager: Philip Ting, Chief, FCOB/FCSS
Project Manager: Roberta Warren, Team Leader, TAT/FCOB/FCSS

Objectives: To coordinate with FBI, NSC, DOE, and other agencies on national initiatives to protect against weapons of mass destruction and related activities involving NRC licensed facilities or materials. To complete a range of threat assessment activities in a timely manner to assure an adequate response to all reported threats involving NRC licensed facilities or materials; the continuing validity of the NRC design basis threat statement and associated safeguards and security regulations; to advise the Commission and NRC staff of significant threats, incidents, and associated interagency issues.

Coordination: Staff will coordinate with NMSS, NRR, SP, ADM, regions, OGC, and IRO.

Prior to February 2000		
Milestone	Date	Lead
1. Paper to Commission: National Initiatives Re Weapons of Mass Destruction and Impact on NRC (199900091)	1/00C	J. Davidson, FCSS

Through June 30, 2000		
Milestone	Date	Lead
2. Memo to Commission: Restoration of NRC Funding For Interagency Credibility Assessment Team (199900136)	04/00C	R. Warren, FCSS

Beyond June 30, 2000		
Milestone	Date	Lead
3. Paper to Commission: Semi-Annual Threat Environment (199900076)	8/25/00	A. Danis, FCSS

Comments: Milestones may be event driven and other than anticipated.

2. The completion date for the Commission memorandum concerning the Credibility Assessment Team is extended to allow time to strengthen options and coordinate within the staff.

3. Due date change per 3/25/00 SRM on 2/22/00 briefing.

VIII. Topic Area: Changes to NRC's Hearing Process

A. Use of Informal Adjudicatory Procedures

SES Manager: Joe Gray, OGC

Prior to February 2000		
Milestone	Date	Lead
1. Conduct public workshop on hearing process	10/26/99C	F.X. Cameron, OGC
2. Prepare Commission paper and proposed rulemaking for Commission review (SECY-00-0017)	1/21/00C	OGC S. Treby

Through June 30, 2000		
Milestone	Date	Lead
3. Commission decision on proposed rulemaking	~~4/15/00~~ TBD	OGC S. Treby
4. Publish proposed rules for comment	~~5/15/00~~ TBD plus 1 month	OGC S. Treby

Beyond June 30, 2000		
Milestone	Date	Lead
5. Submit Final rules to Commission	~~9/15/00~~ TBD plus 5 months	OGC S. Treby
6. Commission approves/affirms final rules	~~12/15/00~~ TBD plus 8 months	OGC S. Treby
7. Publish final rules in Federal Register	~~12/30/00~~ TBD plus 8 ½ months	OGC S. Treby
8. Final Rules effective	~~1/30/01~~ TBD plus 9 ½ months	OGC S. Treby

Comments: None

IX. Topic Area: State Programs

A. Agreement with the State of Pennsylvania

SES Managers: Frederick Combs, Deputy Director, Office of State Programs

Objective: To enter into an Agreement with the State of Pennsylvania pursuant to Section 274b of the Atomic Energy Act, as amended.

Prior to February 2000		
Milestone	Date	Lead
1. Pennsylvania submitted draft request for an Agreement	2/24/99C	David Allard, PA
2. Staff conducted completeness review of draft request	6/19/99C	S. Salomon, OSP

Through June 30, 2000		
Milestone	Date	Lead
None		

Beyond June 30, 2000		
Milestone	Date	Lead
3. Pennsylvania to file an application for an Agreement	1/01/01	S. Salomon, OSP
4. Negative consent Commission Paper to Commission (199900121)	9/01/01	S. Salomon, OSP
5. Commission to give negative consent	10/01/01	
6. Final assessment after publication in FR	1/02/02	S. Salomon, OSP
7. Commission SRM approving the Agreement	2/02/02	
8. Agreement effective	2/02/02	

Comments: None

IX. Topic Area: State Programs

B. Agreement with the State of Oklahoma

SES Manager: Frederick Combs, Deputy Director, Office of State Programs

Objective: To sign an Agreement with the State of Oklahoma pursuant to Section 274b of the Atomic Energy Act, as amended.

Prior to February 2000		
Milestone	Date	Lead
1. OK submitted draft request for an Agreement	9/17/99C	M. Broderick, OK
2. Send completeness review comments to State	11/19/99C	P. Larkins, OSP

Through June 30, 2000		
Milestone	Date	Lead
3. Projected date for Governor's formal request	1/05/00C	M.Broderick, OK
4. Negative consent paper to Commission for publication (199900122)	5/15/00C	P.Larkins, OSP
5. Publication for Public Review and Comment	6/12/00	P.Larkins, OSP

Beyond June 30, 2000		
Milestone	Date	Lead
6. Final draft assessment and publication of comments to Commission	9/12/00	P.Larkins, OSP
7. Commission SRM approving the Agreement	10/12/00	
8. Agreement effective date	11/12/00	
9. Agreement Signing	11/24/00	

Comments: None