UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, D.C. 20555-0001

January 25, 2001

NRC REGULATORY ISSUE SUMMARY 2001-05
GUIDANCE ON SUBMITTING DOCUMENTS TO THE NRC BY ELECTRONIC INFORMATION EXCHANGE OR ON CD-ROM

ADDRESSEES

All holders of operating licenses for nuclear reactors and all vendors who are required to make submittals to the U.S. Nuclear Regulatory Commission (NRC) pursuant to Part 50 of Title 10 of the *Code of Federal Regulations* (10 CFR Part 50), "Domestic Licensing of Production and Utilization Facilities."

INTENT

The NRC is issuing this Regulatory Issue Summary (RIS) to inform the addressees that they may now submit documents to the NRC over the Internet by the electronic information exchange (EIE) process or on CD-ROM if they follow certain procedures. The guidance herein is applicable to most documents submitted to the NRC pursuant to 10 CFR Part 50; exceptions are noted in the Background discussion.

This RIS requires no specific action or written response on the part of addressees. Electronic submission of documents to the NRC is strictly voluntary.

BACKGROUND

Under 10 CFR 50.4(c), documents may be submitted to the NRC over the Internet by EIE or on CD-ROM only if the NRC staff grants a case-specific exception to the requirement that paper copies be filed with the NRC.

Since June 1999, the NRC has been testing a system for submitting electronic documents in a secure manner. The system has been a success. With this RIS, the NRC waives the requirement that licensees and vendors must receive case-by-case approval to submit documents to the NRC electronically by EIE or on CD-ROM. It also waives requirements that multiple copies of documents be submitted to the NRC. Submission of documents to the NRC by EIE or on CD-ROM is strictly voluntary; addressees may continue to submit paper documents to the NRC.

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This RIS does not include submittals for adjudicatory proceedings to the Atomic Safety and Licensing Board Panel, the Office of the Secretary, and the Commission; these submittals are governed by the provisions of 10 CFR Part 2 and must be on paper unless the agency directs otherwise.

This RIS also does not apply to performance indicator (PI) data submittals from operating reactor licensees. The NRC will later issue a separate RIS on using EIE to submit PI data. Until then, licensees should continue to submit PI data in accordance with RIS 2000-08, "Voluntary Submission of Performance Indicator Data."

Later this year the NRC expects to initiate a rulemaking proceeding to allow all licensees, vendors, applicants, and members of the public to submit any document to the NRC by EIE or e-mail, or on CD-ROM or diskette. The NRC is currently evaluating the requirements for transmitting documents electronically from the NRC to licensees, vendors, applicants, and members of the public.

DISCUSSION

Documents, other than those exceptions mentioned above, that in the past were submitted to the NRC on paper may now be submitted over the Internet by EIE or on CD-ROM.

The following is general guidance. Detailed instructions on using EIE to submit documents are given in the EIE Quick Start Guide and the EIE Submittal Procedure. Detailed instructions for submitting documents on CD-ROM are given in The CD ROM Submittal Procedure. These documents are available for downloading from the NRC EIE Website at <http://www.nrc.gov/NRC/EIE/index.html> and from ADAMS using Accession No. ML003682830.

Copies

Licensees and vendors are not required to submit more than one copy of an electronic or paper document to the NRC. Electronic submittals need not be accompanied by a paper copy.

Formats

The acceptable formats for electronic submittals are Portable Document Format (PDF) Normal, PDF Image plus Hidden Text, ASCII, Multi Page TIFF, Word Perfect, Corel Presentations, Quattro Pro, MS Word, Excel, and Powerpoint. The preferred formats are —

- PDF Image plus Hidden Text
- PDF Normal
- Multi Page TIFF

Size

Documents that are 15 megabytes (MB) or smaller may be submitted using EIE; larger documents should be submitted on CD-ROM.

Sensitivity

Documents containing Classified, Safeguards, or Privacy information, or any other nonpublic information, may not be submitted using EIE, but may be submitted on CD-ROM.

Web Browsers

The acceptable Web browsers are Internet Explorer 5.0 and later versions, and Netscape 4.7 and later versions.

Digital Signatures

The submittal form allows for multiple digital signatures on a document. Refer to the EIE Submittal Procedure for instructions on using the multiple signature feature.

Each licensee must make an authorized certificate list (ACL) of the names and e-mail addresses of individuals allowed to submit digitally signed documents to the NRC. The ACL — on paper and signed — should be mailed to:

U.S. Nuclear Regulatory Commission
Electronic Information Exchange
License Registration Authority (T6-C30)
Washington, DC 20555

Upon receiving the ACL, the NRC will e-mail each individual on the list a personal identification number (PIN) to use in applying for a digital certificate. The digital certificate authorizes the individual to digitally sign documents and submit them to the NRC in a secure manner. The NRC will send the PINs 3 to 5 days after receiving the ACL. Addressees may add or delete names from the ACL by writing the NRC (on paper) at the above address. Detailed instructions for acquiring a digital certificate are given in the EIE Submittal Procedure.

Documents submitted electronically need not be digitally signed by the authors; they may be signed by the person who transmits them, but the authors are accountable for the content of their documents.

Generally, the people who will digitally sign documents and transmit them electronically to the NRC are the same ones who dispatch licensing documents through the mails.

NRC regulations require that some documents be filed under oath or affirmation. If such documents are transmitted electronically, they must conclude with a statement to this effect:

> "I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge. Executed on [date]".

The electronic document *must* be digitally signed by the person affirming this statement. This person may then transmit the document directly to the NRC using EIE or may forward the document to someone else for transmission to the NRC. In the latter case, the transmitter too must digitally sign the document.

If a document filed under oath is submitted on CD-ROM, the cover letter must include the above statement and the signature of the person swearing to the accuracy of the information submitted.

Documents transmitted to the NRC electronically using EIE will be time- and date-stamped when the last bit of the transmittal is received by the EIE server. The time and date of the transmission will become part of the record in the NRC Agencywide Documents Access and Management System (ADAMS). The transmitter will be e-mailed a notice of receipt of the document. The notice will include the time and date the transmission was received at the NRC.

CD-ROMs must be accompanied by a cover letter. CD-ROMs will be date-stamped by the NRC in the same way as documents received via the mails. The sender will not be e-mailed a notice of receipt of a CD-ROM. The agency will enter the cover letter into ADAMS. Depending on the size of the document on a CD-ROM, the agency will either enter the entire document into ADAMS or a description of the document.

The NRC may in the future issue guidance on formatting documents submitted on CD-ROM (file structure, version requirements, links within and between documents, requirements for search engines, software licensing, etc.).

BACKFIT DISCUSSION

This RIS requires no action or written response. Submission of documents to the NRC by EIE or on CD-ROM in accordance with the guidance of this RIS is strictly voluntary and, therefore, is not a backfit under 10 CFR 50.109. Consequently, the staff did not perform a backfit analysis.

FEDERAL REGISTER NOTIFICATION

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because the NRC has worked closely with NEI, industry representatives, and members of the public on the development of NRC's electronic information exchange process. The forthcoming rulemaking proceeding will give members of the public another opportunity to comment on NRC's proposed approach to electronic submissions.

PAPERWORK REDUCTION ACT STATEMENT

This RIS does not request any information collection.

If you have any questions about this RIS, please contact one of the persons listed below.

/RA/

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Attachment:
List of Recently Issued NRC Regulatory Issue Summaries

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Accession No.: ML003768343 Template No.: NRR-052
*See previous concurrence

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OFFICE	D:DLPM		REXB:DRIP		C:REXB:DRIP		D:DRIP	
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DATE	01/08/01		01/10/01		01/19/01		1/25/01	

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LIST OF RECENTLY ISSUED
NRC REGULATORY ISSUE SUMMARIES

Regulatory Issue Summary No.	Subject	Date of Issuance	Issued to
2001-04	Issuance of Updated Guidance on the Transfer of Ownership or Control of Licensed Activities (NUREG-1556, Volume 15	01/24/01	All material and fuel cycle license
2001-03	Changes, Tests, and Experiments	01/23/01	All U.S. NRC Part 50 and Part 72 licensees and Part 72 Certificate of Compliance holders
2001-02	Guidance on Risk-Informed Decisionmaking in License Amendment Reviews	01/18/01	All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.
2001-01	Eligibility of Operator License Applicants	01/18/01	All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.
2000-25	Potential Deficiency in Qualification of Okonite Single-Conductor Electrical Control Cables	12/26/00	All holders of OLs for pressurized-water reactors (PWRs), except those who have permanently ceased operations and have certified that fuel have been permanently removed from the reactor vessel
2000-24	Concerns about Offsite Power Voltage Inadequacies and Grid Reliability Challenges Due to Industry Deregulation	12/21/00	All holders of OLs for pressurized-water reactors (PWRs), except those who have permanently ceased operations and have certified that fuel have been permanently removed from the reactor vessel

OL = Operating License
CP = Construction Permit