

January 22, 2001

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 December 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 the "Lessons Learned Concerning the Nuclear Criticality Accident at Tokaimura" topic area has been deleted since all milestones have been completed.

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

1. Completed reviews and provided comments on NEI's preliminary draft industry guideline document regarding the risk-informed scope of certain Part 50 requirements (Option 2).
2. Met with NEI and the reactor vendor owner's groups to discuss the status of pilot activities associated with implementing a risk-informed Part 50.
3. Published a *Federal Register* notice announcing the availability of the final Regulatory Guide (RG) associated with 10 CFR 50.59 rule changes and completed the development of related NRC inspection guidance.
4. Issued the final version of RG 1.186 providing a clear definition of what constitutes design basis information.
5. Completed the final technical study of spent fuel pool accident risk at decommissioning nuclear power plants and forwarded it to the Commission for review.
6. Issued a *Federal Register* notice regarding the NRC's closure of NEI's petition to modify 10 CFR 50.54(a) pertaining to Quality Assurance Program Change Control.
7. Issued a Commission paper providing an update to the status of National Fire Protection Association activities as they relate to risk-informed, performance-based fire protection regulation.
8. Completed agreements with France and Belgium with respect to obtaining data on the utilization of mixed oxide fuels in nuclear power reactors.
9. Conducted a Commission briefing on the Generic Aging Lessons Learned report, Standard Review Plan, and RG/NEI 95-10 public comments.
10. Closed out all activities associated with the Calvert Cliffs license renewal following a Supreme Court decision denying to hear further arguments from petitioners.
11. Completed the orders and confirming amendments for Indian Point 3 and Fitzpatrick resulting from their acquisition by the Entergy Corporation.

12. Completed the orders and confirming amendments for the Palo Verde units resulting from the restructuring of the El Paso Electric Company.
13. Completed the orders and confirming amendments for Clinton, Oyster Creek, and TMI 1 resulting from the merger of UNICOM and PECO (Amergen).
14. Completed reviews of public comments and determined that additional actions are required associated with NUREG/CR-6672 (Re-examination of Spent Fuel Shipment Risk Estimates)
15. Held a third public meeting associated with Generic Spent Fuel Transportation Studies.
16. Published final comprehensive rule and licensee guidance for 10 CFR 30 General Licenses.
17. Initiated a environmental impact review for anticipated applications for construction and operation of a MOX fuel fabrication facility.
18. Conducted a Commission briefing on the status of developing a risk-informed, performance-based oversight program for fuel cycle facilities.

Further, additions and changes to the December 2000 update are marked in redline and strikeout. Minor editorial changes have not been highlighted. Since the November update, there are schedule changes associated with: (1) issuing a status report to the Commission associated with risk-informed technical requirements in 10 CFR 50 (Option 3), (2) completing backfit rule training for NRC staff, (3) milestones associated with risk-informed fire protection rulemaking, (4) completing agreements with France and Japan to obtain data on high burnup fuel, (5) completing the order for the Vermont Yankee plant resulting from the merger of UNICOM and PECO, and (6) issuing a paper to the Commission regarding the process for developing the adversary characteristics document as part of the NRC threat assessment activities.

Attachment: As stated

cc: Commissioner Dicus
 Commissioner Diaz
 Commissioner McGaffigan
 Commissioner Merrifield
 OGC
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 CIO
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STAFF RESPONSE TO TASKING MEMORANDUM AND STAKEHOLDER CONCERNS

as of December 29, 2000

TABLE OF CONTENTS

I. Topic Area: Risk-Informed and Performance-Based Regulation	1
A. Guidance Documents	1
B.1. Risk-Informed Scope of Certain Part 50 Requirements (Option 2)	3
B.2. Risk-Informed Technical Requirements in 10 CFR Part 50 (Option 3)	7
B.3. South Texas Project Risk-Informed Exemptions to Certain Special Treatment Requirements	9
C. Develop Standards for the Application of Risk-informed, Performance-based Regulation in Conjunction with National Standards Committees	11
D. Reevaluate the Technical Basis for the Pressurized Thermal Shock Rule (10 CFR 50.61)	13
II. Topic Area: Reactor Inspection and Enforcement	15
A. Risk Informed Baseline Inspection Program	15
B. Enforcement Program Initiatives	17
III. Topic Area: Reactor Licensee Performance Assessment	19
A. Performance Assessment Process Improvements (IRAP, Industry's Proposal, and Performance Indicators)	19
B. Risk-based Performance Indicator Development	21
IV. Topic Area: Reactor Licensing and Oversight	23
A. 50.59 Rulemaking and Guidance Development	23
B. Define Design Basis	25
C. Improved Standard TS	27
D. Application of the Backfit Rule	29
E. Decommissioning Regulatory Improvements	30
F. Proposed KI Rulemaking	32
G. NEI Petitions - Petition for Modifying 50.54(a)	34
H. Maintenance Rule Rulemaking (10 CFR 50.65) and Guidance Development	36
I. Reactor Fire Protection Risk-Informed, Performance-Based Rulemaking	38
J. Reactor Safeguards Initiatives	40
K. Utilization of MOX Fuel in Nuclear Power Reactors	42
L. High Burnup Fuel	44
M. Power Uprates	46
V. Topic Area: License Renewal	48
A. License Renewal (includes Plant Specific Reviews and Generic Process Improvements)	48
VI. Topic Area: License Transfers	51
A. License Transfers	51
VII. Topic Area: Materials and Waste Programs	55
A. Dual Purpose Spent Fuel Cask Reviews	55
1) Transnuclear TN-68 Cask Review	55

	2) BNFL Fuel Solutions - FuelSolutions Cask Review	57
	3) NAC-UMS Cask Review	58
B.	ISFSI Licensing - Private Fuel Storage	60
C.	Generic Spent Fuel Transportation Studies	62
	1) Re-examination of Spent Fuel Shipment Risk Estimates, NUREG/CR6672	62
	2) Package Performance Study: "Update of Spent Fuel Shipping Container Performance in Severe Highway and Railway Accidents"	62
	3) Burnup Credit for Transportation	64
	4) Characterization of Fuel Stored in Dry Cask	66
D.	Uranium Recovery Concerns (NMA White Paper Issues)	68
E.	Part 40: Licensing of Source Material	70
F.	Part 41 Rulemaking: Domestic Licensing of Uranium and Thorium Recovery Activities	72
G.	Reactor Decommissioning Guidance	74
H.	Atlas Bankruptcy and Site Reclamation	76
I.	West Valley Decommissioning Criteria	77
J.	Decommissioning Management Plan Site Status	79
K.	Part 61: Mixed Waste Rulemaking	80
L.	Prepare for Licensing a HLW Repository:	82
	1) Part 63 Rulemaking: HLW Repository Licensing	82
	2) NRC Comments on DOE HLW Site Recommendation	83
M.	Part 35 Rulemaking: Medical Use Regulation	84
N.	General Licenses Regulation (Part 30)	86
O.	Control of Solid Materials	88
P.	Part 73 Rulemaking: Spent Fuel Shipment Information Protection Requirements	90
Q.	Part 71 Rulemaking: Packaging and Transportation of Radioactive Material	92
R.	Part 72 Rulemaking: Independent Storage of Spent Nuclear Fuel and High Level Radioactive Waste	94
	1) Greater-Than-Class-C (GTCC) Waste	94
S.	Part 70 Rulemaking: Domestic Licensing of Special Nuclear Material	95
T.	Develop Rulemaking for Parts 40, 75, 110, and 150 (Implement IAEA Safeguards Agreement)	97
U.	MOX Licensing	99
V.	Risk-Informed and Performance-Based Oversight Program for Fuel Cycle Facilities	102
W.	Threat Assessment Activities (Coordinated with Reactor Safeguards Initiatives, IV.L.)	104
X.	Paducah Enrichment Upgrade Amendment Review	107
VIII.	Topic Area: Changes to NRC's Hearing Process	108
	A. Use of Informal Adjudicatory Procedures	108
IX.	Topic Area: State Programs	110
	A. Agreement with the State of Pennsylvania	110

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

A. 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 28, 2001		
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	I. Jung, SPSB
3. Issue Proposed modifications to regulatory guidance documents for comment (e.g., RG 1.174).	4/10/00C	R. Palla, SPSB
4. Complete meetings with stakeholders, ACRS, and CRGR on proposed modifications to guidance documents.	7/00C	R. Palla, SPSB
5. Transmit to the Commission the proposed final modifications to guidance documents. (199900064)	9/26/00C	R. Palla, SPSB

Through September 30, 2001		
Milestone	Date	Lead
6. Issue RIS with final guidance on use of risk-informed decisionmaking. (199900064)	~1 month after Commission consent January 19, 2001 (see comment)	R. Palla, SPSB

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

6. In COMSECY-00-0038 (November 13, 2000), the staff provided clarification on how it intends to implement the provision in the guidelines concerning Commission notification. ~~The staff is awaiting feedback from the Commission before issuing the final guidelines and the RIS.~~ **The guidance has been approved by the Commission (COMSECY-00-0038). The RIS will be issued after OGC and OMB reviews related to the Small Business Regulatory Enforcement Fairness Act are complete.**

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

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

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

Objective: To modify the scope of special treatment requirements to be risk-informed in accordance with the rulemaking plan of SECY-99-256 and its associated SRM of January 31, 2000.

Prior to February 28, 2001		
Milestone	Date	Lead
1. ANPR public comment period expires	5/17/00C	T. Bergman, DRIP
2. NEI preliminary draft guidelines submitted for staff endorsement	6/8/00C	NA
3. Commission paper assessing ANPR comments and other issues (199900061)	9/7/00C	T. Bergman, DRIP
4. Commission briefing	9/29/00C	S. West, DRIP
5. NEI complete draft guidelines submitted for staff endorsement	1/01	NA

Through September 30, 2001		
Milestone	Date	Lead
6. Option 2 acceptance criteria developed	milestone 5 + 3 mos.	T. Reed, DRIP
7. Initiate pilot program	milestone 5 + 3 mos.	J. Williams, DLPM

Beyond September 30, 2001		
Milestone	Date	Lead
8. Submit proposed rulemaking to Commission (199900061)	milestone 6 + 8 mos.	T. Reed, DRIP
9. Provide proposed rule to House and Senate Appropriations Committees one month after Commission approval (199900061)	SRM + 1 month	T. Reed, DRIP

Beyond September 30, 2001		
Milestone	Date	Lead
10. Submit final rulemaking to Commission (199900061)	milestone 9 + 15 mos.	T. Reed, DRIP
11. Provide final rule to House and Senate Appropriations Committees one month after Commission approval (199900061)	SRM + 1 month	T. Reed, DRIP

General Comments:

- a. The June update was a complete revision of this CTM item. In a memorandum to the Commission dated April 3, 2000, ~~the staff informed the Commission that changes to the rulemaking plan would be reflected in the June CTM.~~ In that memorandum the staff identified four issues that are affecting the Option 2 schedule: (1) ANPR, (2) industry guideline document, (3) pilot program, and (4) STP exemption request. The status of the first 3 issues are addressed by their associated milestone comments below. The STP exemption is now addressed in its own CTM item (I.B.3).
- b. Due to the complexity and developmental nature of Option 2, there is uncertainty associated with the schedule. As reflected in the notes below, the staff has estimated the uncertainty with several of the milestones as low (generally expect to meet the schedule within one month of estimated date), medium (within 3 months), or high (within 6 months). The above dates reflect the staff's current estimates of schedules; in parallel with this update, the staff is requesting approval to revise the milestones and schedules for these items.
- c. Meetings for this activity will no longer be ~~are no longer~~ identified in the CTM. In general, the staff meets at least monthly with internal and external stakeholders.

Milestone Comments:

2. The staff has received from NEI a preliminary draft industry guideline document, as well as a PRA peer review guideline. Both documents are incomplete in certain respects. ~~The staff is in the process of reviewing these documents.~~ **The staff has completed preliminary reviews of these documents and has provided its comments to NEI. The staff is waiting for revised documents. See comment 5.**
3. SECY-00-0194, in which the staff discussed its preliminary views on the ANPR comments and its current thinking on a conceptual approach for Option 2, was sent to the Commission on September 7, 2000.
- ~~4. Commission briefing held on September 29, 2000.~~

5. NEI has not yet submitted a complete draft of its categorization and treatment guideline. NEI now estimates that it will submit a complete draft of the guideline documents will be available in late December or by January 15, 2001. The uncertainty associated with receiving the complete drafts as scheduled this milestone is medium.
6. The staff is developing the acceptance criteria. This effort, which was initiated in June 2000, will include stakeholder involvement in the development of the criteria. Development of acceptance criteria is a function of (a) receipt of a complete NEI guideline for categorization and treatment; (b) industry reaction to and resolution of the open items in the STP draft safety evaluation (SE), issued November 15, 2000, and; (c) stakeholder input. The uncertainty associated with this effort is medium.
7. ~~At this time the participation and scope of the pilot program has not been established. The staff expects that Owners' Groups will have a substantial role in developing the pilot program. This subject was discussed in a June 27, 2000, public meeting. On the basis of information provided by NEI, industry has pilot activities on hold while they examine the draft SER issued November 15, 2000. The staff has requested that industry provide a specific proposal for the pilot program to ensure there is agreement on the participation, scope and objectives of the pilot program. Initiation of the pilot program is contingent upon: (a) obtaining agreement upon the participation and scope of the pilot program, (b) timely receipt of complete drafts of the guidelines that address most issues satisfactorily, and (c) development of Option 2 acceptance criteria.~~ On December 13, 2000, the staff met with NEI and the reactor vendor owners' groups to discuss the status of pilot activities. The Westinghouse and BWR owners' groups are completing initial pilot tasks intended to determine the costs and benefits associated with pursuing Option 2. The CE owners group is in the early stages of a pilot activity. Due to the open items in the STP draft SE, the owners' groups (and supporting lead plants) have not been able to determine the costs and benefits of Option 2. The Westinghouse and BWR owners groups pilot activities require full owners' group approval (in January-February 2001 time frame) to continue with the next phase. Whether funding will be continued is a function of the resolution of the draft STP SE open items. While it is uncertain at this time, the industry remains "cautiously optimistic" that pilot activities will continue on Option 2. The uncertainty associated with this milestone is medium.
8. In order to meet this proposed rulemaking milestone date, the preceding milestones must be completed as indicated in the schedule. In addition, the staff has assumed that 2 cycles of staff review and comment on draft industry guidelines followed by industry revision of the guidelines. In order to facilitate completing the proposed rulemaking after 2 review cycles of the industry guidelines any remaining open issues with the draft guidelines will be addressed in the form of exceptions in the draft regulatory guide associated with the Option 2 rulemaking. Due to the uncertainties associated with the preceding milestones and the uncertainty in resolving issues with the draft guidelines, the uncertainty associated with this milestone is high.

10. The final rulemaking is contingent upon completion of all preceding milestones as scheduled, and resolution of public comments on the proposed rulemaking. The uncertainty associated with this milestone is high.

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

B.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 28, 2001		
Milestone	Date	Lead
1. Provide status report to Commission (199900062)	4/12/00C	M. Drouin, RES
2. Identify preliminary set of proposed changes and recommendations (199900062)	9/14/00C	M. Drouin, RES
3. Hold public workshop on preliminary set of proposed changes and recommendations	10/02/00C	M. Drouin, RES
4. Status report to Commission (199900062)	12/00 01/01	M. Drouin, RES

Through September 30, 2001		
Milestone	Date	Lead
5. Feasibility study and recommendations on risk-informing ECCS (10 CFR 50.46) (199900062)	06/01	M. Drouin, RES
6. Plan and schedule for completion of Option 3 (199900062)	06/01	M. Drouin, RES

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

1. Paper submitted to Commission on 4/12/00 (SECY-00-0086).
2. Paper submitted to Commission on 9/14/00 (SECY-00-0198).

3. Due to Auditorium scheduling conflicts, the public workshop could not be scheduled until October 2, 2000.
4. **Status report is in concurrence. Working to resolve open issue on schedule.**

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

B.3. South Texas Project Risk-Informed Exemptions to Certain Special Treatment Requirements

SES Manager: John Zwolinski, Director, DLPM

Objective: To make a determination on the risk-informed exemption requests submitted by South Texas Project seeking relief from special treatment requirements for low safety significant or non-risk significant safety-related components.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Develop staff guidelines on treatment of low safety significant systems and components	7/18/00C See comment	T. Bergman, DRIP
2. Issue draft safety evaluation	11/15/00C	J. Nakoski, PDIV-1
3. Open items from draft safety evaluation resolved	2/15/01 See comment	J. Nakoski, PDIV-1

Through September 30, 2001		
Milestone	Date	Lead
4. Final safety evaluation completed	3/15/01 See comment	J. Nakoski, PDIV-1
5. Commission briefing on staff findings on exemption requests	3/30/01 See comment	J. Nakoski, PDIV-1
6. Issue final safety evaluation and approved exemptions	4/15/01	J. Zwolinski, DLPM

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

1. The core team for Option 2 of risk informing 10 CFR 50 developed draft guidelines for use in the staff's assessment of commercial practices proposed for treatment of low safety significant and non risk significant systems and components for the STP Nuclear Operating Company (STPNOC) risk-informed exemption requests. The draft guidelines were first made public on July 18, 2000, during a meeting with the Nuclear Energy Institute (NEI) on risk-informed regulation. The staff issued the draft guidelines to STPNOC in a letter dated July 19, 2000, and they have made them publicly available as a "work-in-progress," in an outreach effort to seek comments and feedback from external stakeholders.
3. Completion of this milestone is based on the ability of the licensee to provide the staff with a response to the draft safety evaluation by January 15, 2001.
4. Completion of this milestone by March 15, 2001, is directly linked to the ability to resolve the open items from the draft safety evaluation by February 15, 2001. ~~Following the ACRS meeting on December 7, 2000, the staff was requested to participate in a full day meeting with an ACRS subcommittee in February 2001 and to brief the full committee in March 2001 on the resolution of the open items from the draft safety evaluation. This will have a direct impact on the ability of the staff to complete this and subsequent tasks within the current milestone schedule. The additional interactions with ACRS could delay completion of this and subsequent tasks by several weeks. The staff will work with ACRS and the licensee to minimize the impact on the completion of this and subsequent tasks and will update the target completion date for this and subsequent milestones during a later revision to this item. Also, completion of this milestone is linked to incorporating feedback from ACRS based on an early December 2000 informational briefing of ACRS on the draft safety evaluation. The staff anticipates that the open items in the draft safety evaluation should not require further feedback from ACRS regarding resolution and does not plan on briefing ACRS again on the exemption requests. Should the staff need to brief the ACRS on open item resolution, there will be a direct impact on the completion of this and subsequent tasks.~~
5. Preparation of the Commission paper will be conducted in parallel with the preparation of the final safety evaluation and exemptions to the extent practical. Completion of this milestone is driven by the timing of the resolution of the open items from the draft safety evaluation and completion of the final safety evaluation and exemptions. (200000089)

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

C. 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 28, 2001		
Milestone	Date	Lead
1. Draft Phase-2 PRA standard issued for comment by ANS on external hazards (e.g., seismic) (08/00) and LPSD (see comments). Phase 2 PRA standard comments received and final draft developed on external hazards (see comments) and LPSD (see comments)	See comment #1	M. Drouin, RES
2. Final Phase-1 PRA standard issued by ASME	TBD	M. Drouin, RES

Through September 30, 2001		
Milestone	Date	Lead
3. Final fire PRA standard issued by NFPA	03/01	N. Siu, RES
4. Final Phase-2 PRA standard issued by ANS on external hazards and LPSD	See comment	M. Drouin, RES

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

1. 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.

- 1 & 4. External hazards draft standard being reviewed by ANS consensus committee, ANS expects to release for public review and comment at end of August 2000. No schedule established for final draft and issuance.
- LPSD draft standard delayed, no new schedule has been provided by ANS for any of the above milestones.
2. ASME is revising their schedule and has yet to inform us of new date.

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

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

SES Manager: Michael Mayfield, Director 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 28, 2001		
Milestone	Date	Lead
1. Present to ACRS the methodology to perform PTS risk analysis	3/16/00C	S. Malik, RES
2. Present to ACRS the revised PTS risk acceptance criterion	3/16/00C	N. Siu, RES
3. Conduct public workshops to identify and resolve open questions on analysis procedures and inputs in PFM, TH and PRA areas	5/02/00C	S. Malik, RES
4. Develop revised PTS risk acceptance criterion (199900115) (SECY-00-0140)	6/23/00C	N. Siu, RES
5. Present to ACRS the PTS risk analysis of the selected PWR plants	10/05/00C	S. Malik, RES

Through September 30, 2001		
Milestone	Date	Lead
6. Provide updated status on PTS reevaluation to Commission (199900115)	03/07/01	N. Siu, RES

Beyond September 30, 2001		
Milestone	Date	Lead
7. Develop Integrated PTS risk estimate for a generic PWR plant	10/01	N. Siu, RES
8. Present to ACRS the technical basis for proposed changes in 10 CFR 50.61 PTS screening criterion	12/01	S. Malik, RES

Comments:

4. 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.
5. Package will be delivered to ACRS in August, ACRS Subcommittee meeting is scheduled for 9/21/00, and ACRS full Committee meeting is scheduled for early October 2000.

II. Topic Area: Reactor Inspection and Enforcement

A. Risk Informed Baseline Inspection Program

SES Manager: William M. Dean, IIPB/DIPM/NRR

Program Manager: Douglas H. Coe, IIPB/DIPM/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", and III. B. "Risk-Based Performance Indicator Development," and ~~IV.G. "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 28, 2001		
Milestone	Date	Lead
1. 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
2. Commence initial implementation of the risk informed baseline inspection program at all operating sites	4/00C (see comment)	W. Dean, DIPM

Through September 30, 2001		
Milestone	Date	Lead
3. Complete evaluation of implementation and effectiveness of the first year of implementation of the risk informed baseline inspection program (199900070) including issuance of Commission paper	6/01	D. Coe, DIPM
4. Brief Commission on the results of initial implementation of the Revised Reactor Oversight Process	7/01	W. Dean, DIPM

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

1. The Commission paper was issued on February 24, 2000, and the Commission briefing was conducted on March 7, 2000.
2. 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. With the restart of Unit 2 in June 2000, the staff has begun implementation of the baseline inspection program at D. C. Cook.

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 28, 2001		
Milestone	Date	Lead
1. Develop Enforcement Policy for the new reactor oversight process. (200000022)	3/9/00C	B. Westreich, OE
2. Publish Revised Enforcement Policy incorporating Reactor Oversight changes.	5/1/00C	R. Pedersen, OE
3. Develop 10 CFR 50.59 Enforcement Guidance (related to IV.B)	5/1/00C	R. Reis, OE
4. Revise Enforcement Manual to incorporate Reactor Oversight Program changes.	6/1/00C	R. Pedersen, OE
5. Publicly announce establishment of the Discrimination Task Group.	7/27/00C	B. Westreich, OE
6. Conduct Discrimination Task Group Stakeholder Meetings.	11/02/00C	B. Westreich, OE

Through September 30, 2001		
Milestone	Date	Lead
7. Provide to Commission Draft Recommendation from Discrimination Task Group. (200000090)	4/30/01	B. Westreich, OE
8. Provide recommendation on Enforcement Program following first year of ROP implementation.	6/01	J. Luehman, OE
9. Develop Alternative Dispute Resolution Policy for use in Enforcement. (200000070)	8/7/01	B. Westreich, OE

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments: 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, IIPB/DIPM/NRR

Program Manager: Michael R. Johnson, IIPB/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," **and** III.B. "Risk-based Performance Indicator Development," ~~and~~ IV.G. "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 28, 2001		
Milestone	Date	Lead
1. Complete NRC training and licensee workshops on new reactor oversight process in preparation for initial implementation	4/7/00C	A. Madison, DIPM
2. 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
3. Commence initial implementation of new reactor oversight process at all operating sites	4/00C	W. Dean, DIPM
4. Final Senior Management Meeting to assess plant performance	5/00C	W. Dean, DIPM

Through September 30, 2001		
Milestone	Date	Lead
5. First Agency Action Review Meeting to discuss agency response for plant performance assessment inputs	5/01	W. Dean, DIPM
6. Complete evaluation of implementation and effectiveness of the first year of implementation of the revised assessment process (199900070) including issuance of Commission paper	6/01	M. Johnson, DIPM
7. Brief Commission on the results of initial implementation of the Revised Reactor Oversight Process	7/01	W. Dean, DIPM

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

1. Workshops were completed on March 23, 2000, and all required inspector training courses were completed on April 7, 2000.
2. The Commission paper was issued on February 24, 2000, and the Commission briefing was conducted on March 7, 2000.

III. Topic Area: Reactor Licensee Performance Assessment

B. Risk-based Performance Indicator Development

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

Program Manager: Hossein Hamzehee, 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 2001		
Milestone	Date	Lead
1. Brief ACRS on RBPI program overview white paper	4/05/00C	H. Hamzehee, RES
2. Provide the Commission with a SECY paper containing risk-based performance indicators (RBPI) program overview white paper (199800160) (RES) (SECY-00-0146)	6/28/00C	H. Hamzehee, RES
2. Brief Commission TAs on RBPI program overview white paper	7/20/00C	H. Hamzehee, RES
4. Issue Phase-1 RBPI development progress report for external stakeholder comment	01/01	H. Hamzehee, RES

Through September 30, 2001		
Milestone	Date	Lead
5. Brief ACRS on Phase-1 RBPI development progress	05/01	H. Hamzehee, RES
6. Brief Commission on Phase-1 RBPI development progress (199800161) (RES)	08/01	H. Hamzehee, RES

Beyond September 30, 2001		
Milestone	Date	Lead
7. Issue Phase-2 RBPI progress report for external stakeholder comment	07/02	H. Hamzehee, RES
8. Brief ACRS on Phase-2 RBPI development progress	11/02	H. Hamzehee, RES
9. Brief Commission on Phase-2 RBPI development progress (19980161) (RES)	04/03	H. Hamzehee, RES

Comments:

- 4-9. External stakeholder review has been postponed for six months to allow for an internal review of the RBPI analyses and the programmatic implication on the Reactor Oversight Process (ROP). The schedule changes will align the NRR briefing on insights gained from the first year of the ROP, allowing the Commission to consider the RBPI development results in light of the ROP lessons learned.

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 28, 2001		
Milestone	Date	Lead
1. Commission briefing	2/29/00C	E. McKenna, DRIP
2. Information copy of NEI guidance and draft RG to Commission SECY-00-0071 (199700191)	3/24/00C	E. McKenna, DRIP
3. Draft Regulatory Guide issued for public comment	4/25/00C	E. McKenna, DRIP
4. CRGR review of final guidance and RG	8/22/00C	E. McKenna, DRIP
5. ACRS review of final guidance and RG	9/05/00C	E. McKenna, DRIP
6. Final Regulatory Guide sent to Commission for approval (199700191) (SECY-00-0203)	09/29/00C	E. McKenna, DRIP
7. Issue final inspection guidance	12/5/00C See comment	E. McKenna, DRIP
8. Conduct training for NRC staff on rule and inspection guidance	Milestone 7 continuing for 4 months	E. McKenna, DRIP
9. Publish FR notice with approval of regulatory guidance to establish effective date of rule	12/13/00C See comment	E. McKenna, DRIP

Through September 30, 2001		
Milestone	Date	Lead
10. Revisions to 10 CFR 50.59 become effective	90 days after milestone 9-3/15/01	E. McKenna, DRIP

Beyond September 30, 2001		
Milestone	Date	Lead
None	NA	NA

Comments:

7. Inspection guidance will be finalized within 30 days of November 14, 2000 (SRM date). On December 5, 2000, the inspection guidance for the revised rule was provided to NRR's inspection program branch for incorporation into the inspection manual. Since the existing guidance remains effective until the revised rule becomes effective, the new inspection guidance will not be incorporated into the inspection manual until the revised rule becomes effective (March 13, 2001). This milestone is complete.
8. Training will be done using web-based self-paced training materials to be made available in January 2001. NRR has also conducted orientation/training sessions at each region during counterpart meetings. will be conducted as close to finalization of guidance as possible, with a goal of completion prior to the effective date of the rule.
9. SRM approving publication of final RG was issued on November 14, 2000. Final RG has been approved and is being published. Issuance of FR notice announcing availability of final RG (and setting effective date of rule) was published December 13, 2000 (65 FR 77773), with effective date for the revised rule of March 13, 2001. is in concurrence.

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 28, 2001		
Milestone	Date	Lead
1. Submit paper with draft regulatory guide to Commission (199800044) (NRR)	2/23/00C	S. Magruder, DRIP
2. SRM to direct staff to publish draft regulatory guide for public comment (60 days)	3/27/00C	S. Magruder, DRIP
3. Resolve issues identified during public comment period	8/00C	S. Magruder, DRIP
4. ACRS and CRGR review of paper and final regulatory guide	9/00C	S. Magruder, DRIP
5. Submit paper and final regulatory guide (199800044) (NRR)	10/25/00C	S. Magruder, DRIP
6. Issue final regulatory guide	12/26/00C 30 days after SRM	S. Magruder, DRIP

Through September 30, 2001		
Milestone	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

- The comments on DG-1093 supported the draft guide. Some editorial changes were proposed. NEI submitted on July 27, 2000, a final version of Appendix B to NEI 97-06 for endorsement in a final RG.

4. The staff briefed the ACRS full Committee on the final RG on August 29, 2000. In a letter dated September 12, 2000, the ACRS recommended publishing the RG. The RG was provided to CRGR on September 13, 2000. The CRGR chairman indicated that a briefing for the committee was not required and that the CRGR recommends issuance.
5. SECY-00-212 was signed on 10/25/00
6. In an SRM dated November 17, 2000, the Commission approved publication of RG 1.186. **The notice of availability of RG 1.186 appeared in the Federal Register on December 26, 2000 (65 FR 81550).** ~~The staff, therefore, will publish the RG by December 15, 2000.~~

With publication of the final RG, this task is complete and should be removed from the CTM.

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 28, 2001		
Milestone	Date	Lead
1. Issue iSTS Amendment for NMP-2	2/15/00C	R. Tjader, DRIP
2. Issue iSTS Amendment for IP-3	2/01	R. Tjader, DRIP

Through September 30, 2001		
Milestone	Date	Lead
3. Issue iSTS Amendment for LaSalle	3/01	C. Schulten, DRIP
4. Issue iSTS Amendment for Quad Cities	3/01	C. Schulten, DRIP
5. Issue iSTS Amendment for Dresden	3/01	C. Schulten, DRIP
6. Issue iSTS Amendment for Point Beach	4/01	C. Harbuck, DRIP
7. Issue iSTS Amendment for ANO, Unit 1	6/01	J. Foster, DRIP

Beyond September 30, 2001		
Milestone	Date	Lead
8. Issue iSTS Amendment for FitzPatrick	11/01	T. Le, DRIP

Comments:

IV. Topic Area: Reactor Licensing and Oversight**D. 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 28, 2001		
Milestones	Date	Lead
1. RES Backfit Audit Issued	02/01	J. Rosenthal, RES

Through September 30, 2001		
Milestone	Date	Lead
2. Backfit training at Headquarters and Regions	4/01 2/01	E. Benner, DRIP

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

— 4. — To allow adequate time for peer review and resolution of comments, the schedule was extended.

2. Training will occur two months after Milestone 1.

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

E. 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 provide input into the staff's regulatory development activities.

Prior to February 28, 2001		
Milestone	Date	Lead
1. 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.	6/30/00C	B. Huffman, PDIV-3
2. Technical staff to finalize decommissioning spent fuel pool draft study and risk objectives that can be used for decommissioning regulatory decision making. (199900132)	10/31/00 12/15/00 12/20/00C See comment	G. Hubbard, SPLB/DSSA
43. Submit a revised schedule to the Commission for completing Milestones 2 and 4. 3 above the spent fuel pool risk study and developing a long-term plan for decommissioning regulatory improvement.	9/11/00C	G. Hubbard SPLB/DSSA

Through September 30, 2001		
Milestone	Date	Lead
4. Submit rulemaking options paper to the Commission (200000126)	5/31/01 See comment	G. Tracy IOLB/DIPM
5. Submit a long-term plan of action for broad-scope decommissioning regulatory improvement (199900133)	3 months following completion of Milestone 2 TBD See comment	D. Dudley PDIV-3
6. Revise as necessary and resubmit the integrated decommissioning rulemaking plan based on conclusions of finalized decommissioning spent fuel pool risk study. (199900072)	1/31/01 3 months following completion of Milestone 2 TBD See comment	B. Huffman, PDIV-3

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

2. The Final Technical Study of Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Plants was forwarded to the Commission on December 20, 2000.
4. As stated in a December 20, 2000, memorandum to the Commission, an options paper will be forwarded to the Commission by May 31, 2001.
- 5, 6 The long-term plan for broad-scope decommissioning regulatory improvement (Milestone 5) and the integrated decommissioning rulemaking plan (Milestone 6) will be provided to the Commission within 60 days of receiving the Commission response to the options paper identified in Milestone 4.

IV. Topic Area: Reactor Licensing and Oversight

F. Proposed KI Rulemaking

SES Managers: Cynthia Carpenter, Branch Chief, RGE/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 28, 2001		
Milestone	Date	Lead
1. Revise KI technical paper (NUREG-1633) to address public comments and provide to Commission (199700193) (IRO)	TBD (see comments)	Frank Congel, IRO
2. Develop final KI Federal policy FRN reflecting FRPCC review and send to Commission (199700193) (IRO)	TBD (see comments)	Frank Congel, IRO
3. Final brochure on use of KI provided to Commission for review (199700193) (IRO)	TBD (see comments)	Frank Congel, IRO
4. Publish Final Rule (199800173) (NRR)	SRM + 1 month (see comments)	M. Jamgochian, DRIP
5. Publish KI Federal Policy FRN	TBD (see comments)	Frank Congel, IRO
6. Publish final technical paper (NUREG-1633)	TBD (see comments)	Frank Congel, IRO
7. Finalize the public brochure on use of KI and provide to FEMA for publication	TBD (see comments)	Frank Congel, IRO
8. Establish procedures to access Federal stockpiles with FEMA	TBD (see comments)	Frank Congel, IRO

Through September 30, 2001		
Milestone	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

- 1&2. 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 staff is expecting FDA draft guidance by the end of calendar year 2000, based upon discussions with FDA.
- 2&5. 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. The staff forwarded a paper to the Commission in February 2000 describing the process. ~~The staff is awaiting the Commission decision on the rulemaking and associated KI policy.~~ **The Commission issued an SRM on this topic on December 22, 2000.**
- 3&7. The development of the public brochure is tied to the completion of the NUREG.
6. The NUREG will be finalized after public comment.
7. 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.
8. Resolution of this issue is pending the Commission decision on the rulemaking and associated Federal KI policy.

IV. Topic Area: Reactor Licensing and Oversight**G. 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 28 2001		
Milestones	Date	Lead
1. Develop a plan and schedule for completing petition (199900004)	5/8/00C See comments	D. Dorman, DIPM
2. Conduct a public workshop to solicit feedback on implementation of the direct final rule for 10 CFR 50.54(a)	6/7/00C	R. Pettis, DIPM
3. Issue Commission paper recommending closure of NEI petition (199900004)	10/27/00C	R. Pettis, DIPM
4. Close NEI petition after Commission approval received	12/18/00 12/6/00C	R. Pettis, DIPM

Through September 30, 2001		
Milestone	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

1. 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 was issued on 5/8/00.

2. Public Meeting held with NEI and stakeholders on June 7, 2000. The petitioner (NEI) will inform the NRC in writing that no further action needs to be taken on the petition and further rulemaking is not necessary. This letter will permit NRC to close out the petition (WITS 199900004).
3. The NEI letter in response to the June 7, 2000, meeting was received approximately 6 weeks later than expected, and while it stated that further rulemaking to 10 CFR 50.54(a) was not warranted at this time, it did not explicitly withdraw the petition. This necessitated a September 5, 2000, staff letter that confirmed NEI's intent to withdraw the petition. SECY-00-0214 that recommends closure of the petition was issued on October 27, 2000.
4. The SRM for SECY-00-0214 was issued on November 17, 2000, and approved closure of the NEI petition. ~~The staff plans to issue a *Federal Register* notice by December 18, 2000, to close the NEI petition.~~ *The staff issued a *Federal Register* notice on December 6, 2000, on the closure of the NEI petition.*

IV. Topic Area: Reactor Licensing and Oversight**H. 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 180 days after issuance of the associated regulatory guidance.

Prior to February 28, 2001		
Milestones	Date	Lead
1. ACRS Briefing on final regulatory guide	3/2/00C	W. Scott, DIPM
2. CRGR 7-day negative consent	3/14/00C	W. Scott, DIPM
3. Provide Commission with final regulatory guide for review and approval (199800032)	3/28/00C	W. Scott, DIPM
4. Final rule effective date	11/28/00C	W. Scott, DIPM

Through September 30, 2001		
Milestones	Date	Lead
None		

Beyond September 30, 2001		
Milestones	Date	Lead
None		

Comments:

- 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.

4. In accordance with the SRM for SECY-00-0074, dated 5/1/00, the rule became effective on November 28, 2000, which was 180 days after the issuance of Regulatory Guide 1.182.

IV. Topic Area: Reactor Licensing and Oversight

I. 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 28, 2001		
Milestone	Date	Lead
1. Update Commission on status of NFPA activities (199900032). Commission paper signed 12/22/00.	12/31/00 12/22/00C	E. Connell, SPLB

Through September 30, 2001		
Milestone	Date	Lead
2. NRC conducts a public meeting with interested stakeholders	4/30/01 5/31/00	E. Connell, SPLB
3. Brief ACRS fire protection subcommittee on rulemaking efforts	5/31/01 08/31/01	E. Connell, SPLB
4. Brief CRGR on rulemaking efforts	6/31/01 08/31/00	E. Connell, SPLB
5. Publish proposed rule change for public comment	7/30/01 11/30/01	E. Connell, SPLB

Beyond September 30, 2001		
Milestone	Date	Lead
6. Resolve public comments	11/30/01 04/30/02	E. Connell, SPLB
7. Brief ACRS & CRGR on final rule	1/31/02 07/31/02	E. Connell, SPLB
8. Submit final rule for Commission approval (199900032)	3/31/02 10/31/02	E. Connell, SPLB

Comments:

3. ~~NFPA issued NFPA 805 for public comment, and NFPA has resolved public comments on the proposed industry standard and revised the standard; 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. The staff is currently reassessing the remainder of the schedule in advance of updating the commission and will revise the milestone dates following this assessment.~~ NFPA 805 was approved by NFPA membership in November 2000 and is expected to be published in April 2001. A new schedule has been developed to allow time for interaction with NEI to develop implementation guidance and to obtain concurrence on that guidance.

IV. Topic Area: Reactor Licensing and Oversight

J. Reactor Safeguards Initiatives

SES Manager: 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.L.~~ **IV.J.** "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 28, 2001		
Milestones	Date	Lead
1. Conduct public meetings with industry groups and other stakeholders	4/00C	R. Rosano, DIPM
2. ACRS Briefing	10/00C	R. Rosano, DIPM

Through September 30, 2001		
Milestones		Lead
3. CRGR Briefing	4/01	R. Rosano, DIPM
4. Proposed rule to Commission (199800188)	5/01	R. Rosano, DIPM

Beyond September 30, 2001		
5. Proposed rule published in the <i>Federal Register</i> with a 75-day comment period	11/01	R. Rosano, DIPM
6. Resolution of public comments	3/02	R. Rosano, DIPM
7. Final rule ACRS Briefing	3/02	R. Rosano, DIPM
8. Final rule CRGR Briefing	4/02	R. Rosano, DIPM
9. Final rule to EDO (199800188)	5/02	R. Rosano, DIPM
10. Final rule to Commission	7/02	R. Rosano, DIPM
11. Publication of rule	11/02	R. Rosano, DIPM

Comments:

1. The staff is conducting public working meetings on a routine basis to obtain stakeholder input for the rulemaking effort.
2. During the 476th meeting of the ACRS, October 5-7, 2000, the Committee considered a proposed revision to 10 CFR 73.55. The Committee decided not to review the proposed revision and has no objection to the staff issuing it for public comment. The Committee will review the proposed final revision after the staff has resolved public comments.
- 1-11. 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.

IV. Topic Area: Reactor Licensee Performance Assessment

K. 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 UO₂ fuel is adequate for MOX fuel.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Complete agreements with Belgonucleaire, Belgium, Institute de Protection et de Surte Nuclleire (IPSN), France, to obtain data on MOX fuel.	1/01 12/13/00C	A. Szukiewicz, RES
2. Complete Issue draft agreement with Japan Atomic Energy Research Institute (JAERI) Japan, to obtain data on MOX fuel.	01/01	A. Szukiewicz, RES
2a. Complete final agreement with JAERI and NRC.	04/01	

Through September 30, 2001		
Milestone	Date	Lead
3. Issue draft PIRT report on RIA, PWR LOCA and the Applicability of NUREG-1465 Source Term to MOX fuels	6/01	R. Lee, RES
4. Meet with the ACRS subcommittee to discuss PIRT results and proposed research plan to address source term issues	7/01	R. Lee, RES

Beyond September 30, 2001		
Milestone	Date	Lead
5. This activity is long-term with an anticipated completion date (e.g., SRP, Regulatory Guide) in 2005	06/05	F. Eltawila, RES

Comments:

1. Agreement with Belgonucleaire, Belgium was completed in January 2000. The agreement with IPSN, France was completed on December 13, 2000.
2. The agreement with JAERI, Japan includes data for both MOX and high burnup fuel (IV. L. - High Burnup Fuel).
3. Combine with PIRT for high burnup fuel.
4. Combine briefing to ACRS on PIRT for high burnup fuel and MOX.

IV. Topic Area: Reactor Licensing and Oversight

L. 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 28, 2001		
Milestone	Date	Lead
1. Meet with the ACRS subcommittee to discuss RIA PIRT results and proposed research plans	3/03/00C	R. Meyer, RES
2. Hold a public meeting to identify phenomena affecting high burnup fuel behavior under BWR anticipated transient without scram	4/06/00C	R. Meyer, RES
3. Complete umbrella agreement with Institute de Protection et de Sûrté Nucléire (IPSN), France, to obtain data on RIA Tests for high burnup fuel. 3a. Complete bilateral agreement between IPSN and NRC.	10/23/00C 01/01	A. Szukiewicz, RES
4. Complete Issue draft agreement with Japan Atomic Energy Research Institute (JAERI) Japan, to obtain data on RIA Tests for high burnup fuel. 4a. Complete final agreement with JAERI and NRC.	12/00 01/01 04/01	A. Szukiewicz, RES

Through September 30, 2001		
Milestone	Date	Lead
5. Issue Phenomena Identification and Ranking Tables (PIRT) report summarizing the expert elicitation to identify, important rank phenomena affecting high burnup fuel behavior under reactivity insertion accidents (RIA), BWR stability, and LOCAs to high burnup fuels	6/01	R. Meyer, RES
6. Issue an interim PIRT report on Applicability of NUREG-1465 Source Term on high burnup fuel.	6/01	R. Meyer, RES
7. Meet with the ACRS subcommittee to discuss PIRT results and proposed research plans	7/01	R. Meyer, RES

8. Complete LOCA Oxidation tests for Zircaloy-2	9/01	S. Basu, RES
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Beyond September 30, 2001		
Milestone	Date	Lead
9. Summarize the results from 2 RIA tests at the Cabri (sodium loop) reactor	12/01	R. Meyer, RES
10. 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, RES

Comments:

1. Per discussion with ACRS.
3. Umbrella agreement for CABRI project signed October 23, 2000. ~~Draft~~ Bilateral agreement between IPSN/NRC under final negotiations review for signature and expected to be completed December 2000 January 2001.
4. ~~JAERI delayed until 12/00~~. RES office director traveled to Japan in September 2000 for negotiations. It will take several months to get interagency approvals of non-technical issues. Additional time needed for inter-division review of draft agreement. Date for final agreement is conditional on JAERI review and comment. The agreement with JAERI, includes data for both high burnup fuel and MOX (IV. K. - MOX).
5. To minimize duplication of efforts, in the May update of CTM it was decided to publish a single PIRT report that combines three of the high burnup phenomena ranking for BWR stability, and LOCAs. The PIRT on RIA has also been added to this one report. The PIRT on source term will not be included in this combined report and has been added as a separate item.
6. Activity on source term added, it will not be included in the combined PIRT report.

IV. Topic Area: Reactor Licensing and Oversight**M. Power Uprates**

SES Manager: Suzanne Black, Deputy Director, DLPM

Objective: Review licensee applications for increased reactor power levels and provide improvements in licensing requirements which will permit efficiency in granting power uprate requests.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Issue safety evaluation report for the ABB "Cross Flow" Meter Topical Report	3/20/00C	I. Ahmed, DE
2. Issue Final Rule change revising 10 CFR 50, Appendix K	5/3/00C	J. Donoghue, DSSA
3. Issue 5% power uprate amendment for Lasalle units 1 and 2	5/9/00C	T. J. Kim, DLPM
4. Issue 5% power uprate amendment for Perry	6/1/00C	T. J. Kim, DLPM
5. Issue 5% power uprate amendment for River Bend	10/6/00C	T. J. Kim, DLPM
6. Issue 2% power uprate amendment for Diablo Canyon Unit 1	10/27/00C	T. J. Kim, DLPM
7. Issue 1.4% power increase amendment (w/ flow meter) for Watts Bar Unit 1	1/30/01 See comment	T. J. Kim, DLPM

Through September 30, 2001		
Milestone	Date	Lead
8. Issue 5% power uprate amendments for Byron/Braidwood	05/01/01	T. J. Kim, DLPM

Beyond September 30, 2001		
Milestone	Date	Lead
9. Completion of NRC review of Duane Arnold's 15% uprate. Application was received on 11/17/00.	10/30/01	T. J. Kim, DLPM

Comments:

ComEd's applications for 15% power uprate for both Dresden and Quad Cities are expected in December 2000.

Brunswick application for 15% power uprate is expected in mid-2001.

In 2001-2002, applications for 5% uprate are expected for the following plants: , Grand Gulf, ANO-2, Beaver Valley, and DC Cook.

The licensee for Clinton has indicated their plan of submitting an application for 20% uprate in mid-2001.

7. The staff's target completion date for the Watts Bar 1.4% power uprate amendment is based on the staff's resources and priorities.

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 28, 2001		
Milestone	Date	Lead
1. Receive Arkansas Nuclear One, Unit 1, (ANO-1) license renewal application	2/1/00C	C. Grimes, DRIP
2. Issue Supplemental SER and Final Environmental Impact Statement - Oconee	2/3/00C	C. Grimes, DRIP
3. ACRS subcommittee meeting on Oconee Supplemental SER	2/24/00C	C. Grimes, DRIP
4. Receive Hatch, Units 1 and 2, license renewal application	3/1/00C	C. Grimes, DRIP
5. ACRS full committee meeting on Oconee Supplemental SER	3/2/00C	C. Grimes, DRIP
6. License renewal Commission decision complete for Calvert Cliffs	3/23/00C See Comments	C. Grimes, DRIP
7. License renewal Commission decision complete for Oconee	5/23/00C	C. Grimes, DRIP
8. 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)	8/31/00C	C. Grimes, DRIP
9. Receive Turkey Point, Units 3 and 4, license renewal application	9/11/00C	C. Grimes, DRIP
10. Issue ANO-1 Draft Environmental Impact Statement Supplement	10/3/00C	C. Carpenter, DRIP
11. Issue Hatch Draft Environmental Impact Statement Supplement	11/3/00C	C. Carpenter, DRIP

Prior to February 28, 2001		
Milestone	Date	Lead
12. Commission briefing on GALL report , SRP, and RG/NEI 95-10 public comments (199900103)	12/4/00 ^C	C. Grimes, DRIP
13. Issue ANO-1 Safety Evaluation Report (SER) and identify open items	1/01	C. Grimes, DRIP
14. Issue Hatch SER and identify open items	2/01	C. Grimes, DRIP

Through September 30, 2001		
Milestone	Date	Lead
15. Submit final GALL report and SRP to the Commission for approval (199600056)	4/01	C. Grimes, DRIP
16. Issue ANO-1 Final Environmental Impact Statement Supplement	7/01	C. Carpenter, DRIP
17. Issue Hatch Final Environmental Impact Statement Supplement	7/01	C. Carpenter, DRIP
18. Issue Turkey Point Draft Environmental Impact Statement Supplement	7/01	C. Carpenter, DRIP
19. Issue Turkey Point SER and identify open items	8/01	C. Grimes, DRIP
20. Provide recommendations to the Commission regarding potential rulemaking (199900104)	8/01	C. Grimes, DRIP
21. Issue ANO-1 Supplemental SER	9/01	C. Grimes, DRIP

Beyond September 30, 2001		
Milestone	Date	Lead
22. Issue Hatch Supplemental SER	10/01	C. Grimes, DRIP
23. Issue Turkey Point Final Environmental Impact Statement Supplement	1/02	C. Carpenter, DRIP
24. Commission decision on ANO-1 license renewal	2/21/02	C. Grimes, DRIP
25. Commission decision on Hatch license renewal	3/21/02	C. Grimes, DRIP
26. Issue Turkey Point Supplemental SER	4/02	C. Grimes, DRIP

Beyond September 30, 2001		
Milestone	Date	Lead
27. Commission decision on Turkey Point renewal	3/10/03	C. Grimes, DRIP

Comments:

6. 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 petitioner requested a rehearing by the full court which was denied on June 15, 2000. The petitioner has asked the Supreme Court to review the appellate court's decision. **On January 8, 2001, the Supreme Court denied the petitioner's request for review of the Appellate Court decision.**

- 12. A. Commission information briefing was held on 12/4/00.**

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 28, 2001		
Milestone	Date	Lead
1. Complete the order and conforming amendment for the direct license transfer for Oyster Creek resulting from the sale to AmerGen.	6/6/00C	E. Adensam, PDI
2. 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.	5/15/00C	S. Bajwa, PDIII
3. 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.	5/15/00C	S. Bajwa, PDIII
4. 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.	4/21/00C	E. Adensam, PDI
5. 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.	6/6/00C	E. Adensam, PDI
6. 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.	8/3/00C	S. Bajwa, PDIII
7. Complete the orders for Indian Point 1/2, Millstone 1/2/3, and Seabrook resulting from the merger of Consolidated Edison and Northeast Utilities.	8/22/00C See comment	E. Adensam, PDI

Prior to February 28, 2001		
8. Complete the order and conforming amendment for the acquisition of Vermont Yankee by AmerGen.	7/7/00C	E. Adensam, PDI
9. Complete the order for the acquisition of Florida Progress (Crystal River 3) by Carolina Power & Light. (020000113)	5/22/00C	H. Berkow, PDII
10. Complete the order and conforming amendment for Trojan resulting from the acquisition of Portland General Electric by Sierra Pacific Resources.	7/27/00C	S. Richards, PDIV
11. Complete the order and conforming amendment for Waltz Mills resulting from the merger of CBS Corporation and VIACOM.	4/13/00C	L. Marsh, REXB
12. Complete the orders for Seabrook and Millstone 3 resulting from a minority owner reorganization (United Illuminating Company).	7/18/00C	E. Adensam, PDI
13. 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).	6/30/00C	E. Adensam, PDI
14. 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).	9/29/00C	S. Richards, PDIV
15. Complete the orders and conforming amendments for Indian Point 3 and Fitzpatrick resulting from the acquisition of the plants by Entergy.	11/9/00C See comment	E. Adensam, PDI
16. Complete the orders and conforming amendments for Palo Verde 1/2/3 resulting from the restructuring of El Paso Electric Company.	12/1/00 11/21/00C See Comment	S. Richards, PDIV
17. Complete the orders and conforming amendments for Clinton, Oyster Creek, and TMI 1, resulting from the merger of UNICOM and PECO (AmerGen).	11/10/00 12/22/00C See comment	E. Adensam, PDI
18. Complete the order and conforming amendment for Vermont Yankee resulting from the merger of UNICOM and PECO/AmerGen.	11/30/00 1/31/00 See Comment	E. Adensam, PDI

Prior to February 28, 2001		
19. Complete the orders and conforming amendments for transfer of ownership of Salem 1&2, Hope Creek, and Peach Bottom 2&3 from Atlantic City Electric and Delmarva Power to PECO and PSEG Nuclear LLC.	1/19/01 See Comment	E. Adensam, PDI

Through September 30, 2001		
Milestone	Date	Lead
20. 19. Complete the orders and conforming amendments for Millstone 1/2/3 resulting from the acquisition of the plants by Dominion Nuclear Connecticut.	3/1/01 See Comment	E. Adensam, PDI
21. Complete the order and conforming amendments for the indirect transfer of TMI 2 and Saxton (demonstration reactor) resulting from the proposed merger of GPU, Inc. and First Energy Corporation.	3/07/01	S. Richards, PDIV
22. Complete the orders and conforming amendments for Indian Point 1&2 resulting from the acquisition of the plants by Entergy Corporation from Consolidated Edison	5/11/01	E. Adensam, PDI
23. Complete the order and conforming amendment for Palisades resulting from the merger of Consumers Energy Company (owner of Palisades) with Nuclear Management Company LLC.	5/15/01	S. Bajwa, PDIII

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

7. ~~The license transfer order was issued on 8/22/00. The petition to intervene regarding Millstone's license transfer is still under review by the Commission. Consistent with 10CFR 2.1316(a), the staff issued the order including a statement that Commission review of the hearing request is under consideration.~~
15. ~~The completion date has been revised due to a re-prioritization of license transfer reviews. An issue yet to be resolved is whether the Power Authority of the State of New York can legally retain the decommissioning funding for the affected plants.~~

-
16. ~~The 7/6/00 application for orders and conforming amendments are due to be issued by December 1, 2000~~ December 4, 2000, to support the restructuring of the El Paso Electric Company. The completion date has been revised to be consistent with the expiration date for the Federal Register Notice. OGC comments on the license transfer package are currently being addressed by RGEB, however, one issue re: the conditions on the decommissioning funding, has not yet been resolved. **The License Transfer order and conforming amendment was issued on 11/09/00 and 11/21/00, respectively.**
 17. The subject merger is related to the UNICOM/PECO Merger . 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 license transfer package for Clinton, Oyster Creek, and TMI 1 has been revised to remove Vermont Yankee from the order. The Vermont Yankee license transfer is being treated as a separate issue (see comment ~~47~~ **18**).
 18. The 2/28/00 and 8/11/00 applications for Vermont Yankee have been combined into a separate license transfer order that will allow AmerGen to purchase the plant under any one of the four scenarios defined in the 8/11/00 application. Although the acquisition of Vermont Yankee by AmerGen is not yet complete, the Staff is proceeding with its review of the proposed acquisition. The completion date ~~may be~~ **has been revised again** due to ~~a re-~~ **prioritization of license transfer reviews an anticipated supplemental submittal from the licensee based on adjustments to the purchase price of the facility, and adjustments to the present owner's contribution to the decommissioning funding. In a further development, the Vermont Public Service Board (PSB) has granted Entergy Corporation the right to intervene in the AmerGen/Vermont Yankee sale hearings. The PSB has also ruled that Entergy could have until January 12, 2001 to submit a competitive bid.**
 19. ~~The Orders (issued 4/21/00) for transfer of ownership of Peach Bottom, Hope Creek, and Salem from Atlantic City Electric (ACE) and Delmarva Power to PECO and PSEG Nuclear LLC implied that the transfer would occur simultaneously among all utilities. However, on 10/10/00, PECO and PSEG Nuclear LLC submitted changes to the original application requesting approval of the transfer of assets only from Delmarva at this time, since transfer from ACE has been delayed. This affects the decommissioning fund values stated in the 4/21/00 Orders, and changes the conforming amendments that accompanied the Orders. The staff is attempting to issue the orders before 12/31/00 to meet the licensee's request. The Order for Hope Creek were issued on 12/19/00.~~
 20. The 8/31/00 application for an order and conforming amendment is based on the planned divestiture of Millstone, with NRC approval requested by March 2001.

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)

Patricia K. Holahan, Chief, Rulemaking and Guidance Branch, Division of
Industrial and Medical Nuclear Safety (IMNS)

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: Coordinate with OGC and the Office of Nuclear Material Safety and Safeguards (NMSS)/Division of IMNS for rulemaking and issuance of the certificate of compliance.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Staff completes rulemaking; issues CoC for use under Part 72	4/28/00C	M.Tokar, SFPO
2. Staff issues Part 71 SER and CoC	02/01	D. Tiktinsky, SFPO

Through September 30, 2001		
Milestone	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

2. Transnuclear's response to our request for additional information (RAI), 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. On May 19, 2000, the applicant submitted the additional information. By letter dated June 1, 2000, the staff notified the

applicant that the review schedule had been revised to project issuance of the SER and CoC in February of 2001.

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

Patricia K. Holahan, Chief, Rulemaking and Guidance Branch, Division of Industrial and Medical Nuclear Safety (IMNS)

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 been issued in draft for rulemaking. SFPO will coordinate with OGC and IMNS to complete rulemaking and issue the certificate of compliance.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Staff issues draft storage SER and CoC for rulemaking	4/27/00C	M. Ross-Lee, SFPO

Through September 30, 2001		
Milestone	Date	Lead
2. Staff completes rulemaking; issues CoC for use under Part 72	03/01	M. Tokar, SFPO

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

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 April 2001 to be used with the FuelSolutions storage system.

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)

Patricia K. Holahan, Chief, Rulemaking and Guidance Branch, Division of Industrial and Medical Nuclear Safety (IMNS)

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 coordinated with OGC and IMNS to complete the rulemaking, and issued the certificate of compliance for use in October 2000.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Staff completes rulemaking; issues CoC for use under Part 72	10/02/00C	M. Tokar, SFPO

Through September 30, 2001		
Milestone	Date	Lead
2. Staff issues Part 71 SER and CoC	5/01	T. McGinty, SFPO

Beyond September 30, 2001		
Milestone	Date	Lead
None		

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 to expedite the review of the storage amendment, the staff agreed to a delay in the review of the NAC-UMS

transportation application, after issuing an RAI in August 1999. NAC responded to the staff's August 1999 RAI on June 29, 2000.

On October 26, 2000, NAC withdrew its June 29, 2000 RAI response, based on deficiencies identified by the staff. Upon NAC's submittal of a revised RAI response, the staff will determine a revised review schedule for the Part 71 transportation application.

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 28, 2001		
Milestone	Date	Lead
1. Issue Draft EIS	6/23/00C	M. Delligatti, SFPO
2. Staff issues supplement to SER	see comment	M. Delligatti, SFPO
3. Begin ASLB Hearing on Safety Contentions (Round 1)	6/19/00C	G. P. Bollwerk, ASLB
4. Issue Final Safety Evaluation Report	9/29/00C	M. Delligatti, SFPO
5. Issue Final EIS	2/01	M. Delligatti, SFPO

Through September 30, 2001		
Milestone	Date	Lead
6. Hearing on Environmental Contentions and Remaining Safety Contentions (Round 2)	07/01	G. P. Bollwerk, ASLB

Beyond September 30, 2001		
Milestone	Date	Lead
7. Final Decision on Licensing	12/01	Commission

Comments:

2. 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 was addressed in the final SER (milestone 4).

VII. Topic Area: Materials and Waste Programs

C. Generic Spent Fuel Transportation Studies

- 1) Re-examination of Spent Fuel Shipment Risk Estimates, NUREG/CR-6672**
- 2) Package Performance 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, RES, OPA, OCA, and OSTP, 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 in August/September 2000 to obtain public stakeholder views on spent fuel package performance under severe accidents. NMSS and RES are coordinating on possible follow-on analyses and testing, which may be recommended. RES would have the lead on confirmatory analyses and testing, in close coordination with NMSS.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Publish reassessment of NUREG-0170 (NUREG/CR-6672)	3/29/00C	J. Cook, SFPO
2. Publish Phase I of Package Performance Study report: results of public meetings and contractor reviews	6/30/00C	R. Lewis, SFPO
3. After NRC review and assessment of public comments on NUREG/CR-6672 and Phase I of Package Performance Study report, NMSS determines if additional actions are required	12/00C	S. Shankman, SFPO

Through September 30, 2001		
Milestone	Date	Lead
None TBD		

Beyond September 30, 2001		
Milestone	Date	Lead
None TBD		

Comments: None:

3. NMSS has determined that additional actions are required, as described in a March 31, 2000 user need memorandum from W. Kane, NMSS, to A. Thadani, RES. Additional milestones are currently being developed between NMSS and RES.

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 28, 2001		
Milestone	Date	Lead
1. Hold a series of three public meetings to identify phenomena affecting burnup credit	05/16-18/00C-PWR 08/22-24/00C-PWR 12/12-14/00C-PWR	NMSS/RES
2. Develop proposal for activities with France Institute de Protection et du Surte Nucleaire (IPSN)	06/29/00C	A. Szukiewicz, RES
3. Present proposal to Japan Atomic Energy Research Institute (JAERI), to obtain data on burnup credit	09/29/00C	A. Szukiewicz, RES
4. Issue PIRT report summarizing the expert elicitation to identify, and rank important phenomena affecting burnup credit	12/00 02/01	D. Ebert, RES

Through September 30, 2001		
Milestone	Date	Lead
5. Meet with the ACRS/ACNW subcommittee to discuss Phenomena Identification and Ranking Tables (PIRT) results and proposed research plans to address source term issues	03/01	D. Ebert, RES
6. 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, RES

Beyond September 30, 2001		
Milestone	Date	Lead
7. 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
8. This activity is long-term with an anticipated completion date (e.g., SRP, Regulatory Guide) in 2004	06/04	F. Eltawila, RES

Comments:

1. 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 interaction with Stakeholders and other parties. Meeting for PWRs was held on 05/16-18/00; additional PWR meeting scheduled for 08/00.

Third PWR meeting held December 12-14, 2000.

3. Agreement with Belgonucleaire signed January 5, 2000. Office Director is scheduled to present proposal to Japan Atomic Energy Research Institute on trip scheduled for September 29, 2000.
4. **Date for report summarizing the three PWR meetings revised to February 2001, to include the input obtained in the last meeting held in December 2000.**
5. Meeting delayed since joint ACRS/ACNW subcommittee is not scheduled to meet until March 2001.

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, Director 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.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Complete scoping study on the effects of zinc vapor on the mechanical properties of fuel cladding, assess the need for additional research	4/06/00C	M. Mayfield, DET

Through September 30, 2001		
Milestones	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
2. 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	3/02	S. Basu RES
3. Meet with the ACRS/ACNW subcommittee to discuss results and proposed research plan	3/02	S. Basu , RES
4. Develop technical bases for evaluating the high-burnup nuclide inventories and associated source terms to be used for the cask license renewal	9/03	S. Basu, RES

5. 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
6. Develop the technical bases for evaluating high burnup cladding integrity by performing creep tests on high burnup fuel rods.	09/03	S. Basu, RES

Comments:

- 2-5. Surry fuel rods were shipped from INEEL to Argonne National Laboratory - West (Idaho Falls) on Sunday, October 15, 2000. It is anticipated that the remaining milestones will be met as scheduled.

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): Philip Ting, Chief, Fuel Cycle Licensing Branch, Division of Fuel Cycle Safety and Safeguards (FCSS)

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 28, 2001		
Milestone	Date	Lead
1. Briefed TAs on the 4 Commission papers	02/10/00C	Dan Gillen, FCSS
2. Respond to EPA comments w/ copy to Commission (200000011)	03/02/00C	Jim Kennedy, DWM
3. Issue revised draft guidance as necessary on disposal capability with any Commission-approved revisions (200000028)	11/30/00C 12/01/00	M. Fliegel, FCSS
4. Implement any changes in review of alternate feedstock that result from hearing and Commission review of previous hearing orders (200000028)	11/30/00C 12/01/00	M. Fliegel, FCSS
5. Issue revised interim guidance to implement Commission decisions on ISL issues. (200000028)	11/30/00C 12/01/00	M. Fliegel, FCSS
6. SECY paper to EDO Complete Part 41 rulemaking plan, including recommendations on regulatory changes to address the three issues (199800177)	02/05/01	Mark Haisfield, IMNS

Through September 30, 2001		
Milestone	Date	Lead
7. TBD based on response to SECY paper (item 6. above). None	TBD	Mark Haisfield, IMNS

Beyond September 30, 2001		
Milestone	Date	Lead
8. TBD based on response to SECY paper (item 6. above)7. Proposed Part 41 to Commission (199800177)	04/2002	Mark Haisfield, IMNS
8. Final Part 41 to Commission (199800177)	15 months after publication of the proposed rule	Mark Haisfield, IMNS

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.

~~3, 4, & 5. Interim guidance to be provided through a generic communication with licensees. Date extended to consider issues raised in November 16, 2000, Commission TA briefing.~~

6, 7, & 8. Because of changing external factors, the staff is going back to the Commission with alternatives for the regulation of the uranium industry.

VII. Topic Area: Materials and Waste Programs

E. Part 40: Licensing of Source Material

SES Manager: Patricia Holahan, Chief, Rulemaking and Guidance Branch, 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) and the Occupational Safety and Health Administration (OSHA) under various Federal statutes.

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

Interaction with States, EPA, etc. is in the early planning stages; Working Groups have been formed and held their initial meetings in September and October 2000. The proposed rule on transfers from licensees (related to Milestone 1) was sent to the ~~Commission Agreement States~~ in ~~September~~ July 2000. The draft rule plan on control of distribution (related to Milestone 2) will be sent to the Agreement States in ~~January 2001~~ December 2000.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Proposed rule (on transfers from licensees) to Commission (200000041) (SECY-00-0201)	9/25/00C	C. Prichard, IMNS

Through September 30, 2001		
Milestone	Date	Lead
2. Rule plan (on control of distribution) to Commission (200000042)	3/9/01	G. Comfort, IMNS
3. Status report on interaction with States and other Federal Agencies (199800203)	3/9/01	T. Taylor, IMNS

Through September 30, 2001		
4. Final rule (on transfers from licensees) to Commission (200000041)	End of comment period in response to milestone 1 + 6 mos.	C. Prichard, IMNS

Beyond September 30, 2001		
Milestone	Date	Lead
5. 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

Comments:

5. 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: Patricia Holahan, Chief, Rulemaking and Guidance Branch, Division of Industrial and Medical Nuclear Safety (IMNS)

Philip Ting, Chief, Fuel Cycle Licensing Branch, Division of Fuel Cycle Safety and Safeguards (FCSS)

Objective: ~~Separate out and update uranium recovery regulations into new Part 41.~~
Identify and implement appropriate regulatory program for the uranium recovery industry.

Coordination: OGC and OSTP

Prior to February 28, 2001		
Milestone	Date	Lead
1. Final rulemaking plan SECY Paper to EDO (199800177)	2/5/01	M. Haisfield, IMNS

Through September 30, 2001		
Milestone	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
2. Proposed Part 41 to Commission (199800177)	04/02	M. Haisfield, IMNS
3. Final rule to Commission (199800177)	15 months after publication of the proposed rule	M. Haisfield, IMNS

Comments:

1. The Commission direction on 4 SECYs (99-011, -012, -013, and -277) was received on 8/11/00. Delay of two months (December to February) is to allow time for management guidance on whether to send the plan to all States or only to Agreement States, and to reflect current priorities.

Management has decided to revise the product to the EDO from a final rulemaking plan to a SECY Paper identifying alternative approaches for Commission consideration.

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 was issued for internal agency review for the period February 10, 2000 through May 10, 2000.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Publish final version of SRP for License Termination Plans	5/00C	L. Pittiglio, NMSS
2. Complete RESRAD, Version 6.0, and RESRAD-BUILD, Version 3.0, computer codes	6/28/00C	C. Trottier, RES
3. Complete D&D, Version 2, computer code	07/00C	C. Trottier, RES
4. Publish manual and code testing RESRAD, Version 6.0, and RESRAD-BUILD, Version 3.0, computer codes	11/00C	C. Trottier, RES
5. Issue user's guide and parameter description for D&D, Version 2, computer code	12/00 01/01	C. Trottier, RES

Through September 30, 2001		
Milestones	Date	Lead
None		

Beyond September 30, 2001		
Milestones	Date	Lead
None		

Comments:

1. This task is independent of activities covered under IV.H, "Decommissioning Regulatory Improvements" which are guidance activities under NRR lead.
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 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)
3. Date for completion of D&D slipped one month, from June to July 2000, to account for additional corrections needed as a result of testing.
4. ~~Manual (NUREG/CR-6692) is with Publications.~~
5. ~~One~~ **Two** month slip is due to delay in receiving contractor's report **and subsequent generation of additional NRC comments**. Final modifications are currently being made and document will go to publications in ~~December 2000~~ **January 2001**.

VII. Topic Area: Materials and Waste Programs

H. Atlas Bankruptcy and Site Reclamation

SES Manager: Philip Ting, Chief, Fuel Cycle Licensing Branch, Division of Fuel Cycle Safety and Safeguards (FCSS)

Objective: Complete Reclamation of Atlas Site in Moab, Utah

Coordination: OGC

Prior to February 28, 2001		
Milestone	Date	Lead
1. NRC approve tailings dewatering plan	09/12/00C	M. Fliegel, FCSS

Through September 30, 2001		
Milestone	Date	Lead

Beyond September 30, 2001		
Milestone	Date	Lead
24. Terminate license; transfer site to DOE	10/30/01	M. Fliegel, FCSS

Comments:

On October 30, 2000, the President signed H.R.4205, as PL 106-398. PL 106-398 contains a provision to transfer the Atlas site to the Department of Energy for remediation under Title I of the Uranium Mill Tailings Radiation Control Act (UMTRCA) and terminate the NRC license no later than 1 year after enactment. ~~Old items 2 through 6 are thus eliminated and replaced by new item 2.~~

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 have been incorporated into revised draft policy statement as of August 2000.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Commission Paper, with revised policy statement, to Commission for approval (199800178)(SECY-00-0226)	12/04/00 C	J. Parrott, DWM
2. Publish revised policy statement in <u>Federal Register</u>	TBD- dependent upon Commission decision	J. Parrott, DWM
3. After publication of West Valley Supplemental EIS, approve specific criteria for West Valley site	TBD	J. Parrott, DWM

Through September 30, 2001		
Milestone	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

- 1&2. Based on public comments at the January 5, 2000 meeting, staff extended the public comment period from 8/30/00 to 11/15/00. Paper forwarded to the Commission on December 4, 2000.

3. 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 28, 2001		
Milestone	Date	Lead
1. SDMP Master Schedule developed	3/31/00C	L. Camper, DWM
2. Remove the Watertown Mall site from SDMP	9/00C	R. Bellamy, R-I
3. Remove the Minnesota Mining & Manufacturing Site from SDMP	9/00C	L. Camper, DWM

Through September 30, 2001		
Milestone	Date	Lead
4. Remove the Cabot-Revere site from SDMP.	09/01	L. Camper, DWM

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

VII. Topic Area: Materials and Waste Programs**K. Part 61: Mixed Waste Rulemaking**

SES Managers: Patricia Holahan, Chief, Rulemaking and Guidance Branch, Industrial and Medical Nuclear Safety (IMNS)

John Greeves, Director, Division of Waste Management (DWM)

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

Coordination: OGC, OSTP

Will continue to work with EPA ~~if on the development of~~ EPA **decides to develop** a proposed rule.

Prior to February 28, 2001		
Milestone	Date	Lead
None		

Through September 30, 2001		
Milestone	Date	Lead
1. Staff comments on EPA proposed rule to the Commission (199900116)	EPA publication date + approx. 60 days	N. Orlando, DWM

Beyond September 30, 2001		
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:

- 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. EPA has currently put this effort on hold due to higher priority work and has withdrawn its proposed rule from OMB.

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

Prior to February 28, 2001		
Milestone	Date	Lead
1. Draft final rule to Commission. (199800029) (SECY-00-0084)	4/12/00C	T. McCartin, DWM

Through September 30, 2001		
Milestone	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments: None

VII. Topic Area: Materials and Waste Programs

L. Prepare for Licensing a HLW Repository

2) 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 28, 2001		
Milestone	Date	Lead
1. Paper to Commission on Final Staff Guidance for Site Recommendation Review (199900117)	4/9/00 11/13/00C	Manny Comar, DWM

Through September 30, 2001		
Milestone	Date	Lead
2. Paper to Commission on Final Site Recommendation Review to Commission (199900117)	4/30/01	Manny Comar, DWM

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

- Commission paper and comments to DOE are subject to receiving DOE Site Recommendation report . The timing for receipt of the report is uncertain.

VII. Topic Area: Materials and Waste Programs

M. Part 35 Rulemaking: Medical Use Regulation

SES Manager : Donald Cool, Director, Division of Industrial and Medical Nuclear Safety (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, OSTP, 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 28, 2001		
Milestone	Date	Lead
1. Submit final rulemaking package (including draft NUREG-1556, Vol.9) to the Commission for approval (199700065) (SECY-00-0118)	5/31/00C	C. Haney, IMNS
2. Submit revision of NRC's Medical Policy Statement to the Commission for approval (199700065) (SECY-00-0113)	5/23/00C	C. Haney, IMNS
3. Submit package on information collection requirements to OMB OCIO	12/15/00 11/27/00C	C. Haney, IMNS
4. Publication of final rule in the Federal Register	One month after OMB approval of information collection requirements	C. Haney, IMNS

Comments:

2. FR notice for Medical Policy Statement was published on 8/3/00 (65 FR 47654).
3. **Package to OCIO 11/27/00. OCIO is continuing review of the** ~~The due date for Milestone 3 is delayed to resolve OCIO comments on information collection package before submitting it to OMB. Additional changes are necessary to address issues raised by the new desk officer at OMB.~~

VII. Topic Area: Materials and Waste Programs**N. General Licenses Regulation (Part 30)**

SES Manager: Donald Cool, Director, Division of Industrial and Medical Nuclear Safety (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: OSTP, OGC, OE, ADM, CIO

Prior to February 28, 2001		
Milestone	Date	Lead
1. Final comprehensive rule to Commission (199800071) (SECY-00-0106)	5/15/00C	C. Mattsen, IMNS
2. Complete development of general license database and a registration system	6/27/00C	M. Raddatz, IMNS
3. Publish final comprehensive rule	Final rule due SECY (12/13/00) + 2 weeks 12/18/00C	C. Mattsen, IMNS
4. Publish draft final licensee guidance for public comment	FRN +1 mon. 12/19/00C	C. Brown, IMNS

Through September 30, 2001		
Milestone	Date	Lead
5. Initiate registrations	4/11/01	B. Tharakan, IMNS

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

1. SRM issued on 7/11/00 approving final comprehensive rule.

2. Contractor is correcting deficiencies in software program identified during staff testing. The system is expected to be ready in time to initiate registration, as directed, 4/11/01(SRM dated 7/11/00 on SECY-00-0106).
3. ~~EDO approved 30-day extension for Milestone 3 because of delay in OMB response.~~
4. **Final guidance forwarded to ADM on 12/19/00 for publication.**
5. ~~Correction of typographical error in Milestone 5 due date: due date is 4/11/01, not 4/11/00.~~

VII. Topic Area: Materials and Waste Programs

O. Control of Solid Materials

SES Managers: Patricia Holahan, Chief, Rulemaking and Guidance Branch, Industrial and Medical Nuclear Safety (IMNS)

John Greeves, Director, Division of Waste Management, (DWM)

Cheryl Trottier, Chief, Radiation Protection, Environmental Risk and Waste Management Branch, DRAA, RES

Objective: To examine NRC's regulatory approach for control of solid materials, including enhanced public participation in such a process. A paper on results of the Fall 1999 public meetings and recommendations for next steps was submitted to the Commission on March 23, 2000 (SECY-00-0070).

Coordination: Two public Commission briefings were held in May 2000.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Commission paper (SECY-00-0070) to Commission (199400059)	3/23/00C	F. Cardile, IMNS
2. Quarterly report per Commission SRM on SECY-00-0070 (See Comment 2) (200000039)	12/29/00C	F. Cardile, IMNS
3. Issue final NUREG-1640 on individual doses, incorporating comments	01/01*	C. Trottier, RES

Through September 30, 2001		
Milestones	Date	Lead
4. Quarterly report (200000039)	3/30/01	F. Cardile, IMNS
5. Quarterly report (200000039)	6/29/01	F. Cardile, IMNS

Beyond September 30, 2001		
Milestones	Date	Lead
(See Comment)		

Comments:

2. Quarterly reports are being prepared jointly by IMNS, DWM, and RES

3. *Impact of addressing EPA comments has not yet been assessed. Substantial modifications to the NUREG may be required. New schedule will be set by end of January 2001.

Comment: The NAS contract was awarded on 8/31/00. ~~NAS is currently in the process of selecting committee members. A list of "provisional" committee members posted on the NAS website and public comments are being accepted for twenty days. Additional Milestones will be added following initiation of NAS study.~~

VII. Topic Area: Materials and Waste Programs

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

SES Manager: Patricia Holahan, Chief, Rulemaking and Guidance Branch, Industrial and Medical Nuclear Safety (IMNS)

Susan Shankman, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

Objective: 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: OSTP, OE, OGC, NRR

Prior February 28, 2001		
Milestone	Date	Lead
1. Rulemaking plan to Commission for approval (199900123)	01/31/01	R. Broseus, IMNS

Through September 30, 2001		
Milestone	Date	Lead
2. Proposed rule to Commission (199900123)	SRM in response to Milestone 1 + 6 12 mo.	R. Broseus, IMNS

Beyond September 30, 2001		
Milestone	Date	Lead
3. Final rule to Commission (199900123)	Public comment period close date + 6 12 mo.	R. Broseus, IMNS
4. Publish final rule	Approx. 90 days after OMB approval of information collection requirements	R. Broseus, IMNS

Comments:

1. An ANPR was published on 12/21/99 (64 FR 71331). Public comment period closed on 7/5/00 (extended from 3/22/00 to 7/5/00). Forty eight public comment letters were received.
2. & 3. Draft rulemaking plan states that the period is 12 months for completing the proposed and the final rules.

VII. Topic Area: Materials and Waste Programs

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

SES Manager: Patricia Holahan, Chief, Rulemaking and Guidance Branch, Industrial and Medical Nuclear Safety (IMNS)

Susan Shankman, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

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, OSTP, OGC

Three public meetings were held to solicit comments on the Part 71 issues: at NRC on 8/10/00, in Atlanta (GA) on 9/20/00, and in Oakland (CA) on 9/26/00. Agreement States were invited to the public meetings. Two Agreement States attended the first meeting and Clark County, NV, attended the third meeting. Public comment period closed on 9/30/00. **The Commissioner's Technical Assistants were briefed on the status of the rulemaking on 12/18/00.**

Prior to February 28, 2001		
Milestone	Date	Lead
1. Revised Commission paper to the Commission (199800008) (SECY-00-0117)	5/31/00C	N. Tanious, IMNS

Through September 30, 2001		
Milestone	Date	Lead
2. Proposed rule to Commission	03/01/01	N. Tanious, IMNS

Beyond September 30, 2001		
Milestone	Date	Lead
3. Publish final rule concurrently with DOT	06/30/02	N. Tanious, IMNS

Comments: None.

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: Patricia Holahan, Chief, Rulemaking and Guidance Branch, Industrial and Medical Nuclear Safety (IMNS)

Susan Shankman, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

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: OSTP, OGC

Prior to February 28, 2001		
Milestone	Date	Lead
1. Publish proposed rule (65 FR 37712)	06/16/00C	M. Haisfield, IMNS

Through September 30, 2001		
Milestone	Date	Lead
2. Final rulemaking package to Commission (199600157)	03/30/01	M. Haisfield, IMNS

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments: None.

VII. Topic Area: Materials and Waste Programs

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

SES Manager: Philip Ting, Chief, Fuel Cycle Licensing Branch (FCLB),
Division of Fuel Cycle Safety and Safeguards (FCSS)

Project Manager: Thomas Cox, FCLB/FCSS

Objectives: Now that the amendments to Part 70 have been published (65 FR 56211 dated September 18, 2000) the objective is to complete the associated guidance documents. The amendments to Part 70, identify appropriate consequence criteria and the level of protection needed to prevent or mitigate accidents that equal or 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.

Coordination: The Part 70 guidance development will involve close coordination with the stakeholders. These include representatives of the fuel cycle industry, DOE, private citizens, and other groups who declare an interest. OGC will be consulted as legal matters arise.

NMSS' new Risk Task Group will be informed of new guidance, such as the Standard Review Plan, that defines acceptable licensee responses to the rule's requirements to evaluate and manage risk.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Final rule and draft Standard Review Plan to Commission (199500041) (SECY-00-0111)	5/19/00C	A. Persinko, FCSS
2. Develop guidance document regarding §70.62 ISA plans	1/18/01	T. Cox, FCSS

Through September 30, 2001		
Milestone	Date	Lead
3. Develop guidance document regarding performing backfit analyses for fuel cycle facilities	9/18/01	D. Martin, FCSS
4. Develop guidance document regarding the §70.72 change process	9/18/01	M. Lamastra, FCSS
5. Develop guidance document regarding §70.74 reporting requirements.	9/18/01	M. Lamastra, FCSS

Beyond September 30, 2001		
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: Patricia Holahan, Chief, Rulemaking and Guidance Branch, Division of Industrial and Medical Nuclear Safety (IMNS)

Theodore Sherr, Chief, Safety and Safeguards Support Branch, Division of Fuel Cycle Safety and Safeguards (FCSS)

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

Coordination: OIP, OSTP, OGC

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

Prior February 28, 2001		
Milestone	Date	Lead
None		

Through September 30, 2001		
Milestone	Date	Lead
1. Send rulemaking plan to Commission for approval (199900118)	State Department request + 6 months	J. Telford, IMNS

Beyond September 30, 2001		
Milestone	Date	Lead
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.

In a memorandum to the Commission dated June 5, 2000, the staff recommended putting this action on hold until the State Department provides the NRC with formal request that they are ready to submit the treaty for ratification or that they want the NRC to prepare the rulemaking package. The staff will then develop the rulemaking plan in accordance with direction from the Commission.

The basis for the recommendation to put this action on hold was provided in the memorandum. The State Department has informed the NRC that NRC will most likely be asked to accept an additional responsibility (Additional Protocol) involving the collection of certain information. The NRC does not currently have statutory authority to implement the new responsibility and legislation establishing NRC authority would be needed. The State Department does not expect to submit the Additional Protocol to the Senate for confirmation as a treaty (along with the implementing legislation) until after calendar year 2000. A specific target date has not yet been set.

VII. Topic Area: Materials and Waste Programs

U. MOX Licensing

SES Manager: Robert C. Pierson, Deputy Director, FCSS
Eric J. Leeds, Chief, Special Projects Branch, FCSS

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

Objective: To review license applications for construction and operation of the mixed-oxide (MOX) fuel fabrication facility and to prepare an Environmental Impact Statement for the 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 28, 2001		
Milestone	Date	Lead
1. Publish Standard Review Plan (SRP)	8/00C	M. Galloway, FCSS
3 2. Initiate NEPA review	12/00C	J. Davis, DWM

Through September 30, 2001		
Milestone	Date	Lead
2 3. Initiate review of construction authorization application	TBD 3/01	A. Persinko, FCSS

Beyond September 30, 2001		
Milestone	Date	Lead
None		

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.

- 2 & 3 The applicant has verbally informed the staff via letter dated December 6, 2000, that the application, currently previously scheduled to be submitted on December 22, 2000, will be delayed until February 28, 2001. ~~by one to two months. When a firm date is provided, it will be reflected in the table above.~~ Since further milestones are tied to the date the construction application is submitted, additional milestones will be added after receipt of the construction application.

VII. Topic Area: Materials and Waste Programs

Prior to February 28, 2001		
Milestone	Date	Lead
1. Provide briefing to Senate staff concerning the accident	TBD	W. Troskoski FSSB
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 FSSB
3. Commission Briefing	5/8/00C	W. Troskoski FSSB

Through September 30, 2001		
Milestone	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

1. No date has been set by the Senate staff for the briefing ; however, a written report was provided to the Senate in June 2000.

VII. Topic Area: Materials and Waste Programs

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

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

Program Manager: Patrick Castleman, Inspection Section, FSSB/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; OSTP; 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 28, 2001		
Milestone	Date	Lead
1. Information Paper to Commission concerning the status of revising the oversight program (199900120)	11/27/00C	P. Castleman, FCSS
2. Commission Briefing on Status of the Oversight Program Revision	12/20/00C	P. Castleman, FCSS

Through September 30, 2001		
Milestone	Date	Lead
3. Information Paper to Commission concerning the pilot program results (199900120) Commission Briefing on Status of the Oversight Program Revision	TBD	P. Castleman, FCSS

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

Based on stakeholder requests, 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) workshops are planned to obtain public and other stakeholder views on revision of the oversight program; **and** c) monthly public workshops were deferred during the summer of 2000; and d) ~~implementation of the pilot program has been deferred.~~

3. The timing and content of this milestone is subject to change pending the **Staff Requirements Memorandum from the** 12/20/00 briefing to the Commission.

VII. Topic Area: Materials and Waste Programs**W. Threat Assessment Activities (Coordinated with Reactor Safeguards Initiatives, IV.L)**

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

Project Manager: Roberta Warren, Team Leader, Threat Assessment Team/FSSB/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, OSTP, ADM, regions, OGC, and IRO.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Memo to Commission: Restoration of NRC Funding For Interagency Credibility Assessment Team (199900136)	04/00C	R. Warren, FCSS
2. Paper to Commission: Semi-Annual Threat Environment (199900076)	9/5/00C	A. Danis, FCSS
3. Paper to Commission: Process for Developing the Adversary Characteristics Document (200000115)	12/00 01/01	J. Davidson, FCSS
4. Paper to Commission: Semi-Annual Threat Environment (199900076)	02/01	A. Danis, FCSS

Through September 30, 2001		
Milestone	Date	Lead
5. Commission Briefing on Semi-Annual Threat Environment (199900076)	03/01	A. Danis, FCSS
6. Paper to Commission: Semi-Annual Threat Environment Review (199900076)	08/01	A. Danis, FCSS

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

3. Date extended to allow time for ~~Safeguards Steering Committee Review~~ OGC and CFO review.

VII. Topic Area: Materials and Waste Programs**X. Paducah Enrichment Upgrade Amendment Review**

SES Manager: Eric J. Leeds, Chief, Special Projects Branch (FSP), Division of Fuel Cycle Safety and Safeguards (FCSS)

Program Manager: Melanie A. Galloway, Special Project Branch, FSSB/FCSS

Objective: USEC submitted an amendment October 20, 2000 to increase its current enrichment limit from 2.75% to 5.5%. The staff has initiated its review of the safety basis of this change by reviewing completed criticality analyses that support the upgrade.

Coordination: Region III and SSSB

Prior to February 28, 2001		
Milestone	Date	Lead
1. Initiate scoping review	07/24/00C	L. Berg, FCSS
2. Initiate criticality analysis review	08/07/00C	L. Berg, FCSS
3. Initiate readiness review	10/16/00C	W. Schwink, FCSS
4. Receive amendment from USEC	10/20/00C	H. Astwood, FCSS
5. Complete licensing review	02/01	M. Galloway, FCSS

Through September 30, 2001		
Milestone	Date	Lead
6. Complete readiness review	03/01	W. Schwink, FCSS

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

The schedule is very aggressive without margin and relies on the timeliness of staff reviews and USEC submittals and the quality of USEC submittals. The staff review remains on schedule,

despite USEC delays in issue resolution. USEC delays in completing required revisions to criticality safety bases are also anticipated.

VIII. Topic Area: Changes to NRC's Hearing Process**A. Use of Informal Adjudicatory Procedures**

SES Manager: Joe Gray, OGC

Prior to February 28, 2001		
Milestone	Date	Lead
1. Commission decision on proposed rulemaking	TBD	OGC S. Treby
2. Publish proposed rules for comment	TBD plus 1 month	OGC S. Treby

Through September 30, 2001		
Milestone	Date	Lead
3. Submit Final rules to Commission	TBD plus 5 months	OGC S. Treby
4. Commission approves/affirms final rules	TBD plus 8 months	OGC S. Treby
5. Publish final rules in Federal Register	TBD plus 8 ½ months	OGC S. Treby
6. Final Rules effective	TBD plus 9 ½ months	OGC S. Treby

Beyond September 30, 2001		
Milestones	Date	Lead
None		

Comments: None

IX. Topic Area: State Programs**A. Agreement with the State of Pennsylvania**

SES Managers: Frederick Combs, Deputy Director, Office of State and Tribal 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 28, 2001		
Milestone	Date	Lead
None		

Through September 30, 2001		
Milestones	Date	Lead
None		

Beyond September 30, 2001		
Milestone	Date	Lead
1. Pennsylvania Governor to file application for an Agreement	1/01/02	S. Salomon, STP
2. Negative consent paper to Commission (199900121)	9/01/02	S. Salomon, STP
3. Negative consent SRM to publish proposed agreement	10/01/02	
4. Commission paper reconsidering final agreement	1/02/03	S. Salomon, STP
5. Commission SRM approving the Agreement	2/02/03	
6. Agreement effective	2/02/03	

Comments: 1-6. Based on comments with Pennsylvania on September 18, 2000, Pennsylvania now believes that the Agreement will be delayed at least one full year, thereby pushing the assumption for Pennsylvania's achieving Agreement State status to mid-FY 2003. The delay is a result of recent activities associated primarily with Site Decommissioning Management Plan (SDMP) sites within the Commonwealth, hiring of staff and establishment of a new fee schedule.