

March 15, 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 February 2001 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 "50.59 Rulemaking and Guidance Development," and the "Transnuclear TN-68 Dual-Purpose Cask Review" topic areas have been deleted since all milestones were completed.

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

1. Provided a status report to the Commission on risk-informing the technical requirements in 10 CFR Part 50 (i.e. Option 3).
2. Issued an improved Standard Technical Specification license amendment for Indian Point 3.
3. Issued a Safety Evaluation Report (SER) and identified open items for the Hatch plant license renewal.
4. Issued a draft Phenomena and Identification and Ranking Tables (PIRT) report summarizing expert elicitation to identify and rank important phenomena affecting burnup credit for spent fuel transportation.
5. Provided a paper to the Commission (SECY-01-0026) regarding alternatives to rulemaking for the (domestic licensing of uranium and thorium recovery activities).
6. Developed a guidance document regarding 10 CFR 70.62 (Domestic Licensing of Special Nuclear Material) integrated safety analysis.
7. Initiated a review of the construction authorization application for the mixed-oxide (MOX) fuel fabrication facility.
8. Conducted a Semi-Annual Threat Environment Commission briefing.
9. Completed the licensing and operational readiness review for the Paducah gaseous diffusion plant enrichment upgrade license amendment.

Further, additions and changes to the February 2001 update are marked in redline and strikeout. Minor editorial changes have not been highlighted. Since the January update, there were schedule changes associated with the (1) South Texas Project Risk-Informed Exemptions to Certain Special Treatment Requirements, (2) analysis of the Utilization of MOX Fuel in Nuclear Power Reactors, (3) Analysis of the use of High Burnup Fuel, (4) review of the Private

Fuel Storage Interim Spent Fuel Storage Installation application, (5) Advisory Committee on Reactor Safety/Nuclear Waste meetings to discuss spent fuel transportation study issues, and (6) 10 CFR Part 40 licensing of source material.

Attachment: As stated

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

Fuel Storage Interim Spent Fuel Storage Installation application, (5) Advisory Committee on Reactor Safety/Nuclear Waste meetings to discuss spent fuel transportation study issues, and (6) 10 CFR Part 40 licensing of source material.

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**STAFF RESPONSE TO TASKING MEMORANDUM AND STAKEHOLDER CONCERNS**  
**as of February 28, 2001**

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

### **A.1. Risk-Informed Scope of Certain Part 50 Requirements (Option 2)**

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

Objective: To modify the scope of 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.

<b>Prior to February 28, 2001</b>		
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	1/19/01C	NA

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
6. Option 2 acceptance criteria developed	4/01	T. Reed, DRIP
7. Initiate pilot program	4/01	J. Williams, DLPM

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
8. Submit proposed rulemaking to Commission (199900061)	12/01	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

<b>Beyond September 30, 2001</b>		
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 2000 update was a complete revision of this CTM item. In a memorandum to the Commission dated April 3, 2000, 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 are no longer identified in the CTM. In general, the staff meets 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 has completed preliminary reviews of these documents and has provided its comments to NEI. 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.
5. NEI provided a revised Option 2 implementation guideline by letter dated January 19, 2001. NEI provided revised PRA peer review criteria and responses to the staff's RAI by letter dated January 18, 2001.
6. The staff is developing the acceptance 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. 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**

### **A.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.

<b>Prior to February 28, 2001</b>		
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)	02/05/01C	M. Drouin, RES

<b>Through September 30, 2001</b>		
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

<b>Beyond September 30, 2001</b>		
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. — Additional time needed for inter-office review.

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

### A.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

Through September 30, 2001		
Milestone	Date	Lead
3. Open items from draft safety evaluation resolved	3/9/01 See comment	J. Nakoski, PDIV-1
4. Final safety evaluation completed	<del>3/29/01</del> 4/12/01 See comment	J. Nakoski, PDIV-1
5. Commission briefing on staff findings on exemption requests (200000089)	<del>5/8/01</del> 6/5/01 See comment	J. Nakoski, PDIV-1
6. Issue final safety evaluation and approved exemptions	<del>5/22/01</del> 6/12/01	J. Zwolinski, DLPM

Beyond September 30, 2001		
Milestone	Date	Lead
None		

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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. ~~The staff issued the draft safety evaluation (SE) on November 15, 2000. At that time, the staff's assessment was that if the responses to the open items were provided by January 15, 2001, it would be able to resolve the open items identified in the draft SE by February 15, 2001. However, the final responses were not received until January 25, 2001. This added about a two week delay to the schedule. Also, the staff was requested to participate in a second meeting with the Advisory Committee on Reactor Safeguards (ACRS) that was not originally scheduled. Support for the second ACRS meeting adds another week to the schedule for this milestone. When all of these factors are considered, the completion of this milestone is delayed by about three weeks.~~ Resolution of the open items by March 9, 2001, was based on the staff and the licensee coming to consensus in February 2001 on success paths to resolve the open items. During a 2-day meeting on February 15 - 16, 2001, the staff and the licensee were not able to determine a success path for resolving several of the open items related to maintaining environmental and seismic qualification requirements of replacement components. In response to the open item on seismic qualification, the licensee referenced two Electric Power Research Institute technical reports that the staff is evaluating for application to the exemption requested to 10 CFR Part 100, Appendix A. Evaluation of these substantial technical reports has taken significant time that has impacted the ability of the staff to resolve the related open item. The staff and the licensee continue to work to resolve their differences. Currently, the staff is focusing on clarifying its position on the level of information that would be required in the FSAR to address the open items related to the treatment of low risk safety-related components. These issues will challenge the staff and the licensee to bring the remaining open items to resolution by the current milestone date. Also, the licensee will begin a refueling outage on Unit 2 on March 7, 2001, that is scheduled to run through March 29, 2001. During this period, many of the licensee staff will be unavailable to support resolution of the remaining open items. The completion date for this milestone is directly related to the licensee's ability to support interactions with the staff during its outage. At this point, the staff is unable to project when the resolution of these open items will be completed.
4. With the delay in the resolution of the open items from the draft safety evaluation, there is a corresponding delay in the completion of this milestone. Also, the ACRS has requested that the staff provide briefings on the treatment processes used by the licensee to provide confidence in functionality and on the resolution of the associated open and confirmatory items from the staff's November 15, 2000, draft safety

evaluation. These ACRS briefings have been scheduled for April 5, 2001, and May 10, 2001, respectively. The revised date for this milestone only reflects the ACRS meeting and does not account for the changes that may occur due to delays in resolving the remaining open items (see comment 3).

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. The target date for providing the paper is ~~April 5, 2001~~ **May 3, 2001**. The original schedule assumed two weeks after the Commission received the paper to conduct the Commission briefing. The current Commission policy is that Commission papers be provided three weeks in advance of the meeting to allow distribution to external stakeholders. This required the addition of a week to the completion date for this milestone. This would support a Commission meeting as early as ~~April 26, 2001~~ **May 24, 2001**. However, in recognition of other Commission activities and the interest in the Commissioners in participating in this meeting, the meeting date was set to the earliest date that all Commissioners could participate. The licensee has indicated that a delay in the schedule of a couple of months necessary to successfully complete the staff's review is acceptable. (200000089)

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

### **B. 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.

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
1. Draft PRA standard on external hazards (e.g., seismic) released by ANS for public comment.	01/26/01C	M. Drouin, RES

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
2. Final fire PRA standard issued by NFPA.	03/01	N. Siu, RES
3. Review and provide NRC comments on ANS draft PRA standard on external hazards.	See comment	M. Drouin, RES
4. Final ANS standard on external hazards completed.	See comment	M. Drouin, RES

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
5. Draft PRA standard on LPSD issued by ANS for public comment.	See comment	M. Drouin, RES
6. Final PRA standard on internal events issued by ASME	See comment	M. Drouin, RES
7. Final PRA standard published by ANS on LPSD.	See comment	M. Drouin, RES

ANS PRA standards cover accidents initiated by external events (e.g., earthquakes) and accidents initiated during low power and shutdown (LPSD) operations.

ANS has not yet established a schedule for issuance of the final standard.

- 3, 4, 5, 7. LPSD draft standard delayed, no new schedule has been provided by ANS for any of the above milestones.
- 6. ASME is revising their schedule and has yet to inform us of new date.

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

### **C. 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.

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
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 study plants.	01/02	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.~~

6. Pending review in OEDO.

7. Date for PTS risk estimates for study plants is revised due to delays completing needed inputs for first study plant. Inputs were delayed because of the need for additional calculations for previously unanticipated accident scenarios.

**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,” 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.

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
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 (199900070)	7/01	W. Dean, DIPM

<b>Beyond September 30, 2001</b>		
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.

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
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

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<b>Beyond September 30, 2001</b>		
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,” 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.

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
Milestone	Date	Lead

<b>Through September 30, 2001</b>		
5. First Agency Action Review Meeting to discuss agency response for plant performance assessment inputs	06/01	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 (199900070)	7/01	W. Dean, DIPM

<b>Beyond September 30, 2001</b>		
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.
5. ~~AARM pushed back 3 weeks to accommodate senior NRC manager travel schedules.~~

### **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.

<b>Prior to February 2001</b>		
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	01/29/01C	H. Hamzehee, RES

<b>Through September 30, 2001</b>		
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

<b>Beyond September 30, 2001</b>		
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 was 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 align with 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. 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.

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
1. Issue iSTS Amendment for NMP-2	2/15/00C	R. Tjader, DRIP
2. Issue iSTS Amendment for IP-3	<del>2/01</del> 2/28/01C	R. Tjader, DRIP

<b>Through September 30, 2001</b>		
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	TBD 8/01	C. Harbuck, DRIP
7. Issue iSTS Amendment for ANO, Unit 1	6/01	J. Foster, DRIP

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

Comments:

6. Licensee has not yet responded to RAIs. A revised schedule **was discussed with the licensee and documented in a letter dated January 31, 2001** is currently being discussed with the licensee.

**IV. Topic Area: Reactor Licensing and Oversight****B. Application of the Backfit Rule**

SES Manager: ~~Jack Rosenthal~~ Farouk Eltawila, Branch Chief, REAHFB/DSARE/RES

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

Through September 30, 2001		
Milestone	Date	Lead
1. RES Backfit Audit Issued	04/01 see comment	J. Rosenthal, J. Flack, RES
2. Backfit training at Headquarters and Regions	01/30/01C	E. Benner, DRIP

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

NRR activities relative to this initiative are complete. SES Manager was changed from Tad Marsh to ~~Jack Rosenthal~~ Farouk Eltawila.

- The delay is for additional RES management review and associated changes to the audit report.
- Web-based training was provided to the staff on 1/30/01 at the following location:  
<http://www.internal.nrc.gov/NRR/BACKFIT/index.html>

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

##### **C. Decommissioning Regulatory Improvements**

SES Manager: ~~Stuart Richards, Director~~ Cynthia Carpenter, PDIV/DLPM/NRR Branch Chief, RGEB/DRIP/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.

<b>Prior to February 28, 2001</b>		
<b>Milestone</b>	<b>Date</b>	<b>Lead</b>
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)	12/20/00C See comment	G. Hubbard, SPLB/DSSA
3. Submit a revised schedule to the Commission for completing 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 policy options paper to the Commission (200000126)	5/31/01 See comment	B. Huffman RGEB/DRIP
5. Submit a long-term plan of action for broad-scope decommissioning regulatory improvement (199900133)	TBD See comment	D. Dudley PDIV-3 RGEB/DRIP
6. Revise as necessary and resubmit the integrated decommissioning rulemaking plan based on conclusions of finalized decommissioning spent fuel pool risk study. (199900072)	TBD See comment	B. Huffman, RGEB/DRIP

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, and released to the public on January 19, 2001.
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 **schedule** (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

##### D. KI Rulemaking and Rule Implementation

SES Manager: Glenn Tracy, Branch Chief, IOLB/DIPM/NRR (Program Implementation)  
Frank Congel, Director, IRO (KI Federal Policy )

Objective: To implement the Commission's decision regarding the use **consideration** of KI as a **supplemental** 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 establish procedures, processes, and guidance for KI program implementation.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Publish Final Rule (199800173) (NRR)	1/19/01C	M. Jamgochian, DRIP

Through September 30, 2001		
Milestone	Date	Lead
2. Provide draft NUREG-1633 to Commission (199700193) (NRR) (200100005)	4/4/01	K. Halvey Gibson, DIPM
3. Publish final NUREG-1633	TBD (see comments)	K. Halvey Gibson, DIPM
4. Provide draft public information brochure on use of KI to Commission for review (199700193) (NRR) (200100005)	TBD (see comments)	K. Halvey Gibson, DIPM
5. Provide final public information brochure on use of KI to FEMA for publication	TBD (see comments)	K. Halvey Gibson, DIPM
6. Develop procedures, processes and guidance for KI program implementation	TBD (see comments)	K. Halvey Gibson, DIPM

Through September 30, 2001		
Milestone	Date	Lead
7. Provide draft KI program implementation procedures, processes and guidance to Commission for review (20010020) (NRR)	TBD (see comments)	K. Halvey Gibson, DIPM
8. Provide final KI program implementation procedures, processes and guidance to FEMA for publication	TBD (see comments)	K. Halvey Gibson, DIPM
9. Develop final KI Federal policy FRN reflecting FRPCC review and send to Commission (199700193) (IRO)	8/31/01	Frank Congel, IRO

Beyond September 30, 2001		
Milestone	Date	Lead
10. Publish KI Federal Policy FRN	12/31/01	Frank Congel, IRO

Comments:

- 2&3. SRM-00-040 directed the staff to submit the revised draft NUREG-1633, within 90 days after the FDA issues the draft FDA guidance for public comment, for Commission approval prior to publication for a 60-day public comment period. The draft FDA guidance was issued for public comment on January 4, 2001, for a 30-day comment period. Due to requests from stakeholders, the FDA may extend extended the public comment period to 4/27/01. The draft FDA guidance, as well as draft EPA PAGs, should be finalized prior to final publication of NUREG-1633.
- 4&5. The development of the public information brochure will follow completion of NUREG-1633.
- 6,7&8. During an FRPCC meeting on January 17, 2001, NRC and FEMA informed the FRPCC that the implementation program for KI will be developed by a subcommittee of the NRC/FEMA Steering Committee. The NRC/FEMA Steering Committee co-chairs met on January 29, 2001, to discuss formation of the subcommittee including membership, activities, and schedule. The first meeting of the NRC/FEMA Steering Committee KI Subcommittee was held on February 26, 2001. The subcommittee developed a draft charter, task list, communication plan and KI implementation plan for presentation at the full Steering Committee meeting scheduled for March 1, 2001.

- 9&10. The Federal policy will be revised to include the FDA's revised position. The Commission issued an SRM on this topic on December 22, 2000. The Commission's revision of the KI Federal Policy was given to the FRPCC for review and comment on January 19, 2001. **The projected milestone completion dates are set conservatively to reflect the staff's best estimate of when the FRPCC will complete their review.**

#### IV. Topic Area: Reactor Licensing and Oversight

##### E. 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.

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
1. Update Commission on status of NFPA activities (199900032). Commission paper signed 12/22/00.	12/22/00C	E. Connell, SPLB

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
2. NRC conducts a public meeting with interested stakeholders	5/31/01 (see comment)	E. Connell, SPLB
3. Brief ACRS fire protection subcommittee on rulemaking efforts	08/31/01	E. Connell, SPLB
4. Brief CRGR on rulemaking efforts	08/31/01	E. Connell, SPLB

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

Comments:

2. ~~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. Planned completion dated changed to 2001 to correct a typographical error in December 2000 report.~~ Because of a January 18, 2001 letter from NEI to the Chairman expressing strong concerns for portions of NFPA 805, the staff is meeting with NEI and industry March 15, 2001 to determine the impact on the staffs proposed actions and schedule. Based on the outcome of the meeting the schedule may need to be revised.

#### **IV. Topic Area: Reactor Licensing and Oversight**

##### **F. 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.J.~~ **IV.G.** "Reactor Safeguards Initiatives," and VII.W, "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.

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
Milestones		Lead
3. CRGR Briefing	1/01C See Comments	R. Rosano, DIPM
4. Proposed rule to Commission (199800188)	5/01	R. Rosano, DIPM

<b>Beyond September 30, 2001</b>		
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 476<sup>th</sup> 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.
  3. CRGR has deferred its review of the proposed rule revising 10 CFR 73.55 until the final rule stage, after the staff has received and addressed public comments on the proposed rule.
- 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. **The staff issued SECY-01-0023 on February 5, 2001, providing an evaluation of public comments on SECY-00-0063. The staff will incorporate issues raised in the public comments into the performance criteria for the proposed rule which is scheduled to be submitted to the Commission in May 2001.**

#### IV. Topic Area: Reactor Licensee Performance Assessment

##### G. Utilization of MOX Fuel in Nuclear Power Reactors

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

Program Manager: Richard Lee, RES

**Objectives:** To modify NRC neutronics and fuel codes, to obtain the necessary experimental data needed to confirm these codes, which will be used to perform analyses to assess the risk associated with the use of MOX fuel in commercial PWRs. This program will also develop the technical basis to evaluate whether the regulatory criteria and guidelines developed for UO<sub>2</sub> fuel is adequate for MOX fuel.

Prior to February 28, 2001		
Milestone	Date	Lead
1. Complete agreement with Institute de Protection et de Surte Nuclleire (IPSN), France, to obtain data on MOX fuel.	12/13/00C	A. Szukiewicz, RES
2. Issue draft agreement with Japan Atomic Energy Research Institute (JAERI) Japan, to obtain data on MOX fuel.	01/26/01C	A. Szukiewicz, RES

Through September 30, 2001		
Milestone	Date	Lead
2a. Complete final agreement with JAERI and NRC.	04/01	A. Szukiewicz, RES

Beyond 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 fuel	<del>6/01</del> 12/01	R. Lee, RES
4. Meet with the ACRS subcommittee to discuss PIRT results and proposed research plan to address source term issues	<del>7/01</del> 02/02	<del>R. Lee</del> C. Tinkler, RES
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.
- 3 & 4 Delayed because the PIRT panel has not yet been established and we are awaiting agreement from EPRI and foreign countries on their participation.

#### **IV. Topic Area: Reactor Licensing and Oversight**

##### **H. High Burnup Fuel**

SES Manager: Farouk Eltawila, **Acting Director**, 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.

<b>Prior to February 28, 2001</b>		
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.	10/23/00C	A. Szukiewicz, RES
3a. Complete bilateral agreement between IPSN and NRC.	01/26/01C	
4. Issue draft agreement with Japan Atomic Energy Research Institute (JAERI) Japan, to obtain data on RIA Tests for high burnup fuel.	01/26/01C	A. Szukiewicz, RES

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
4a. Complete final agreement with JAERI and NRC.	04/01	A. Szukiewicz, RES
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	06/01	R. Meyer, RES
6. Meet with the ACRS subcommittee to discuss PIRT results (Milestone 5) and proposed research plans	<del>7/01</del> 04/01	R. Meyer, RES

7. Complete LOCA Oxidation tests for Zircaloy-2	9/01	S. Basu, RES
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Beyond September 30, 2001		
Milestone	Date	Lead
8. Issue an interim PIRT report on Applicability of NUREG-1465 Source Term on high burnup fuel.	<del>6/01</del> 12/01	<del>R. Meyer</del> C. Tinkler, RES
9. Summarize the results from 2 RIA tests at the Cabri (sodium loop) reactor and issue confirmatory assessment.	12/03	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 2008	06/08	F. Eltawila, RES

Comments:

1. Per discussion with ACRS.
3. Umbrella agreement for CABRI project signed October 23, 2000. Bilateral agreement between IPSN/NRC under review for signature and expected to be completed **signed in** January 2001.
4. 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.
8. **Date moved to reflect ACRS briefing schedule on the draft PIRT report.**
9. Testing in the CABRI sodium loop has been delayed until June 2003 to obtain agreement among all participants on the remaining tests to be run in sodium loop; consequently, the associated findings have been delayed. Dates for the performance of CABRI tests are decided by a foreign entity and are not controlled by the NRC.
10. Date to complete RIA tests and issue modifications to SRP and RG revised due to the delay in completing CABRI tests by the end of CY 2007.

#### **IV. Topic Area: Reactor Licensing and Oversight**

##### **I. 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.

<b>Prior to February 28, 2001</b>		
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	1/19/01C	T. J. Kim, DLPM

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
8. Issue 5% power uprate amendments for Byron/Braidwood	05/01/01	T. J. Kim, DLPM
9. Issue 1.4% power increase amendment (w/ flow meter) for Salem Unit 1. Application was received on 11/10/00.	5/31/01	T. J. Kim, DLPM
10. Issue 1.4% power increase amendment (w/ flow meter) for Susquehanna. Application was received on 10/30/00.	6/30/01	T. J. Kim, DLPM

<b>Through September 30, 2001</b>		
11. Issue 1.4% power increase amendment (w/ flow meter) for Hope Creek. Application was received on 12/01/00.	7/30/01	T. J. Kim, DLPM
12. Issue 5% power uprate amendment for Shearon Harris. Application was received on 12/14/00.	9/1/01	T. J. Kim, DLPM

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
13. Completion of NRC review of Duane Arnold's 15% uprate. Application was received on 11/17/00.	10/30/01	T. J. Kim, DLPM
14. Issue 1.4% power increase amendment (w/ flow meter) for Beaver Valley. Application was received on 1/18/01.	10/30/01	T. J. Kim, DLPM
15. Completion of NRC review of Dresden/Quad Cities' 17% uprate. Application was received on 12/29/00.	11/30/01	T. J. Kim, DLPM
16. Completion of NRC review of ANO2's 7.5% uprate. Application was received on 12/19/00.	12/19/01	T. J. Kim, DLPM

Comments:

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, ,  
Beaver Valley, .

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

TVA (Brown's Ferry Units 2 and 3) has indicated its plan of submitting an application for 15% uprate in late 2001.

**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.

<b>Prior to February 28, 2001</b>		
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	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 See comment	C. Grimes, DRIP
10. Issue ANO-1 Draft Environmental Impact Statement Supplement	10/3/00C	C. Carpenter, DRIP

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
11. Issue Hatch Draft Environmental Impact Statement Supplement	11/3/00C	C. Carpenter, DRIP
12. Commission briefing on GALL report , SRP, and RG/NEI 95-10 public comments (199900103)	12/4/00C	C. Grimes, DRIP
13. Issue ANO-1 Safety Evaluation Report (SER) and identify open items	1/10/01C	C. Grimes, DRIP
14. Issue Hatch SER and identify open items	2/7/01C	C. Grimes, DRIP

<b>Through September 30, 2001</b>		
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

<b>Beyond September 30, 2001</b>		
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

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
25. Commission decision on Hatch license renewal	3/21/02	C. Grimes, DRIP
26. Issue Turkey Point Supplemental SER	4/02	C. Grimes, DRIP
27. Commission decision on Turkey Point renewal	3/10/03	C. Grimes, DRIP

Comments:

9. On February 26, 2001, the ASLB ruled that both parties in the Turkey Point license renewal proceeding had standing to intervene but that neither petitioner identified admissible contentions. Therefore, ASLB concluded that the intervention petitions were denied and the hearing proceedings terminated.

14. Issued the Hatch safety evaluation report on 2/7/01.

**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.

<b>Prior to February 28, 2001</b>		
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	E. Adensam, PDI

<b>Prior to February 28, 2001</b>		
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.	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	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.	12/04/00C 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).	12/21/00C See comment	E. Adensam, PDI
18. 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.	12/27/00C See Comment	E. Adensam, PDI

<b>Through September 30, 2001</b>		
Milestone	Date	Lead

Through September 30, 2001		
19. Complete the order and conforming amendment for Vermont Yankee resulting from the merger of UNICOM and PECO/AmerGen.	03/31/01 See Comment	E. Adensam, PDI
20. Complete the orders and conforming amendments for Millstone 1/2/3 resulting from the acquisition of the plants by Dominion Nuclear Connecticut.	<del>3/1/01</del> 3/09/01 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 license transfer order for Wolf Creek resulting from the restructuring of Kansas City Power & Light into a corporate holding company	5/01/01	S. Richards, PDIV
22. 23. 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. 24. 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
25. Complete the license transfer order for Calvert Cliffs 1&2 resulting from a corporate realignment of Constellation Energy Group, Inc., which will transfer control of the plant to Calvert Cliffs Nuclear Power Plant, LLC.	5/31/01	E. Adensam, PDI
26. Complete the license transfer order for Nine Mile Point 1&2 transferring ownership of the plant to Constellation Nuclear, LLC.	6/01/01	E. Adensam, PDI

Beyond September 30, 2001		
Milestone	Date	Lead
None		

Comments:

16. The 7/6/00 application for orders and conforming amendments has been approved, and was issued December 4, 2000, to support the restructuring of the El Paso Electric Company.

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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 was revised to remove Vermont Yankee from the order. The Vermont Yankee license transfer is being treated as a separate issue (see comment 19). The license transfer orders for Clinton, Oyster Creek, and TMI 1 were issued on 12/21/00.
18. 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 Order for Hope Creek was issued on 12/19/00. The Orders for Salem 1&2 were issued on 12/21/00, and the Orders for Peach Bottom 2&3 were issued on 12/27/00.
19. The 2/28/00 and 8/11/00 applications for Vermont Yankee had been combined into one Order that would allow AmerGen to purchase the plant under any one of the four scenarios defined in the 8/11/00 application. 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. On January 12, 2001, Entergy submitted a bid for purchase of Vermont Yankee (VY) which is substantially higher than the purchase price previously proposed by AmerGen. The Vermont PSB is now seriously considering options on the sale of the plant, including the possibility of a public utility auction, as recommended by legal counsel for Vermont Yankee Nuclear Power Corporation. The PSB has put a hold on the schedule for the sale to allow for further discovery in the case. **Review of the 2/28/00 and 8/11/00 applications was completed. However, processing of the license transfer package is on hold based on a recent order from the Vermont Public Service Board (PSB).**

~~In addition, both Constellation Nuclear and Dominion Resource Services, Inc. have also written to the Vermont PSB requesting that VY be sold through a formal auction process. If the PSB decides to re-open the bidding on Vermont Yankee, as anticipated, the Order issue target date of 3/31/01 will likely be delayed further.~~

**Because of an Entergy Corporation bid for purchase of Vermont Yankee, which is substantially higher than the purchase price previously proposed by AmerGen, the PSB has dismissed the AmerGen proposal. On January 14, 2001 the PSB issued an order dismissing the original AmerGen proposal, and the amended proposals, based on findings that they did not reflect the fair market value of the plant. This order permits Vermont Yankee Nuclear Power Corp. to re-evaluate its decision to sell the plant. The Vermont Yankee board of directors has publically announced support for a public auction, but no firm date has been scheduled for this process.**

**The 3/31/01 target date for issue of the Order was based on AmerGen purchasing the plant under the same conditions presented in the 2/28/00 application.**

This schedule date will be re-defined based on Vermont Yankee's decision re: the revised process and timing for sale of the plant.

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. *Additional clarification of a question re: adequacy of the Millstone 1 decommissioning funding has been provided by the licensee, but has resulted in a delay in the Order issue target date to 3/9/01.*

## **VII. Topic Area: Materials and Waste Programs**

### **A. Dual Purpose Spent Fuel Cask Reviews**

#### **1) 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.

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

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

<b>Beyond September 30, 2001</b>		
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**

#### **2) 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.

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

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
2. Staff issues Part 71 SER and CoC	TBD See comment	<del>T. McGinty,</del> <b>S. Baggett</b> , SFPO

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
None		

Comments:

2. 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. On January 12, 2001, NAC met with the staff and indicated that they will submit additional information, including an evaluation of additional cask drop testing, in March 2001. 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.

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
1. Issue Draft Environmental Impact Statement (EIS)	6/23/00C	M. Delligatti, SFPO
2. Staff issues supplement to SER	9/29/00C 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	TBD	M. Delligatti, SFPO

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
6. Hearing on Environmental Contentions and Remaining Safety Contentions (Round 2)	<del>07/01</del> 11/01	G. P. Bollwerk, ASLB

Beyond September 30, 2001		
Milestone	Date	Lead
7. Final Decision on Licensing	<del>12/01</del> 5/02	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).
5. In letters dated December 11 and December 22, 2000, PFS informed the staff that it plans to submit, in early March 2001, amendments to the PFS Safety Analysis Report (SAR) and Environmental Report (ER) to include analysis of additional geophysical characterization data for the PFS site. In addition, PFS has committed to submit a SAR amendment addressing new data and analyses regarding aircraft crash hazards in January 2001. The staff's review of these proposed SAR amendments may result in the development of a supplement to the staff's September 29, 2000, Safety Evaluation Report; or in changes to staff responses to the public comments on the Draft EIS; or in changes to the FEIS itself. Therefore, publication of the FEIS will be delayed until the staff has had an opportunity to evaluate the revised information to be submitted by PFS in the proposed SAR and ER amendments. The staff notified PFS of the impact of this new information in a letter from E. W. Brach to J. D. Parkyn, dated January 19, 2001.
6. As a result of the new information identified by PFS, as discussed in Footnote 5 above, the start of the second round of ASLB hearings has been rescheduled by the Board for November 2001.
7. Due to the new information identified by PFS, and the resultant delays in milestones 5 and 6, a final Commission decision on licensing is currently anticipated in May 2002.

## 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: **Michael Mayfield, Director, DET/RES** ~~Susan F. Shankman, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)~~

Project Managers: **Andrew Murphy, DET/RES** ~~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. **As of March 2001, RES has assumed** ~~would have~~ the lead on **this issue, as some additional** confirmatory analyses and/or testing, ~~in close coordination with NMSS is planned.~~ **NMSS/SFPO will continue to provide support for further public interaction.**

<b>Prior to February 28, 2001</b>		
<b>Milestone</b>	<b>Date</b>	<b>Lead</b>
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
TBD		RES

Beyond September 30, 2001		
Milestone	Date	Lead
TBD		RES

Comments:

2. NMSS and RES have agreed that additional actions are required, some of which were previously discussed in a March 31, 2000 user need memorandum from W. Kane, NMSS, to A. Thadani, RES. **On March 1, 2001, SFPO/NMSS met with DET/RES to confirm the transfer of lead responsibility for this item from NMSS to 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, **Acting Director**, ~~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.

<b>Prior to February 28, 2001</b>		
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 <b>draft</b> Phenomena Identification and Ranking Tables (PIRT) report summarizing the expert elicitation to identify, and rank important phenomena affecting burnup credit	<del>02/01</del> <b>02/26/01C</b>	D. Ebert, RES

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
5. Meet with the ACRS/ACNW subcommittee to discuss PIRT results and proposed research plans to address source term issues	<del>03/01</del> <b>TBD</b> See comments	<del>D. Ebert</del> <b>R. Lee</b> , 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	<del>D. Ebert</del> <b>R. Lee</b> , 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.
- ~~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. **Date changed to TBD because the joint subcommittee has not currently scheduled a meeting.**

## **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.

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
Milestones	Date	Lead
None		

<b>Beyond September 30, 2001</b>		
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	<del>3/02</del> 04/02	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.	9/03	S. Basu, RES

Comments:

- 2-5. Surry fuel rods were shipped from INEEL to Argonne National Laboratory (ANL)-West (Idaho Falls) on October 15, 2000, and from ANL-West to ANL-East on February 21, 2001. It is anticipated that the remaining milestones will be met as scheduled. The characterization work at ANL-West took longer than expected and has resulted in a slippage of one month for milestone 2.

## **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

<b>Prior to February 28, 2001</b>		
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	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	M. Fliegel, FCSS
5. Issue revised interim guidance to implement Commission decisions on ISL issues. (200000028)	11/30/00C	M. Fliegel, FCSS
6. SECY paper to EDO (199800177) (SECY-01-0026 issued 2/15/01)	02/15/01C	Mark Haisfield, IMNS

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
7. TBD based on response to SECY-01-0026 (item 6. above) (199800177)	TBD	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.

## **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 in September 2000. The draft rule plan on control of distribution (related to Milestone 2) was sent to the Agreement States in January 2001 .

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

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
2. Rule plan (on control of distribution) to Commission (200000042)	<del>3/9/01</del> 4/06/01	G. Comfort, IMNS
3. Status report on interaction with States and other Federal Agencies (199800203)	3/9/01 See comments	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
4. Final rule (on transfers from licensees) to Commission (200000041)	End of comment period in response to milestone 1 + 6 mos.	C. Prichard, IMNS
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:

2. EDO extension granted on 02/27/01.
3. Pending review in OEDO.
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: Identify and implement appropriate regulatory program for the uranium recovery industry.

Coordination: OGC and OSTP

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
1. SECY Paper to EDO (199800177)	2/5/01C	M. Haisfield, IMNS
2. SECY Paper to Commission (199800177) (SECY-01-0026)	2/15/01C	M. Haisfield, IMNS

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
None		

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
3. TBD based on response to SECY paper (item 2).	TBD	M. Haisfield, IMNS

Comments:

1. 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.

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
Milestones	Date	Lead
5. Issue user's guide and parameter description for D&D, Version 2, computer code	<del>02/01</del> 04/01	C. Trottier, RES

<b>Beyond September 30, 2001</b>		
Milestones	Date	Lead
None		

Comments:

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

NMSS 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)

5. ~~Slip in due date 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 publication in February 2001.~~ Slip in due date is due to errors found in recently received final draft of contractor's report. Final modifications are currently being made and document will go to publication in April 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

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

<b>Through September 30, 2001</b>		
Milestone	Date	Lead

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
2. 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.

## **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.

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
1. Commission Paper, with revised policy statement, to Commission for approval (199800178)(SECY-00-0226)	12/04/00C	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

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
None		

<b>Beyond September 30, 2001</b>		
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

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
4. Remove the Cabot-Revere site from SDMP.	9/01	L. Camper, DWM

<b>Beyond September 30, 2001</b>		
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 EPA decides to develop a proposed rule.

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
None		

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
1. Staff comments on EPA proposed rule to the Commission (199900116)	EPA publication date + approx. 60 days	T. Harris, DWM

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
2. Paper to Commission on proposed rule following publication of EPA's proposed rule (199900116)	EPA publication date + 9 months	M. Haisfield, IMNS
3. Paper to Commission on final rule (199900116)	Close of public comment period + 9 months	M. Haisfield, IMNS

Comments:

1. - 3. 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

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
1. Draft final rule to Commission. (199800029) (SECY-00-0084) SRM not yet issued.	4/12/00C	T. McCartin, DWM

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
None		

<b>Beyond September 30, 2001</b>		
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

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
1. Paper to Commission on Final Staff Guidance for Site Recommendation Review (199900117)	11/13/00C	Manny Comar, DWM

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

<b>Beyond September 30, 2001</b>		
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.

<b>Prior to February 28, 2001</b>		
<b>Milestone</b>	<b>Date</b>	<b>Lead</b>
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 OCIO	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).
4. OCIO and OGC are continuing review of the information collection package before submitting it to 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

<b>Prior to February 28, 2001</b>		
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 See comments	M. Raddatz, IMNS
3. Publish final comprehensive rule	12/18/00C	C. Mattsen, IMNS
4. Publish final licensee guidance	12/19/00C	C. Brown, IMNS

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
5. Initiate registrations	4/11/01 See comments	B. Tharakan, IMNS

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
None		

Comments:

2, 4. 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 in SECY-00-0106).

~~—4. Final guidance forwarded to ADM on 12/19/00 for publication.~~

## 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). **An SRM, with direction for proceeding, was received on August 18, 2000.**

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

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
Milestones	Date	Lead
<b>43.</b> Quarterly report (200000039)	3/30/01	F. Cardile, IMNS
<b>54.</b> Quarterly report (200000039)	6/29/01	F. Cardile, IMNS
<b>65.</b> Quarterly report (200000039)	9/30/01	F. Cardile, IMNS

Beyond September 30, 2001		
Milestones	Date	Lead
36. Issue final NUREG-1640 on individual doses, incorporating comments	12/01	C. Trottier, RES
(See Comment)		

Comments:

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

3. ~~Significant comments were received on draft and contractor support will be needed to finalize the document because some tables will need to be re-calculated. To be tracked in RES' Operating Plan.~~

Comment: ~~The NAS contract~~ Further milestones are dependent upon completion of the NAS contract which was awarded on 8/31/00. The NAS contract is expected to be completed in February 2002.

## 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

<b>Prior February 28, 2001</b>		
Milestone	Date	Lead
1. Rulemaking plan to Commission for approval (199900123) SECY 01-0021	02/02/01C	R. Broseus, IMNS

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

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
2. Proposed rule to Commission (199900123)	SRM in response to Milestone 1 + 12 mo. <i>02/20/02</i>	R. Broseus, IMNS
3. Final rule to Commission (199900123)	Public comment period close date + 12 mo.	R. Broseus, IMNS

Beyond September 30, 2001		
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.
- 2, 3 Commission approved the rulemaking plan in an SRM dated 2/20/2001. This plan states that a period of 12 months is needed to complete the proposed and 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

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

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
2. Proposed rule to Commission (199800008)	3/01	N. Tanious, IMNS

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

#### Comments:

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.

**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

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

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

<b>Beyond September 30, 2001</b>		
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~~ Yawar Faraz, 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.

<b>Prior to February 28, 2001</b>		
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	<del>2/15/01</del> 2/06/01C	T. Cox, FCSS

<b>Through September 30, 2001</b>		
Milestone	Date	Lead

Through September 30, 2001		
3. Develop guidance document regarding performing backfit analyses for fuel cycle facilities	9/18/01	D. Martin Yawar Faraz, FCSS
4. Develop guidance document regarding the §70.72 change process	9/18/01	M. Lamastra Yawar Faraz, 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:

2. Release of the 70.62 ISA Plan guidance was delayed due to a planned change in the method of release to the affected licensees. The 70.62 guidance will be included in letters sent to the licensees that include other related guidance. Letters have been sent to two licensees; four others will be sent by 2/15/2001.

**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 <i>See comments</i>	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: Eric J. Leeds, Chief, Special Projects Branch, FCSS

Project Manager: ~~Melanie Galloway~~, **Joseph Giitter, Acting** 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.

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.

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
1. Publish Standard Review Plan (SRP)	8/00C	M. Galloway, FCSS
2. Initiate NEPA review	12/00C	J. Davis, DWM

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
3. Initiate review of construction authorization application <b>received 3/1/01</b>	<b>3/1/01C</b>	A. Persinko, FCSS
<b>4. Issue Notice of Intent for environmental impact scoping meetings</b>	<b>3/01</b>	<b>T. Harris, DWM</b>
<b>5. Complete acceptance review of construction authorization application</b>	<b>4/01</b>	<b>A. Persinko, FCSS</b>
<b>6. Conduct environmental impact scoping meetings (assuming application is accepted for NRC review)</b>	<b>4/01</b>	<b>T. Harris, DWM</b>

<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead

Beyond September 30, 2001		
7. TBD (milestones will be added after preliminary review of the construction application)		

## 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 informed the staff via letter dated December 6, 2000, that the application, previously scheduled to be submitted on December 22, 2000, will be delayed until February 28, 2001. Since further milestones are tied to the date the construction application is submitted, additional milestones will be added after receipt of the construction application.~~

4 - 6. These milestones added to account for required staff actions based on receipt of application indicated in Milestone 3.

## **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.

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
3. Commission Briefing on Status of the Oversight Program Revision	TBD	P. Castleman, FCSS

<b>Beyond September 30, 2001</b>		
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.

2. The SRM resulting from the 12/20/00 Commission briefing on this effort directed the staff to continue the project as planned. A revised work plan has been distributed to stakeholders for review, and a public meeting was held on 2/8/01 to discuss this plan.

## **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.

<b>Prior to February 28, 2001</b>		
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)	02/1/01C	J. Davidson, FCSS
4. Paper to Commission: Semi-Annual Threat Environment (199900076) (SECY-01-0015)	02/1/01C	A. Danis, FCSS
5. Commission Briefing on Semi-Annual Threat Environment (199900076)	<del>03/01</del> 02/27/01C	A. Danis, FCSS

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

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<b>Beyond September 30, 2001</b>		
Milestone	Date	Lead
None		

Comments:

3. ~~Paper submitted to Commission.~~

**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~~ Joseph Giitter, Acting Section Chief, Enrichment Section, Special Project Branch, 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

<b>Prior to February 28, 2001</b>		
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	2/16/01C	M. Galloway, FCSS

<b>Through September 30, 2001</b>		
Milestone	Date	Lead
6. Complete operational readiness review	03/01C	W. Schwink, FCSS
7. Issue certificate amendment	03/01	H. Astwood, FCSS

<b>Beyond September 30, 2001</b>		
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

<b>Prior to February 28, 2001</b>		
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

<b>Through September 30, 2001</b>		
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

<b>Beyond September 30, 2001</b>		
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.

<b>Prior to February 28, 2001</b>		
Milestone	Date	Lead
None		

<b>Through September 30, 2001</b>		
Milestones	Date	Lead
None		

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

Comments: 1-6. Based on comments from 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.