

May 11, 2001

MEMORANDUM TO: R. William Borchardt, Associate Director
Inspection and Programs
Office of Nuclear Reactor Regulation

FROM: Richard J. Barrett, Director */RA/*
Future Licensing Organization
Office of Nuclear Reactor Regulation

SUBJECT: CHARTER FOR FUTURE LICENSING AND INSPECTION
READINESS ASSESSMENT WORKING GROUP

The purpose of this memorandum is to transmit the charter for the Future Licensing and Inspection Readiness Assessment (FLIRA) Working Group. The charter was developed with broad input from many of the FLO members and is designed to provide management and staff with an overview of the FLIRA working group's objectives and the scope of the group's activities. If you have any questions concerning the charter, please contact Nan Gilles, FLIRA Lead, at 415-1180 or e-mail "nvg."

Attachment: As stated

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Future Licensing and Inspection Readiness Assessment Working Group Charter

Background and Objectives

The Future Licensing and Inspection Readiness Assessment (FLIRA) Working Group has been established to perform an assessment of the technical, licensing, and inspection capabilities to ensure that the agency can effectively carry out its future licensing activities in response to recent direction from the Commission.

In 1988, the staff established a working group to assess the readiness of the NRC to process an application for a construction permit or operating license for a nuclear plant that could be submitted in the future. The staff provided the results of this assessment in its Commission paper SECY-89-104, "Assessment of Future Licensing Capabilities," dated April 3, 1989, along with conclusions and recommendations regarding the licensing processes that should be used, the possible organizational structure that should be in place, the regulatory documents that should be updated, and budgeting recommendations related to the review of future applications.

The Commission paper was followed up by SECY-91-041, "Early Site Permit Review Readiness," dated February 13, 1991. This paper provided the results of a study performed by the early site permit (ESP) task force, whose charter was to determine what measures were necessary to ensure the staff was prepared to review an ESP application. The three goals of the task force were to (1) assess the adequacy of the review guidance that would be used to review an ESP application, (2) estimate the resources required to review an ESP application under different scenarios, and (3) identify those issues that could arise during the implementation of the ESP regulation that might involve major policy decisions.

In response to recent reports of significant industry interest in new nuclear plant construction, the Commission concluded that it would be prudent to take steps to ensure that the staff is prepared to evaluate proposed plant applications should they materialize. In a staff requirements memorandum (SRM) dated February 13, 2001, the Commission directed the staff to "assess its technical, licensing, and inspection capabilities and identify enhancements, if any, that would be necessary to ensure that the agency can effectively carry out its responsibilities associated with an early site permit application, a license application, and the construction of a new nuclear power plant." In addition, the staff was directed to "critically assess the regulatory infrastructure supporting both Parts 50 and Part 52, and other applicable regulations, and identify where enhancements, if any, are necessary." The Commission further directed the staff to integrate the tasks identified during this effort with the various related activities that are underway and provide the Commission with a schedule for completing these tasks, being thoughtful and judicious in committing resources. The FLIRA Working Group has been established to address the February 13, 2001 SRM.

Composition

The working group consists of a team of inter-office senior representatives from the Offices of Nuclear Reactor Regulation, Research, Nuclear Materials Safety and Safeguards, and the General Counsel with experience in the licensing efforts that have been completed for

applications previously submitted under 10 CFR Parts 50 and 52. The working group has individual members with siting, environmental, engineering, systems, inspection, project management, and budgeting experience. The working group will also be interfacing with the Office of Human Resources and other support offices.

Matters To Be Addressed

The FLIRA working group will address the ability of the current NRC regulatory infrastructure to support future application reviews under 10 CFR Parts 50 and 52, including identification of

- postulated licensing scenarios for the future application reviews, durations of reviews (linked to milestones) and resource estimates necessary to implement them. The working group will address the ability of the agency to support anticipated tasks, including continuation of current initiatives (rulemaking for 10 CFR Part 52, Siting Alternatives, and updates to Tables S-3 and S-4 of 10 CFR Part 51) and implementation of future preparatory initiatives (early identification of regulatory and policy issues, updates to regulations and regulatory guidance, determination of applicable regulations for unique reactor designs) that will position the agency for efficient future plant and site reviews;
- critical skills that must be available within the agency (or acquired through contractual agreements), including identification of specific skills that may be required to accomplish future review efforts. The working group will make recommendations regarding the need to hire new personnel or train current NRC employees to acquire these skills for the agency;
- necessary interfaces (intra- and inter-office, Advisory Committee on Reactor Safeguards, external stakeholders, Commission);
- potential process improvements that integrate these preparatory and licensing tasks with related ongoing activities. The working group will propose strategies that ensure these future reviews will not disrupt other current important initiatives; and
- options that exist to support the reviews of future applications.

Considerations and Activities

While performing the assessment, the FLIRA working group will consider the experience gained with licensing current operating plants and certifying standard designs (ABWR, System 80+, and AP600). The group will also consider the experience gained during the reviews of the advanced plants (MHTGR, PRISM, SAFR), and CANDU-3.

The working group will obtain information from external stakeholders [e.g., Nuclear Energy Institute (NEI), Department of Energy(DOE)] to understand their plans for activities in these areas. The staff will meet with industry representatives to determine their plans for submitting future applications, and their schedules for doing so.

All potential future plant activities will be addressed to the extent practical, including reviews of the Pebble Bed Modular Reactor (PBMR); the AP1000; and the International Reactor Innovative and Secure (IRIS) Design; ESPs; and combined license applications.

Report Contents

The FLIRA working group will develop a final report to respond to the Commission's February 13, 2001 SRM, that includes:

- Introduction and Background
- Matters considered
- Identification of industry initiatives, including proposed schedules
- Identification of future staff efforts
- Skill and experience required
- Resource estimates and review duration
- Conclusions and recommendations, including proposed milestones and estimated schedules for implementing them

Schedule

Most of the FLIRA working group members will work on a part-time basis to ensure that this task does not interfere with ongoing assignments. Under this assumption, the working group will require about 4-5 months to complete this task. The following are proposed milestones:

April 4, 2001	Identification of working group members
April 6, 2001	Kickoff meeting
As necessary	Working group meetings
April, May, and June 2001	Meetings with NEI and DOE
July 19, 2001	Commission meeting - status of future licensing
July 31, 2001	Draft FLIRA report for management review
August 31, 2001	Final FLIRA report
September 28, 2001	Commission paper transmitting report and recommendations (EDO due date is September 21, 2001)