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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555

November 14, 1989

OFFICE OF THE
SECRETARY

MEMORANDUM FOR: Lloyd J. Donnelly
LSS Administrator

FROM: *W. Bates*
Samuel J. Chilk, Secretary

SUBJECT: SECY-89-318 - LSS ADMINISTRATOR - FIRST
QUARTERLY REPORT

This is to advise you that the Commission (with all Commissioners agreeing) has approved the proposed program guidance for incorporation into the LSSA component of the 5-Year Plan subject to the attached modifications.

As with other programs, the Commission's approval of the Five Year Plan guidance is based on current planning assumptions and should not be taken as approval of any particular future resource levels or activities for the LSSA. Resources and long-term activities for this office will be considered in the budget process based on the workload associated with the design, development and operation of the LSS, adjusted to reflect significant changes in DOE's schedules and budgets for the high level waste repository applications.

cc: Chairman Carr
Commissioner Roberts
Commissioner Rogers
Commissioner Curtiss
OGC
EDO
GPA

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Proposed Guidance for Five Year PlanLicensing Support System (LSS) Development and Operation

The Office of the LSS Administrator is accountable to the Commission for having the LSS available when needed, function as intended, and be properly loaded -- while maintaining a reasonable balance between LSS costs and performance. The Office must not only manage its assigned responsibilities, but monitor the LSS activities of the NRC, DOE and the other LSS participants to assure that their activities fully support the timely and proper functioning of the system. This oversight in no way diminishes the responsibilities of DOE to design and develop the LSS, of LSS participants to identify and prepare their documents for entry into the LSS and of the LSS Advisory Review Panel (LSSARP) to provide advice to DOE and the LSS Administrator.

LSS Timeliness: Even though the LSS rule broadly defines when access to the LSS should be made available, the LSS Administrator must develop a more definitive timetable for the NRC, DOE and other LSS participants to follow in scheduling their LSS activities. This timetable must recognize that there is a large backlog of documents that has not yet been fully identified and prepared for entry into the LSS. The timely preparation of the entire backlog is important, but because of its size, priorities must be set so that the most important documents are processed first. These priorities must be based on when access to documents or categories of documents is needed a) to perform a timely/effective technical review of repository information; b) to prepare for the hearing; and, c) to facilitate other regulatory/licensing needs, such as rulemaking. The LSS Administrator will coordinate the development of these priorities through the LSSARP and then publish a document production schedule that will, when implemented, satisfy the document access needs of all participants. DOE's LSS design and development schedule and each LSS participant's document identification/preparation activities should be aimed at meeting these document access needs. If at any time there are significant schedule incompatibilities that cannot be resolved by the LSS Administrator, the Commission is to be informed.

*considering
DOE's schedule
for the HLW
repository
application.*

LSS Functionality: The LSS Administrator must consult with DOE on the design, procurement, and development of the LSS and perform early, independent tests and analyses of critical system components and procedures. This is necessary to assure, that when fully implemented, the system will satisfy the technical review, discovery, E-mail and other hearing support needs of all participants. The LSS Administrator is to make use of the NRC staff, contractors, and consultants to

obtain expert technical advice in highly specialized areas. The LSS Administrator should arrange with DOE to accept LSS sub-systems as they are developed, a process that will facilitate final system acceptance by the LSS Administrator.

LSS Integrity: The integrity (quality and completeness) of the LSS database must be established early and then be maintained. Before LSS participants have access to the LSS, they must be confident that LSS documents are being properly identified, prepared, and entered into the system. Once participants have access to the LSS, they must be confident that all documents that are supposed to be in the database are there and are accurate. To achieve and maintain this confidence, the Commission expects the LSS Administrator to a) review and provide input to the document identification/preparation activities of each LSS participant, b) establish strong quality assurance and security programs for the LSS and c) assume operational control of the LSS at the ~~earliest~~ ^{most reasonable} practical date, ^{considering} DOE's schedule for the HLW repository ^{applications}.

Cost Consciousness: The LSS Administrator must seek to achieve a reasonable balance between LSS costs and performance. The LSS must be highly effective without any unnecessary expenditure of funds. The LSS Administrator, in consulting with DOE on the LSS design and development, and later when operating and maintaining the system, will seek out least-cost approaches that will not compromise either system performance or the integrity of the database.

Role of the Office of the LSS Administrator vis-a-vis LSS Participants and Other Users.

There are numerous issues that must be resolved with respect to the design, development, and operation of the LSS. The LSS Administrator must stay abreast of these issues, understand their implications, assure that they are being addressed by the right organization(s) and know if they are being resolved on a timely basis. In most cases, the objective will be to resolve issues either through the LSSARP or at the working level of a participant's organization. If for any reason issues are not being resolved in a timely manner, the Commission expects the LSS Administrator to take appropriate action to achieve resolution.

When LSS related decisions are made by the Administrator, these decisions must show no bias to any particular group or interest. Decisions must consistently be made from an overall system perspective taking into account the timeliness, functionality, integrity and costs of the system. Consistent and impartial decisions on LSS matters are essential to sustain participant support and confidence.

LSS participants and other users of the LSS should view the Office

of the LSS Administrator and its Operations and Maintenance (O&M) contractor as providers of a service. Any operational problems experienced should be promptly resolved by the LSS Administrator's contractor. If they are not, there must be an established focal point on the LSS Administrator's staff whereby any dissatisfied person can register a complaint and receive a prompt response about what actions have been or will be taken to correct the identified problem. The LSS Administrator is to keep LSS participants fully informed of significant LSS developments.