

March 12, 2003

MEMORANDUM TO: Chairman Meserve

COMSECY-03-0015

FROM: William D. Travers */RA/*
Executive Director for Operations

SUBJECT: JANUARY 2003 UPDATE OF THE STAFF'S RESPONSE TO THE
CHAIRMAN'S TASKING MEMORANDUM

The purpose of this memorandum is to recommend that the Chairman's Tasking Memorandum (CTM) be discontinued. The CTM provides an update of the staff's planned actions to address the 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. However, since that time the staff has made substantive changes in its management of many of the activities of interest at that time. The staff has developed plans for implementing some of these activities (e.g., the Risk-Informed Regulation Implementation Plan) and developed new plans for major new initiatives (e.g., Future Licensing and Inspection Readiness Assessment) where appropriate. The staff has also substantively furthered its implementation of the Planning, Budgeting, and Performance Management process, ensuring that the agency shifts resources to higher priority work as needs dictate. In addition, there are other tracking systems (e.g., the Office of the Executive Director for Operations' Work Item Tracking System (WITS), and the Office of the Secretary's Commission Tracking System (CTS)) that track items of interest to the Commission and other work. By discontinuing the CTM, the staff will eliminate a redundant tracking system that requires a non-trivial amount of resources to maintain.

The staff will continue to prepare the "Monthly Status Report on the Licensing Activities and Regulatory Duties of the United States Nuclear Regulatory Commission," ("Monthly Congressional Report") as directed by the Fiscal Year 2003 Consolidated Budget Act, Senate Report 107-220. The CTM, however, would no longer be included as an enclosure to the Monthly Congressional Report, effective with the January 2003 report (provided to the Commission concurrent with this memorandum).

Furthermore, by discontinuing the CTM, the staff expects the timeliness of the Monthly Congressional Report to improve since preparation of the associated CTM has typically delayed preparation of the Monthly Congressional Report. In the event the NRC receives feedback from Congress that the CTM is a necessary element of the Monthly Congressional Report, the staff could promptly provide the attached January 2003 CTM, and reinstate development of the February 2003 CTM.

In the event the Commission directs the staff to continue to maintain the CTM, a copy of the January 2003 update of the CTM is attached for information. Please note that topic areas: VII.C, Part 41 Rulemaking: Domestic Licensing of Uranium and Thorium Recovery Activities and Uranium Recovery Concerns - and Related Guidance; and VII.M.2, Part 74 Rulemaking: Material Control and Accounting, have been deleted since all associated milestones have been

completed. Significant additions to and changes from the December 2002 update are highlighted by redline and strikeout markings.

Since the last update, the following milestones were completed:

1. Completed staff reviews for the River Bend power uprate amendment request.
2. Issued McGuire and Catawba supplemental safety evaluation report.
3. Issued Peach Bottom final environmental impact statement supplement.
4. Released new search interface for online ADAMS to make it easier to find and obtain NRC documents.

Since the December 2002 update, there were schedule changes associated with several ongoing NRC staff activities, including: 1) completion of the staff review of the Pilgrim power uprate amendment request; 2) generic spent fuel transportation studies; and 3) Atomic Safety Licensing Board decision on licensing Private Fuel Storage.

In addition to the NRC staff activities described in the Chairman's Tasking Memorandum, the staff continues its efforts in responding to the reactor vessel head degradation at Davis-Besse. These activities include the monitoring of licensee activities by the NRC special oversight panel, the issuance of a new Bulletin by the NRC staff to address interim vessel head penetration inspection methods and frequencies, and the evaluation of the NRC Task Force's findings associated with its independent evaluation of the NRC's regulatory processes.

Recommendation:

Unless directed otherwise by the Commission, the staff will discontinue the CTM and will no longer include it as an enclosure with the Monthly Congressional Report, effective with the January 2003 editions of those documents.

SECY please track.

Attachment: As stated

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

completed. Significant additions to and changes from the December 2002 update are highlighted by redline and strikeout markings.

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- CFO
- SECY

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*See previous concurrence

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NAME	CGlenn		TBergman		WDTravers			
DATE	2/4/03		3/11/03		3/12/03			

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Wayne Hodges, NMSS
Margaret Federline, NMSS
Roy Zimmerman, NSIR
Ashok C. Thadani, RES

Gary Holahan, NRR
F. Eltawila, RES
M. Johnson, NRR
F. Gillespie, NRR
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L. Chandler, OGC
J. Flack, RES
EDO Staff
EDO R/F
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STAFF RESPONSE TO TASKING MEMORANDUM AND STAKEHOLDER CONCERNS

January 31, 2003

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

A. Risk-Informed Regulatory Initiatives

1) Risk-Informing the Scope of Certain Part 50 Requirements (Option 2)

SES Manager: Christopher Grimes, Program Director, RPRP/DRIP/NRR

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

Prior to June 2003		
Milestone	Date	Lead
1. Submit proposed rulemaking to Commission (199900061) [SECY-02-0176]	09/30/02C	T. Reed, DRIP
2. Provide proposed rule to House and Senate Appropriations Committees one month after Commission approval (199900061)	TBD	T. Reed, DRIP

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
3. Submit final rulemaking to Commission (199900061)	TBD	T. Reed, DRIP
4. Final rule to Congressional Appropriations Committees one month after Commission approval (199900061)	TBD	T. Reed, DRIP

Comments:

2, 3, 4: Dates are dependent on actions discussed in the tables that are beyond the staff's control. The dates will be filled in once the prerequisite actions are completed.

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

A. Risk-Informed Regulatory Initiatives

2) Risk-Informed Technical Requirements in 10 CFR Part 50 (Option 3)

SES Manager: Mark Cunningham, Branch Chief, PRAB/DRAA/RES

Objective: To identify and evaluate technical requirements of 10 CFR Part 50 that are candidates to be risk-informed and then to recommend modifications to Part 50, consistent with Option 3 of SECY-98-300 and its associated SRM dated June 8, 1999. The goal is for the technical requirements of Part 50 to be commensurate with their contribution to public health and safety such that safety is maintained without unnecessary regulatory burden.

Prior to June 2003		
Milestone	Date	Lead
1. Conduct a public meeting to discuss the framework for risk-informing the technical requirements of 10 CFR Part 50 and options for future activities associated with risk-informing 10 CFR Part 50.	12/05/02C	A. Kuritzky, RES
2. Provide semiannual update to the Risk-Informed Regulatory Implementation Plan (RIRIP) to the EDO.	03/03	H. Hamzehee, RES

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

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.

Prior to June 2003		
Milestone	Date	Lead
1. Draft PRA standard on external hazards (e.g., seismic) released by the American Nuclear Society (ANS) for public comment.	01/26/01G	M. Drouin, RES
2. Final fire PRA standard issued by National Fire Protection Association (NFPA).	04/01/01G	N. Siu, RES
3. Review and provide NRC comments on ANS draft PRA standard on external hazards.	05/17/01G	M. Drouin, RES
4. Final PRA standard on internal events issued by ASME	04/05/02G	M. Drouin, RES
1. Final ANS PRA standard on external hazards completed/issued by ANS.	02/03	M. Drouin H. Hamzehee, RES

Through December 2003		
Milestone	Date	Lead
2. Draft PRA standard on Low Power and Shutdown (LPSD) issued by ANS for public comment.	06/03	M. Drouin D. O'Neal, RES
3. Final PRA standard on LPSD published issued by ANS	12/03	M. Drouin D. O'Neal, RES

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

1. Final ANS balloting is now underway to complete this standard. Staff estimates that formal completion will require an additional one to two months.

- 2 and 3. Due to the loss of key ANS personnel to work on this standard, ANS is revising this schedule. Delays shown are estimates by the staff, pending further information from ANS.

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 (PTS) rule, 10 CFR 50.61, screening criteria by applying recent advances in probabilistic reactor pressure vessel (RPV) integrity analysis, methods for calculating the thermal-hydraulics (TH) response of a PWR to potential PTS loading transients, and application of PRA results in identifying key operational transients that could affect the RPV.

Prior to June 2003		
Milestone	Date	Lead
1. Present the technical basis for proposed changes in 10 CFR 50.61 PTS screening criteria to NRR for consideration of potential rulemaking.	12/31/02C	S. Malik, RES
2. Present the technical basis for proposed changes in 10 CFR 50.61 PTS screening criteria to ACRS	02/03	S. Malik, RES

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

2. Date revised due to ACRS scheduling conflict.

II. Topic Area: Reactor Inspection and Enforcement

A. Enforcement Program Initiatives

SES Manager: Frank J. Congel, Director, Office of Enforcement

Objective(s): Develop and implement improvements to the Enforcement program to increase efficiency and effectiveness, reduce unnecessary regulatory burden, and be aligned with the reactor oversight process.

Prior to June 2003		
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	5/1/00C	T. Reis, OE
4. Revise Enforcement Manual to incorporate Reactor Oversight Program changes.	6/1/00C	R. Pedersen, OE
5. Provide Commission with Draft Recommendations of Discrimination Task Group. (200000090)	5/9/01C	B. Westreich, OE
6. Provide recommendation on Enforcement Program following first year of ROP implementation (200000060) (SECY-01-0114)	6/25/01C	J. Luehman, OE
7. Draft Staff Recommendation to Commission regarding use of Alternative Dispute Resolution (ADR) in Enforcement (200000070) (SECY-01-0176)	9/20/01C	J. Luehman, OE
8. Discrimination Task Group Issues final report to EDO (200000090)	4/26/02C	B. Westreich, OE
9. Inform the Commission of the status of its review on the use of Alternative Dispute Resolution (ADR) in the NRC's Enforcement Program, including a summary of public comments on the issue and plans for providing a final recommendation (200000070)	6/4/02C	J. Lubinski, OE C. Cameron, OGC
10. Recommendations regarding the Discrimination Task Group Report to the Commission (200000090) [SECY-02-0166]	9/12/02C	H. Nieh, OEDO

Prior to June 2003		
Milestone	Date	Lead
11. Provide the Commission a proposed pilot program for approval or provide an alternative recommendation regarding the use of ADR (200000070)	1/24/03	B. Westreich N. Hilton, OE

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

10. The EDO directed that a senior management group review the final DTG report. This review will serve as a basis for developing the EDO recommendations regarding the DTG report for the Commission. The senior management review team completed its review on June 14, 2002.
11. The staff has met with stakeholders at various locations throughout the country and internal stakeholders in the regions and program offices. Written comments on its plans to develop a pilot program have also been received. ~~The staff is currently developing recommendations for the implementation of the pilot use of ADR. Due to comments received during NRC management review of the associated Commission paper, the staff has requested an extension for the due date of the Commission paper to 1/24/03.~~ The Commission paper has been developed and is currently under management review.

III. Topic Area: Reactor Oversight

A. Reactor Oversight Process

SES Manager: Cynthia A. Carpenter , IIPB/DIPM/NRR

Program Managers: Mark A. Satorius, IIPB/DIPM/NRR
Douglas H. Coe, IIPB/DIPM/NRR

Objective: To continue to improve and implement a more objective, risk informed, efficient, and effective Reactor Oversight Process (ROP). The ROP will continue to require close scrutiny, oversight, and actions to develop and enhance processes such as Inspection, Significance Determination Process, Performance Indicators and Thresholds, Assessment, and Enforcement.

Coordination: ~~Issue III.A. "Reactor Oversight Process," requires close coordination and integration of specific tasks by the NRC staff. Responsible IIPB project managers are coordinating these tasks including assessing the impact of proposed program changes with other ongoing activities, to ensure that the overall objectives for each project are achieved. Examples of these activities include intra-project task force participation, workshop attendance, concurrent review of projects and periodic senior management briefings.~~

Prior to June 2003		
Milestone	Date	Lead
1. Conduct end-of-cycle review meetings for each plant	02/03	Regional Administrators
2. Issue annual SECY paper to the Commission on the Accident Sequence Precursor (ASP) program (199200101)	03/03	P. Baranowsky, RES
3. Issue SECY paper on the Industry Trends Program	03/31/03 04/15/03	T. Boyce, DIPM
4. Issue SECY paper on the annual ROP self-assessment	03/31/03 04/15/03	C. Carpenter, R. Frahm, DIPM
5. Conduct Agency Action Review Meeting	04/03 04/22-24/03	C. Carpenter, DIPM
6. Conduct public meetings at all operating sites to discuss the results of plant performance	04/03	Regional Administrators
7. Brief Commission on the results of annual ROP self-assessment and Industry Trends Program	05/03	C. Carpenter, DIPM

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

3,4: Dates modified based on the need to issue these SECY papers at least one week prior to the Agency Action Review Meeting.

IV. Topic Area: Reactor Licensing and Oversight

A. Improved Standard Technical Specifications (iSTS)

SES Manager: William Beckner, Program Director, RORP/DRIP/NRR

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.

Prior to June 2003		
Milestone	Date	Lead
1. Indian Point 2	05/30/03	T. Le, DRIP

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

iSTS amendments have been issued for NMP-2, IP-3, LaSalle, Quad Cities, Dresden, Point Beach, ANO Unit 1, North Anna, Prairie Island, and FitzPatrick.

IV. Topic Area: Reactor Licensing and Oversight

B. Reactor Fire Protection Risk-Informed, Performance-Based Rulemaking

SES Manager: C. Grimes, Program Director, RPRP/DRIP/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 acceptable method for meeting the requirements in 50.48(a) and (f) and as an alternative to the requirements in Appendix R.

Prior to June 2003		
Milestone	Date	Lead
1. Update Commission on status of NFPA activities (199900032). Commission paper signed 12/22/00.	12/22/00C	E. Connell, SPLB
2. Conduct public meeting with interested stakeholders	08/30/01C	E. Connell, SPLB
3. Develop a revised rulemaking plan based on interactions with industry regarding their concerns with NFPA 805 (199900032)	10/09/01C	L. Whitney, SPLB
4. Brief ACRS fire protection subcommittee and Full Committee on rulemaking efforts	06/07/02C	L. Whitney, SPLB
5. Brief CRGR on rulemaking efforts	06/11/02C	L. Whitney, SPLB
16. Submit Proposed Rule to Commission (199900032)	07/15/02C	L. Whitney, SPLB
27. Publish proposed rule change for public comment	11/01/02C	J. Birmingham, RPRP
38. Resolve public comments.	05/03	J. Birmingham, RPRP

Through December 2003		
Milestone	Date	Lead
49. Prepare Draft Final Rule Package	06/03	J. Birmingham, RPRP
510. Brief ACRS & CRGR on rulemaking efforts.	09/03	J. Birmingham, RPRP
611. Submit Final Rule to Commission (199900032)	11/03	J. Birmingham, RPRP

Beyond December 2003		
Milestone	Date	<u>Lead</u>
None		

Comments:

27. In an SRM, dated October 3, 2002, to SECY-02-0132, the Commission directed the staff to issue the rulemaking for public comment. On November 1, 2002, the proposed rule was published in the Federal Register, Volume 67, No. 212, (66578 to 66588). Public comment period ended January 15, 2003.

IV. Topic Area: Reactor Licensing and Oversight

C. Utilization of Mixed Oxide (MOX) Fuel in Nuclear Power Reactors

SES Manager: Farouk Eltawila, Director DSARE/RES

Program Manager: Richard Lee, RES

Objectives: To modify NRC neutronics and fuel codes, to obtain the necessary experimental data needed to confirm these codes, which will be used to perform analyses to assess the risk associated with the use of MOX fuel in commercial PWRs. This program will also develop the technical basis to evaluate whether the regulatory criteria and guidelines developed for UO₂ fuel is adequate for MOX fuel.

Prior to June 2003		
Milestone	Date	Lead
1. Complete final agreement with JAERI and NRC.	02/03	A. Szukiewicz, RES
2. Complete fuel behavior code (FRAPCON) modification for MOX core application.	04/03	J. Voglewede, RES

Through December 2003		
Milestone	Date	Lead
3. Complete kinetics code (PARCS) modification.	09/03	R. Lee, RES

Beyond December 2003		
Milestone	Date	Lead
4. This activity is long-term with an anticipated completion date (e.g., SRM, Regulatory Guide) in 2005	TBD	R. Lee, RES

Comments:

1. The agreement with JAERI includes data for both MOX and high burnup fuel (CTM Section IV.F). A revised draft agreement was sent to JAERI on June 28, 2002, for their review/comment and approval. The revised document includes future cooperation and information exchange in the area of HTGR designs. Review time is needed for JAERI and their associated ministries (MEXT/MOFA) to review and approve the agreement. Recently JAERI resolved their internal administrative issues, and issues with MEXT (formerly Science and Technology Agency (STA)) and other government organizations which will allow them to enter into an agreement with NRC directly. This agreement was on hold for over one and a half years until the new reorganized ministries would permit JAERI to enter into an agreement with the NRC. Negotiations to complete this activity are ongoing. The revised agreement was sent to JAERI in November 2002 and the staff anticipates completing the agreement in February 2003.
2. Completion date for (FRAPCON) code modification delayed to April 2003 due to higher priority activities. This change has been coordinated with NRR and will not adversely impact the program schedule.

IV. Topic Area: Reactor Licensing and Oversight

D. High Burnup Fuel

SES Manager: Farouk Eltawila, Director, DSARE/RES

Objectives: To develop the technical bases for confirming or revising existing criteria and analytical methods for high burnup fuel with respect to reactivity insertion accident, the loss-of-coolant accidents and requirements in 10 CFR 50.46, Appendix A and Appendix K, and related source term.

Prior to June 2003		
Milestone	Date	Lead
1. Complete umbrella agreement with Institut de Protection et de Sûreté Nucléaire (IPSN), France, to obtain data on RIA Tests for high burnup fuel.	10/23/00C	A. Szukiewicz, RES
1a. Complete bilateral agreement between IPSN and NRC.	01/26/01C	
2. 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
3. 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.	07/20/01C	R. Meyer, RES
4. Meet with the ACRS subcommittee to discuss PIRT results (Milestone 5) and proposed research plans	04/04/01C	R. Meyer, RES
5. Complete LOCA Oxidation tests for Zircaloy-2	9/28/01C	S. Basu, RES
6. Issue an interim PIRT report on applicability of NUREG-1465 source term on high burnup fuel.	03/26/02C	J. Schaperow, RES
1. Complete final agreement with JAERI and NRC.	02/03	A. Szukiewicz, RES

Through December 2003		
Milestone	Date	Lead
2. Summarize the results from PWR rod-ejection and BWR rod-drop accidents for fuel irradiated to 62 GwWd/t burnup and issue confirmatory assessment.	12/03	R. Meyer, RES

Beyond December 2003		
Milestone	Date	Lead
3. Issue confirmatory assessment of criteria in 10 CFR 50.46 and models in Appendix K for LOCA assessment of Zircaloy-clad fuel irradiated to 62 GwWd/t burnup.	12/04	R. Meyer, RES
4. Complete testing in Cabri (France) of PWR rod-ejection accidents and provide technical basis for revisions of associated SRP and RG 1.77 as necessary.	12/08	R. Meyer, RES

Comments:

1. The agreement with JAERI includes data for both high burnup fuel and MOX (IV. D). A revised draft agreement was sent to JAERI on June 28, 2002, for their review/comment and approval. The revised document includes future cooperation and information exchange in the area of HTGR designs. Review time is needed for JAERI and their associated ministries (MEXT/MOFA) to review and approve the agreement. Recently JAERI resolved their internal administrative issues, with MEXT (formerly Science and Technology Agency (STA)) and other government organizations which will allow them to enter into an agreement with NRC directly. This agreement was on hold for over one and a half years until the new reorganized ministries would permit JAERI to enter into an agreement with NRC. Negotiations to complete this activity are ongoing. The revised agreement was sent to JAERI in November 2002 and the staff anticipates completing agreement in February 2003.

IV. Topic Area: Reactor Licensing and Oversight

E. Power Uprates

SES Manager: Lakshminaras Raghavan Keith McConnell, Acting Director, Project Directorate III, DLPM, NRR

Objective: Review licensee applications for increased reactor power levels.

Prior to June 2003		
Milestone	Date	Lead
1. Completion of staff review of Grand Gulf 1.7% power uprate amendment request. Application dated 1/31/02.	10/10/02C	M. Shuaibi DLPM
2. Completion of staff review of Point Beach 1& 2 1.4% power uprate amendment request. Application dated 04/30/02.	11/29/02C	M. Shuaibi, DLPM
3. Completion of staff review of Robinson 1.7% power uprate amendment request. Application dated 05/16/02.	11/05/02C	M. Shuaibi, DLPM
4. Completion of staff review of Peach Bottom 2 & 3 1.62% power uprate amendment request. Application dated 05/24/02.	11/22/02C	M. Shuaibi, DLPM
5. Completion of staff review of Indian Point 3 1.4% power uprate amendment request. Application dated 05/30/02.	11/26/02C	M. Shuaibi, DLPM
6. Completion of staff review of Crystal River 3 0.9% power uprate amendment request. Application dated 06/05/02.	12/04/02C	M. Shuaibi, DLPM
7. Completion of staff review of D.C. Cook Unit 1 1.66% power uprate amendment request. Application dated 06/28/02.	12/20/02C	M. Shuaibi, DLPM
8. Completion of staff review of River Bend 1.7% power uprate amendment request. Application dated 05/14/02.	01/2003 01/31/03C	M. Shuaibi, DLPM
9. Completion of staff review of Pilgrim 1.5% power uprate amendment request. Application dated 07/05/02.	01/2003 TBD	M. Shuaibi, DLPM
1510. Completion of staff review of GE topical report for BWR Thermal Power Optimization (TPO) Power Uprates (Measurement Uncertainty Recapture Power Uprates)	TBD 03/2003	M. Shuaibi DLPM

Prior to June 2003		
1411. Completion of staff review for SER on GE topical report on the BWR Constant Pressure Power Uprates (Extended Power Uprates). Revised application received on 7/26/2001.	See note 03/2003	M. Shuaibi, DLPM
1412. Completion of staff review of Palo Verde 2 2.9% power uprate amendment request. Application dated 12/21/01.	03/2003	M. Shuaibi, DLPM
1413. Completion of staff review of D.C. Cook Unit 2 1.66% power uprate amendment request. Application dated 11/15/02.	05/2003	M. Shuaibi, DLPM
1414. Completion of staff review of Indian Point 2 1.4% power uprate amendment request. Application dated 12/12/02.	06/2003	M. Shuaibi, DLPM
1415. Completion of staff review of Hatch 1 and 2 1.5% power uprate amendment request. Application dated 12/24/02.	06/2003	M. Shuaibi, DLPM
16. Completion of staff review of Kewaunee 1.4% power uprate amendment request. Application dated January 13, 2003.	07/2003	M. Shuaibi DLPM

Through December 2003		
Milestone	Date	Lead
1617. Completion of staff review of Davis-Besse Unit 1 1.63% power uprate amendment request. Application dated 10/12/01.	TBD	M. Shuaibi, DLPM

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

2. ~~The staff issued the Point Beach, Units 1 and 2, Power Uprate amendments on November 29, 2002.~~
3. ~~The staff issued the Robinson Power Uprate amendment on November 5, 2002.~~

4. ~~The staff issued the Peach Bottom, Units 1 and 2, Power Uprate amendments on November 22, 2002.5. The staff issued the Indian Point Unit 3 Power Uprate amendment on November 26, 2002.~~
6. ~~The staff issued the Crystal River Unit 3 Power Uprate amendment on December 4, 2002.~~
7. ~~The staff issued the D.C. Cook Unit 1 Power Uprate amendment on December 20, 2002.~~
8. ~~To address the issues with 10 CFR 2.790 compliance, General Electric withdrew the original proprietary safety analysis report for River Bend and submitted a revised report. The staff is currently reviewing the revised report for compliance with 2.790. In addition, the licensee has focused its resources on the last couple of months (1) addressing the 10 CFR 2.790 issue with the Grand Gulf power uprate, (2) dealing with a reactor trip, and (3) weather-related issues in response to Hurricane Isidore. As a result, the licensee's responses to the staff's RAIs were delayed and were received in November 2002. This delays the staff's expected completion date to January 2003. This delay does not adversely impact the licensee's implementation plans as their submittal had requested an NRC approval date of February 14, 2003. The staff issued the River Bend Power Uprate on January 31, 2003.~~
9. ~~To address the issues with 10 CFR 2.790 compliance, General Electric withdrew the original proprietary safety analysis report for Pilgrim and submitted a revised report. The staff is currently reviewing the revised report for compliance with 2.790.~~

~~The January 2003 completion date may be impacted for the following reasons: (1) In the application for the power uprate, the licensee included changes to use an alternate analysis methodology for discharge loads associated with the safety relief valves in its power uprate application. The proposed method has not been previously approved by the staff. This request has added a significant amount of additional review to the application, (2) In response to a RAI, the licensee committed to provide information related to their grid stability analysis in October 2002 but has still not provided the information. The licensee expects to submit the information soon, and (3) the staff requested additional information from the licensee in December 2002 based on the review of a RAI response received in November 2002. As a result the staff is not able to complete the review of this application in 6 months and is currently assessing the impact of the additional review on the schedule.~~

10 - 17. These items have been arranged by expected completion date.

1510. ~~The staff has completed its technical review of GENE's TPO topical report. However, the staff has determined that GENE's request to withhold much of the topical report from public disclosure does not meet 10 CFR 2.790. GENE has agreed to resubmit its 10 CFR 2.790 request and revise the extent of information it is requesting be withheld from public disclosure. The staff expects to complete its review of this topical report in March 2003.~~

4411. The staff completed its review on June 20, 2002; however, based on discussions with GENE, the staff identified disagreements between the staff and GENE on how the CPPU topical report is to be applied. Therefore, the staff withdrew its approval by letter dated August 12, 2002, until the disagreements are resolved. ~~The staff met with GENE on September 10, 2002, to discuss the issues. GENE sent a revised CPPU topical report to address the staff's concerns. The staff is currently reviewing the revised CPPU topical report. GENE plans to submit a redacted version to address the staff's proprietary information concerns.~~The staff has met with GENE on several occasions to resolve the issues. The staff believes that a common understanding of the topical report has been reached. Based on this, the staff expects to complete the review of this topical report in March 2003.
4012. The completion date is beyond the established goal of 9 months for stretch power uprates. However, the licensee has stated that its power uprate is not needed until the Fall of 2003; therefore, the licensee has not responded to RAIs consistent with the schedule established for earlier completion. The schedule has been revised to reflect the licensee's priority of the power uprate and projected date for response to the staff's RAIs.
11. ~~D.C. Cook Unit 2 submitted a 1.66% power uprate for the staff's review on November 15, 2002.~~
12. ~~Indian Point Unit 2 submitted a 1.4% power uprate for the staff's review on December 12, 2002.~~
13. ~~Hatch 1 and 2 submitted a 1.5% power uprate for the staff's review on December 24, 2002.~~
16. Kewaunee submitted a 1.4% power uprate for the staff's review on January 13, 2003.
4617. The staff is evaluating the impact of work related to control rod drive mechanism (CRDM) and vessel head issues on the schedule for this power uprate.

IV. Topic Area: Reactor Licensing and Oversight

F. Steam Generator Action Plan

SES Manager: John Zwolinski, Director, DLPM, NRR

Objective: The objective of the Steam Generator Action Plan (SGAP) is to ensure that safety from a steam generator tube integrity standpoint is maintained, that public confidence associated with steam generator tube integrity is improved, and that NRC and stakeholder resources are effectively and efficiently utilized. The SGAP is intended to direct and monitor the NRC's effort in this area and to ensure that related issues are appropriately tracked and dispositioned.

Prior to June 2003		
Milestone	Date	Lead
1. (SGAP Item 1.14) Staff completes review and draft safety evaluation of NEI 97-06 including addressing issues raised in OIG report and IP2 lessons learned report	TBD	E. Murphy, DE
2. (SGAP Item 3.1.f) Estimate crack growth, if any for a range of crack types and sizes using bounding loads from calculated addition to the pressure stresses and including the effects of tube support plate movement in these evaluations and any effects from cyclic loads.	12/02C	J. Muscara, RES
3. (SGAP Item 3.1.g) Estimate the margins to crack propagation for a range of crack sizes for MSLB loads and displacements in addition to pressure stresses.	12/02C	J. Muscara, RES
4. (SGAP Item 3.1.h) Based on margins calculated over and above bounding loads, determine if more refined TH analyses need to be conducted to obtain forces and displacements of structures under MSLB conditions.	12/02C	J. Muscara, RES
5. (SGAP Item 2.6) Incorporate experience gained from the IP2 event and the SDP process into planned initiatives on risk communication and outreach to the public b) Develop SG communication plan required by SRM (M11203) dated 12/26/01.	12/24/02C	M. Kotzalas, PMAS
6. (SGAP Item 1.20) Staff issues Commission Paper on steam generator regulatory framework (199400048)	4/31/03 04/08/03	L. Lund, DE
7. (SGAP Item 3.9) Develop a more technically defensible position on the treatment of radionuclide release to be used in the safety analyses of design basis events.	03/15/04	J. Hayes, DSSA

Through December 2003		
Milestone	Date	Lead
8. (SGAP Item 1.21) Staff issues endorsement package on NEI 97-06 in a safety evaluation and includes the approval of the generic technical specification change in a Regulatory Issue Summary (RIS).	TBD	E. Murphy, DE
9. (SGAP Item 3.5) Develop improved methods for assessing the risk associated with SG tubes under accident conditions.	06/28/03	H. Woods, RES
10. (SGAP Item 3.1.i) Conduct tests of degraded tubes under pressure and with axial and bending loads to validate the analytical results.	06/03	J. Muscara, RES

Beyond December 2003		
Milestone	Date	Lead
11. (SGAP Item 3.9) Develop a more technically defensible position on the treatment of radionuclide release to be used in the safety analyses of design basis events.	03/15/04	J. Hayes, DSSA
12. (SGAP Item 3.11) In order to resolve GSI 163, it is necessary to complete the work associated with SGAP Items 3.1 through 3.5 and 3.7 through 3.9. Upon completion of those tasks, develop detailed milestones associated with preparing a GSI resolution document and obtaining the necessary approvals for closing the GSI, including ACRS acceptance of the resolution.	12/31/05	M. Banerjee, DLPM
13. (SGAP Item 3.12) Develop outline and a detailed schedule for completing DG 1073, "Plant Specific Risk-Informed Decision Making: Induced SG Tube Rupture	12/31/05	L. Lund, DE

General Comments:

1. The SGAP was originally issued back in the mid 1990s, and after the Indian Point 2 steam generator tube rupture event the plan was considerably revised via a memorandum from B. Sheron and J. Johnson to S. Collins dated November 16, 2000, "Steam Generator Action Plan" (ADAMS ML003770259).
2. The SGAP was revised via a memorandum from J. Zwolinski, J. Strosnider, B. Boger and G. Holahan to B. Sheron and R. Borchardt dated March 23, 2001, "Steam Generator Action Plan Revision and Completion of Item Nos. 1.1, 1.2, 1.3, 1.4, 1.7, 1.8, 1.15, 2.1 and 2.2" (ADAMS ML 010820457), and via a memorandum from S. Collins and

A. Thadani to W. Travers dated May 11, 2001, "Steam Generator Action Plan Revision to Address Differing Professional Opinion on Steam Generator Tube Integrity (WITS Item 200100026)," (ADAMS ML011300073).

Milestone Comments:

- 1,6,8. The scheduled completion dates for these milestones are dependent on industry actions related to NEI 97-06, "Steam Generator Program Guidelines." The industry submittal schedule was impacted after staff clarified the NRC policy and applicability of the license amendment process to NEI 97-06. The industry indicated that they intended to make a plant specific steam generator license amendment submittal for a lead plant, in addition to a generic license change package submittal, thus putting the resolution of the remaining issues through a formal regulatory process. The staff is engaged in resolving remaining technical issues with the industry and awaiting industry input regarding the revised submittal dates. A Commission Paper is being prepared by the staff, to be submitted by 4/31/03, that will document the staff's basis for its conclusion that current steam generator programs provide adequate safety basis for ensuring provide the basis for reasonable assurance for steam generator tube integrity, discuss the progress the staff has made in revising the associated regulatory framework, and outline the future plans in this area. This negative consent Commission Paper is proposing to revise the staff's efforts associated with the regulatory framework by canceling the RIS on NEI 97-06 effort and the generic technical specification change.
5. The SGAP item 2.6 has been broken down into two activities to address direction from the Commission in SRM (M11203) dated 12/26/01 (refer to milestone 5).
- 11 7. Limited staff resources has necessitated that the focus be placed upon those activities associated with preparation of DSAR for AP 1000, safety evaluations for power uprates, and finalization of draft regulatory guides associated with control room habitability. This re-prioritization of work necessitated delaying the affected SGAP milestones. This milestone was moved to reflect its current schedule.

IV. Topic Area: Reactor Licensing and Oversight**G. New Reactor Licensing Readiness**

SES Manager: James Lyons, Director, NRR/ADIP/NRLPO NRLPO/ADIP/NRR

Objective: Prepare the NRC staff for new applications, (i.e. early site permits, design certifications, and combined licenses), assessing technical, licensing, and inspection capabilities, and identifying any necessary enhancements.

Prior to June 2003		
Milestone	Date	Lead
1. Submit to the Commission a proposed rule containing 10 CFR Part 52 revisions (199700060)(SECY-02-0077)	5/08/02C	J. Wilson, NRR/NRLPO
2. Submit a SECY paper providing final policy recommendations on issues associated with modular and merchant plants (200100080) (SECY-02-0180)	10/7/02C	A. Cabbage, NRR/NRLPO
3. Provide recommendations to Commission regarding NEI petition PRM 52-1 proposing to treat previously-reviewed information as resolved (SECY-02-0199)	11/08/02C	S. Koenick, NRR/NRLPO
4. Provide recommendations to Commission regarding NEI petition PRM 52-2 for alternative sites, alternate sources, and need for power [SECY-02-0175]	09/27/02C	N. Gilles, NRR/NRLPO
5. Provide SECY Paper on Advanced Reactor Research Plan (200200066)	3/03	J. Flack, RES
6. Provide SECY paper on recommendations on the policy issues associated with the HTGR (200200121)	01/16/03C	F. Eltawila, RES
7. Submit a SECY paper providing the semi-annual update of the status of new reactor licensing activities. (200100018)	01/08/03C	J. Williams NRR/NRLPO
8. Submit a SECY paper evaluating options for security requirements for new reactors.	5/31/03	S. Koenick NRR/NRLPO

Through December 2003		
Milestone	Date	Lead
89. Submit to the Commission a final rule containing 10 CFR Part 52 revisions (199700060)	09/10/03	N. Gilles, NRR/NRLPO

Through December 2003		
910. AP1000 Draft SER (with open items) issued to Westinghouse.	06/16/03	L. Burkhart J. Segala, NRR/NRLPO
4011. Submit a SECY paper providing the semi-annual update of the status of new reactor licensing activities. (200100018)	6/30/03	J. Williams NRR/NRLPO
12. Provide SECY paper on recommendations on the policy issues associated with non-LWRs (200200121)	06/30/03	F. Eltawila, RES

Beyond December 2003		
Milestone	Date	Lead
401113. Provide report on the status of interactions regarding programmatic ITAAC. (200000095)	03/01/2004	J. Sebrosky NRR/NRLPO

Comments:

2. SECY-02-0180 was submitted to the Commission on 10/7/02.
5. The staff has requested an extension for the associated Commission paper until 3/03 in order to resolve management comments on the paper.
8. Staff proposed this paper in SECY-02-0205.
9. Assumes SRM received February/January 2003.
6. The original intent was to develop a policy paper specifically to address the PBMR. Because of Exelon's announcement to not submit an application for PBMR this SECY paper will not be issued. Instead, a generic policy paper on HTGR will be submitted in the latter part of this year. The staff requested an extension to 01/03 to compensate for the extra time spent incorporating comments on earlier drafts and to allow time for concurrence.
10. Added semiannual update after completion of previous update.
12. This paper has been deferred until completion of security requirements paper for new reactors (Milestone 8).
401113. Item added per the September 11, 2002 Staff Requirements Memorandum on SECY-02-0067.

IV. Topic Area: Reactor Licensing and Oversight

H. Instrumentation and Control Research Program

SES Manager: Daniel Dorman, Chief, ERAB/DET/RES

Objective: To assure that the current level of plant safety is maintained as digital systems are integrated into current and future plants in the face of ever changing technology.

Prior to June 2003		
Milestone	Date	Lead
1. Issue Commission paper (SECY-01-0155) on the Digital Instrumentation and Control Research Plan. (200100053)	08/15/01C	S. Arndt, RES
2. Issue for public comment Draft Regulatory Guide 1077 on effects of temperature, humidity and smoke effects on digital systems.	09/26/01C	C. Antonescu, RES
3. Issue complete report on the status of Emerging Technologies.	03/31/02C	S. Arndt, RES
4. Issue revised program plan on emerging digital technology on the potential vulnerabilities of nuclear power plants to cyber-terrorism.	04/30/02C	R. Shaffer, RES
5. Issue for public comment Reg. Guide 1.180 Rev 1 on EMI/RFI in safety related I&C.	08/27/02C	C. Antonescu, RES
76. Issue report on the potential vulnerabilities of nuclear power plants to cyber-terrorism.	03/03	R. Shaffer, RES

Through December 2003		
Milestone	Date	Lead
7. Issue report on the potential vulnerabilities of nuclear power plants to cyber-terrorism.	03/03	R. Shaffer, RES
87. Issue report on the use of wireless technology in nuclear power plant applications.	12/03	C. Antonescu, RES

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

3. A draft report was developed in September 2001, however, additional work is needed to broaden the scope of the effort to better focus on technology emerging within the next 5-10 years.
4. Further consideration of the issue of cyber security yielded the conclusion that this subject warrants more attention and more robust treatment. Therefore, a revised program plan will be developed which includes an expanded scope with participation from outside experts.
5. The requesting Program Office required additional time to review the draft Regulatory Guide due to the assignment of a new reviewer. Therefore, additional time is required to address the comments and prepare the draft Regulatory Guide.
6. Because of the revised program plan, this report will be developed with greater participation of a broader base of stakeholders and will result in a more robust treatment of the issue of cyber security.

V. Topic Area: License Renewal**A. License Renewal (includes Plant Specific Reviews and Generic Process Improvements)**

SES Manager: P. T. Kuo, Program Director, RLEP/DRIP/NRR

Objective: Demonstrate that license renewal applications submitted under 10 CFR Parts 54 & 51 can be reviewed effectively, efficiently, and promptly.

Prior to June 2003		
Milestone	Date	Lead
1. Receive Arkansas Nuclear One, Unit 1, (ANO-1) license renewal application	2/1/00G	C. Grimes, DRIP
2. Receive Hatch, Units 1 and 2, license renewal application	3/1/00G	C. Grimes, DRIP
3. License renewal decision complete for Calvert Cliffs	3/23/00G	C. Grimes, DRIP
4. License renewal decision complete for Oconee	5/23/00G	C. Grimes, DRIP
5. 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)	8/31/00G	C. Grimes, DRIP
6. Receive Turkey Point, Units 3 and 4, license renewal application	9/11/00G	C. Grimes, DRIP
7. Issue ANO-1 Safety Evaluation Report (SER) and identify open items	1/10/01G	C. Grimes, DRIP
8. Issue Hatch SER and identify open items	2/7/01G	C. Grimes, DRIP
9. Submit final GALL report and SRP to the Commission for approval (199600056)	4/26/01G	C. Grimes, DRIP
10. Issue ANO-1 Final Environmental Impact Statement Supplement	4/5/01G	C. Carpenter, DRIP
11. Receive Surry, Units 1 and 2, and North Anna, Units 1 and 2, license renewal applications	5/29/01G	C. Grimes, DRIP
12. Receive McGuire, Units 1 and 2, and Catawba, Units 1 and 2, license renewal applications	6/14/01G	C. Grimes, DRIP
13. Receive Peach Bottom, Units 2 and 3, license renewal application	7/2/01G	C. Grimes, DRIP

Prior to June 2003		
Milestone	Date	Lead
14. Issue Hatch Final Environmental Impact Statement Supplement	5/31/01C	C. Carpenter, DRIP
15. Issue Turkey Point Draft Environmental Impact Statement Supplement	6/12/01C	C. Carpenter, DRIP
16. Issue Turkey Point SER and identify open items	8/17/01C	C. Grimes, DRIP
17. Provide recommendations to the Commission regarding potential rulemaking (199900104)	8/17/01C	C. Grimes, DRIP
18. Issue ANO-1 Supplemental SER	4/12/01C	C. Grimes, DRIP
19. Decision on ANO-1 license renewal	6/12/01C	C. Grimes, DRIP
20. Issue Hatch Supplemental SER	10/5/01C	C. Grimes, DRIP
21. Receive St. Lucie, Units 1 and 2, license renewal application	11/30/01C	C. Grimes, DRIP
22. Receive Ft. Calhoun license renewal application	1/11/02C	C. Grimes, DRIP
23. Issue Turkey Point Final Environmental Impact Statement Supplement	1/11/02C	C. Grimes, DRIP
24. Decision on Hatch license renewal	1/15/02C	C. Grimes, DRIP
25. Issue Turkey Point Supplemental SER	2/27/02C	C. Grimes, DRIP
26. Decision on Turkey Point license renewal	6/6/02C	P. Kuo, DRIP
27. Receive Robinson license renewal application	6/17/02C	S. Lee, DRIP/RLEP
1. Inform the Commission of GALL demonstration project progress and any significant issues (200100059)	7/10/02C	S. Lee, DRIP/RLEP
2. Receive Ginna license renewal application	8/1/02C	S. Lee, DRIP/RLEP
3. Receive Summer license renewal application	8/6/02C	S. Lee, DRIP/RLEP
4. Issue Surry and North Anna Supplemental SER	11/5/02C	S. Lee, DRIP/RLEP
5. Issue Surry and North Anna Final Environmental Impact Statement Supplements	12/4/02C 12/02	J. Tappert, DRIP/RLEP

Prior to June 2003		
Milestone	Date	Lead
6. Issue McGuire and Catawba Supplemental SER	1/6/03C	S. Lee, DRIP/RLEP
7. Issue McGuire and Catawba Final Environmental Impact Statement Supplements	12/24/02C 1/03	J. Tappert, DRIP/RLEP
8. Receive Dresden and Quad Cities renewal application	1/3/03C	S. Lee, DRIP/RLEP
9. Issue Peach Bottom Supplemental SER	2/03	S. Lee, DRIP/RLEP
10. Issue Peach Bottom Final Environmental Impact Statement Supplement	1/22/03C 2/03	J. Tappert, DRIP/RLEP
11. Decision on Surry and North Anna license renewal	3/03	S. Lee, DRIP/RLEP

Through December 2003		
Milestone	Date	Lead
12. Issue St. Lucie Final Environmental Impact Statement Supplement	6/03	J. Tappert, DRIP/RLEP
13. Decision on Peach Bottom license renewal	7/03	S. Lee, DRIP/RLEP
14. Issue St. Lucie Supplemental SER	7/03	S. Lee, DRIP/RLEP
15. Issue Fort Calhoun Final Environmental Impact Statement Supplement	8/03	J. Tappert, DRIP/RLEP
16. Issue Fort Calhoun Supplemental SER	9/03	S. Lee, DRIP/RLEP
17. Decision on St. Lucie license renewal	10/03	S. Lee, DRIP/RLEP
18. Decision on Fort Calhoun license renewal	11/03	S. Lee, DRIP/RLEP
19. Decision on McGuire and Catawba license renewal	12/03	S. Lee, DRIP/RLEP
20. Issue Robinson Final Environmental Impact Statement Supplement	12/03	J. Tappert, DRIP/RLEP

Beyond December 2003		
Milestone	Date	Lead
21. Issue Robinson Supplemental SER	1/04	S. Lee, DRIP/RLEP
22. Issue Ginna Final Environmental Impact Statement Supplement	2/04	J. Tappert, DRIP/RLEP
23. Issue Summer Final Environmental Impact Statement Supplement	2/04	J. Tappert, DRIP/RLEP
24. Issue Summer Supplemental SER	3/04	S. Lee, DRIP/RLEP
25. Issue Ginna Supplemental SER	3/04	S. Lee, DRIP/RLEP
26. Decision on Robinson license renewal	4/04	S. Lee, DRIP/RLEP
27. Decision on Ginna license renewal	6/04	S. Lee, DRIP/RLEP
28. Decision on Summer license renewal	6/04	S. Lee, DRIP/RLEP

Comments:

The Commission's 8/30/02, SRM directed the staff to complete the reviews for uncontested applications within 22 months. CTM dates for decisions on uncontested license renewal applications under review will be revised when the applicants and the public have been notified of the change.

6. The supplemental SER for McGuire, Units 1 and 2, and Catawba, Units 1 and 2, was issued on January 6, 2003.
- 7 & 10. The final supplemental environmental impact statements were issued for Surry and North Anna on December 4, 2002; McGuire and Catawba on December 24, 2002, and for Peach Bottom on January 22, 2003.
8. The license renewal application for Dresden, Units 2 and 3, and Quad Cities, Units 1 and 2, were received on January 3, 2003.
19. On January 24, 2002, the Atomic Safety and Licensing Board (ASLB) admitted contentions filed by Nuclear Information and Resource Service and the Blue Ridge Environmental Defense League, petitioners in the Catawba and McGuire license renewal proceeding. The petitioners contended that the applicant's severe accident mitigation alternative (SAMA) analysis was incomplete. The Commission admitted to an

extent, the SAMA contention. On December 18, 2002, the Commission issued an order (CLI-02-28) clarifying the intent of the earlier order concluding that the SAMA contention was admissible. In the order, the Commission indicated that the ASLB had misinterpreted its earlier order and provided guidance to the ASLB with respect to the relevance of the partially-admitted contention. The ASLB has not yet advised the parties (Duke, the staff, and the intervenors) on how it will proceed in response to the order.

A certified question from the ASLB relating to the admissibility of a contention pertaining to terrorism was referred to the Commission for review. On December 18, 2002, the Commission issued an order (CLI-02-26) to instruct the ALSB to not consider contentions relating to terrorism risks to the Catawba and McGuire nuclear stations.

28. ~~No hearing was requested for the application and the date for a decision on issuing the renewed license was reduced from 30 months to 22 months.~~

VI. Topic Area: License Transfers

A. License Transfers

SES Manager: John Zwolinski, Director, DLPM, NRR

Objective: To ensure that license transfers are conducted in a timely and technically correct manner and that review and submittal guidance is appropriately disseminated.

Prior to June 2003		
Milestone	Date	Lead
1. Complete the direct transfer of the Central Power & Light Co. interest in South Texas 1&2 to CPL Genco LP, a wholly owned subsidiary of American Electric Power Co.	Licensee requests to suspend review	W. Ruland, PDIV
21. Complete the review of the license transfer order for the Aerotest Radiography and Research Reactor.	TDB	P. Madden, DRIP/REXB
3. Complete the indirect license transfer for Millstone Units 1, 2, & 3. to Dominion Energy Holdings, Inc., a newly created intermediate subsidiary of Dominion Resources, Inc.	See note:	S. Richards, PDI
42. Complete the license transfer order for Diablo Canyon 1&2 to Diablo Canyon LLC, a new wholly-owned subsidiary of Electric Generation LLC, a new generating company created in connection with the Chapter 11 reorganization plan for PG&E.	01/31/03 03/31/03	W. Ruland, PDIV
53. Complete the transfer of the existing operating licenses for Palo Verde Units 1, 2, and 3 from Arizona Public Service Co. (APS) to Pinnacle West Energy Co.	TBD 12/23/02C	W. Ruland, PDIV
46. Complete the direct license transfer order for transfer of ownership of Seabrook Unit 1 from North Atlantic Energy Service Company to FPL Group.	11/01/02 C	S. Richards, PDI

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

1. ~~The licensee, by letter dated May 21, 2002, requested NRC to suspend its review of the application and added it will notify the NRC when the necessary regulatory approvals are in place and the review of the application can recommence.~~
21. Aerotest Operations has been acquired by a parent company, Autoliv, Inc., resulting in foreign ownership of the facility, which continues to be operated by Aerotest. The current review is being conducted per Action Plan for an indirect license transfer that has, in effect, already occurred (without NRC concurrence).
3. ~~In a letter dated 1/30/02, Virginia Electric Power Company (VEPCO) has requested that the application for order and conforming license amendments directly affecting North Anna 1 and 2, and Surry 1 and 2, [and indirectly affecting Millstone 1, 2, and 3] be held in abeyance. On 12/18/01 the Virginia State Corporation Commission (SCC) denied VEPCO's request to transfer its generation assets to Dominion Generation, an affiliate company. VEPCO has appealed (1/17/02) the SCC's order, and has notified the staff that the appeal process is not expected to be completed until the fourth quarter of 2002. The staff is planning to inform the licensee that the staff's review activity has been formally closed, but may be reopened by VEPCO after the appeal of the SCC denial decision has been resolved.~~
42. ~~The staff is proceeding with the review, however several petitions for hearings received by the Commission have been denied but still need to be discussed in the SE, which have impacted the staff's completion schedule. The staff has completed the SE which is currently being reviewed by OGC. As comments from OGC are being received, they are being resolved.~~
53. ~~APS has put a hold on the License Transfer Request and will get back to the Commission by Mid-January, 2003, with their decision. In view of this, OGC has stopped the review work. APS issued a letter indicating the withdrawal of the License Transfer Request.~~
64. The Order was issued on 10/25/02. The license was transferred to FPL on 11/01/02.

VII. Topic Area: Materials and Waste Programs

A. ISFSI Licensing - Private Fuel Storage

SES Manager: Charles L. Miller, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

Project Manager: Mark Delligatti

Objective: Complete all actions associated with the review of the Private Fuel Storage, LLC application (includes: development of a Safety Evaluation Report, an Environmental Impact Statement, and completion of adjudicatory hearings before the Atomic Safety and Licensing Board).

Coordination: The SFPO coordinates with the OGC, particularly on matters associated with the adjudicatory proceedings before the Atomic Safety and Licensing Board. In addition, the staff has sought and received review assistance for the review of the financial aspects of the license application, accident analysis, and review of the Emergency Plan and geotechnical issues from NRR. Review assistance is also being received from NMSS for the review of the physical security plan and fire protection issues. This assistance has also extended to activities related to the hearings.

Prior to June 2003		
Milestone	Date	Lead
1. Issue Draft Environmental Impact Statement (EIS)	6/23/00C	M. Delligatti, SFPO
2. Staff issues supplement to Safety Evaluation Report (SER)	9/29/00C	M. Delligatti, SFPO
3. Begin ASLB Hearing on Safety Contentions (Round 1)	6/19/00C	G. P. Bollwerk, ASLB
4. Issue Final SER	9/29/00C	M. Delligatti, SFPO
5. Complete Final EIS and revision to SER	12/31/01C	M. Delligatti, SFPO
61. Hearing on Environmental Contentions and Remaining Safety Contentions (Round 2)	4/8/02 - 7/03/02C	M. C. Farrar, ASLB
72. ASLB Decision on Licensing	01/31/03 02/28/03	M.C. Farrar, ASLB

Through December 2003		
Milestone	Date	Lead
83. Final Decision on Licensing	TBD	

Beyond December 2003		
Milestone	Date	Lead
TBD		

Comments:

5. On March 30, April 5, April 10, April 13, April 16, and May 31, 2001, PFS submitted revised information on aircraft hazards and geotechnical analyses. The staff completed the Final EIS and SER supplement and provided limited distribution to the ASLB and the other parties to the hearing by December 31, 2001. On January 11, 2002, the staff filed an unredacted version of the Final EIS with the Environmental Protection Agency and released to the public an unredacted supplement to the SER.
- 6-71-2. The ASLB will hold held the second round of hearings from April 8 through July 3, 2002. The Board has scheduled December 6, 2002, as the date for its decision in this case. (Judge Farrar replaced Judge Bollwerk as the presiding Judge earlier in this proceeding). In its Order dated December 11, 2002, the Board advised that a decision will not be issued before mid to late January, 2003. In its Order dated January 23, 2003, the Board advised that its decision will be delayed until mid to late February 2003.
83. A final Commission decision on licensing will take place after the Board has rendered its decision.

VII. Topic Area: Materials and Waste Programs

B. 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

Project Manager: Andrew Murphy, DET/RES

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: The Spent Fuel Project Office (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 the lead on this issue, as some additional confirmatory analyses and/or testing is planned. NMSS/SFPO will continue to provide support for further public interaction.

Prior to June 2003		
Milestone	Date	Lead
1. Complete Review of Sandia National Labs (SNL) Proposal (NRC Form 189) for Package Performance Study (PPS)	08/15/01C	A. Murphy, RES
2. Complete Prospectus Soliciting Co-funding Partners (Domestic and International) for PPS	11/30/01C	A. Murphy, RES
3. Complete review of SNL test protocols for impact and fire tests	02/12/02C	A. Murphy, RES
4. Complete review of SNL test protocol for spent nuclear fuel response to impacts	05/28/02C	A. Murphy, RES
5. Complete review of SNL report on barge accident event trees	07/31/02C	A. Murphy, RES

Through December 2003		
Milestone	Date	Lead
6. Complete review of SNL report on tractor trailer accident event trees	09/03	A. Murphy, RES

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

VII. Topic Area: Materials Programs and Waste Programs

**B. Generic Spent Fuel Transportation Studies
3) Characterization of Fuel Stored in Dry Cask**

SES Manager: Michael Mayfield, Director DET/RES and
Jack Rosenthal, Branch Chief, SMSAB/DSARE/RES

Objective: Develop the technical basis to establish standard review plans for the renewal of certificates for Spent Fuel Storage Dry Casks.

Prior to June 2003		
Milestone	Date	Lead
1. Provide preliminary consequence analysis for PRA for dry storage of spent fuel.	07/16/01G	J. Schaperow, RES
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	08/29/02G	H. Scott, RES
1. Meet with the ACRS/ACNW subcommittee to discuss test.	03/0306/03	H. Scott, RES

Through December 2003		
Milestone	Date	Lead
1. Meet with the ACRS/ACNW subcommittee to discuss test.	03/0306/03	H. Scott, RES
2. Develop technical bases for evaluating the high-burnup nuclide inventories and associated source terms to be used for the cask license renewal	9/03	H. Scott, RES
3. Provide data and issue report NUREG/CR and RIL for updating existing Standard Review Plan (SRP) or developing a new SRP for dry cask storage license renewal.	9/03	R. Kenneally, DET
4. Develop the technical bases for evaluating high burnup cladding integrity by performing creep tests on high burnup fuel rods.	9/03	H. Scott, RES

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

1. Per discussions with ACRS/ACNW and NMSS staff, the ACRS has a scheduling conflict and a briefing date has been established for June 2003 ~~we have established a briefing date for March 2003.~~

VII. Topic Area: Materials and Waste Programs

Since all actions in Topic C are complete and no further actions are planned, this action will be removed from the CTM.

C. Part 41 Rulemaking: Domestic Licensing of Uranium and Thorium Recovery Activities and Uranium Recovery Concerns—and Related Guidance

SES Manager: Daniel Gillen, Chief, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards (FCSS)

Objectives: Update uranium recovery guidance documents to implement Commission direction.

Prior to June 2003		
Milestone	Date	Lead
1. SECY-01-0026 to the Commission (199800177)	02/15/01C	M. Haisfield, IMNS
2. Publish draft versions of NUREGs 1569 and 1620 for public comment.	01/31/02C	J. Lusher, FCSS
3. Final versions of NUREGs 1569 and 1620 to Commission (200100050) (SECY-01-0026)	11/15/02C	J. Lusher, FCSS

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

In an SRM dated May 29, 2001, the Commission directed the staff to discontinue the current 10 GFR Part 41 rulemaking efforts and focus staff resources on updating guidance documents to implement Commission direction set forth in the SRMs for SECYs 99-012, 99-013, and 99-277.

VII. Topic Area: Materials and Waste Programs

C. Part 40 Rulemaking: 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, CFO.

Prior to June 2003		
Milestone	Date	Lead
1. Status report on interaction with States and other Federal Agencies (199800203) (SECY-01-0051)	3/23/01C	T. Taylor, IMNS
2. Rulemaking plan (on control of distribution) to Commission (200000042)	4/25/01C	G. Comfort, IMNS
3. Proposed rule for transfer of exempt material (40.51) to SECY/ADM	7/29/02C	G. Comfort, IMNS
4. Provide Commission memorandum on highlights and next steps of jurisdictional issues (199800203)	8/13/02C	T. Taylor, IMNS
5. Provide additional recommendations to Commission on exemption issues based on results of ORNL's report (199000208) (Paper will also include recommendations on byproduct material.)	11/1/02C	C. Mattsen, IMNS

Through December 2003		
Milestone	Date	Lead
6. Final rule (on transfers from licensees) to Commission (200000041)	5/30/03	G. Comfort, IMNS

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

4. A new SECY Paper providing recommendations is planned for March 2003 (or consistent with framework for control of materials schedule).

VII. Topic Area: Materials and Waste Programs

D. 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

Prior to June 2003		
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 Federal Register	02/02/02C	C. Glenn, DWM
3. Hold public meeting to discuss policy statement	04/17/02C	C. Glenn, DWM

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
41. After DOE's publication of West Valley draft decommissioning EIS, NRC will review and comment on the DEIS.	10/2004	C. Glenn A. Bradford, DWM
52. Determine whether preferred alternative meets decommissioning criteria identified in policy statement.	06/2005	C. Glenn A. Bradford, DWM

Comments:

4. ~~After reviewing DWM's planned activities on West Valley, we identified the milestone, "Review Waste Management DEIS" as an activity that NRC is not required to do, and we were informed by DOE that our comments were not needed; thus, this milestone is being deleted.~~

VII. Topic Area: Materials and Waste Programs

E. Site Decommissioning Management Plan Status

SES Manager: J. Greeves, Director, Division of Waste Management

Objective: Implement the Site Decommissioning Management Plan (SDMP).

Coordination: Region I

Prior to June 2003		
Milestone	Date	Lead
1. SDMP Master Schedule developed	3/31/00G	L. Camper, DWM
2. Complete Environmental Assessment/Safety Evaluation Report for Cabot-Revere site	6/01G	L. Camper, DWM
3. 2001 Annual Update to Commission - Status of Decommissioning Program (199900100)	8/17/01G	L. Camper, DWM
4. Commission Paper to remove Cabot-Revere site from SDMP (200100035) (SECY-01-0138)	7/26/01G	L. Camper, DWM
5. Remove the Cabot-Revere site from SDMP	9/01G	L. Camper, DWM
6. Remove Lake City Army Ammunition Plant from SDMP	10/01G	S. Brown, DWM
71. 2002 Annual Update to Commission - Status of Decommissioning Program (199900100)	09/18/02C	L. Camper, DWM

Through December 2003		
Milestone	Date	Lead
None2. Remove Jefferson Proving Ground from SDMP	TBD	T. McLaughlin

Beyond December 2003		
Milestone	Date	Lead
3. Remove Watertown GSA Site from SDMP	TBD	C. Gordon, Region I

Comments:

VII. Topic Area: Materials and Waste Programs

F. Prepare for Licensing a HLW Repository

1) Part 63 Rulemaking and Guidance Development: HLW Repository Licensing

SES Managers: Janet Schlueter, Chief High-Level Waste Branch, Division of Waste Management

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

Objective: To develop licensing criteria and guidance for disposal of high-level radioactive waste at the proposed geologic repository at Yucca Mountain, Nevada.

Coordination: OGC

Prior to June 2003		
Milestone	Date	Lead
1. Draft final rule to Commission (SECY-00-0084) (199800029)	4/12/00C	T. McCartin, DWM
2. Submit Revised Draft Final Rule to Commission (199800029) (SECY-01-0127)	7/10/01C	T. McCartin, DWM
3. Issue Federal Register Notice on Final Part 63	11/02/01C	T. McCartin, DWM
4. Submit proposed rule on unlikely events (200100100) (SECY-01-206)	11/16/01C	C. Prichard, IMNS
5. Schedule Public Meetings on Part 63	02/28/02C	J. Kotra, DWM
6. Provide a schedule of the public meetings on the Yucca Mountain Review Plan (SECY-M020304)	05/10/02C	J. Ciocco, DWM
71. Submit Draft Final Rule on Unlikely Events	07/24/02C	C. Prichard, IMNS
82. Submit Draft Final Yucca Mountain Review Plan	2/13/032/28/03	J. Ciocco, DWM

Through December 2003		
Milestone	Date	Lead
82. Submit Draft Final Yucca Mountain Review Plan	2/13/032/28/03	J. Ciocco, DWM

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

8. ~~Comment period was extended 45 days in response to a public request. Over 900 comments were received, which was considerably more than expected. Additional time is required to address all the comments.~~

VII. Topic Area: Materials and Waste Programs

G. Control of Solid Materials

SES Managers: Patricia Holahan, Chief, Rulemaking and Guidance Branch, Division of 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, DSARE, RES

Objective: To examine NRC's regulatory approach for control of solid materials, including enhanced public participation in such a process.

Prior to June 2003		
Milestone	Date	Lead
1. Issue Commission paper (SECY-00-0070) (199400059)	3/23/00C	F. Cardile, IMNS
2. Draft report on methods to survey material containing low levels of radioactivity provided to NMSS.	7/10/01C	C. Trottier, RES
3. National Academy of Sciences study completed (200000039)	3/22/02C	C. Trottier, RES
4. Submit quarterly report to Commission (200000039)	4/15/02C	F. Cardile, IMNS
51. SECY paper on results of NAS study, technical basis, and recommendations	7/15/02C	F. Cardile, IMNS
62. Provide final NUREG-1640 to NMSS for review on individual doses, incorporating public comments.	12/31/02C	C. Trottier, RES
73. Submit for Commission approval a proposed rulemaking schedule.	1/21/03 1/8/03(C)	F. Cardile, IMNS
4. Issue FRN on status of rulemaking and scoping	02/03	F. Cardile, IMNS
5. Workshop on alternatives, focusing on conditional use and landfill disposal	05/03	F. Cardile, IMNS

Through December 2003		
Milestones	Date	Lead
4. Issue FRN on status of rulemaking and scoping	02/03	F. Cardile, IMNS
5. Workshop on alternatives, focusing on conditional use and landfill disposal	05/03	F. Cardile, IMNS

Beyond December 2003		
Milestones	Date	Lead
6. Proposed rule to Commission (including draft guidance)	07/04	F. Cardile, IMNS
7. Final rule to Commission	11/05	F. Cardile, IMNS

Comments:

VII. Topic Area: Materials and Waste Programs

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

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

Charles L. Miller, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

Objective: This rule would require licensees to notify federally recognized Native American tribes of certain radioactive waste shipments, including spent nuclear fuel, before shipments are transported to or across the boundary of tribal lands.

Coordination: OSTP, OE, OGC, NRR

Prior to June 2003		
Milestone	Date	Lead
1. Rulemaking plan to Commission for approval (199900123) SECY 01-0021	2/02/01G	R. Broseus, IMNS
2. Proposed rule to Commission (199900123)	On hold	R. Broseus, IMNS

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
3. Final rule to Commission (199900123)	One year after end of public comment period	R. Broseus, IMNS

Comments:

2. This rulemaking is put on hold due to activities and considerations following the September 11, 2001, terrorist attack. The status will be reflected in the next update of Rulemaking Activity Plan (RAP).

VII. Topic Area: Materials and Waste Programs

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

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

Charles L. Miller, Deputy Director, Licensing and Inspection Directorate, Spent Fuel Project Office (SFPO)

Objectives: To prepare a rule 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).

Prior to June 2003		
Milestone	Date	Lead
1. Revised Commission paper to the Commission (199800008) (SECY-00-0117)	5/31/00C	N. Tanius, IMNS
2. Proposed rule to Commission (199800008) (SECY-01-0035)	3/02/01C	N. Tanius, IMNS
3. Proposed rule package to SECY for publication (199800008)	3/22/02C	N. Tanius, IMNS
4. Proposed rule published:	04/30/02C	N. Tanius, IMNS
5. Conduct two public meetings during comment period	06/04/02C 06/24/02C	N. Tanius, IMNS

Through December 2003		
Milestone	Date	Lead
6. Final rule to Commission (199800008)	07/29/03	N. Tanius, IMNS

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

6. This is one year after the end of the public comment period.

VII. Topic Area: Materials and Waste Program

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

SES Manager: Daniel Gillen, Chief, Fuel Cycle Facilities Branch) (FCFB),
Division of Fuel Cycle Safety and Safeguards (FCSS)

Project Manager: Bill Gleaves, FCFB/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 has involved and will continue to 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' Risk Task Group will be informed of new guidance, such as the Standard Review Plan, that defines acceptable licensee responses to the rule's requirements to evaluate and manage risk.

Prior to June 2003		
Milestone	Date	Lead
1. Final rule and draft Standard Review Plan to Commission (199500041) (SECY-00-0111)	5/19/00 C	A. Persinko, FCSS
2. Develop guidance document regarding §70.62 ISA plans	2/06/01 C	T. Cox, FCSS
3. Develop guidance document regarding §70.74 reporting requirements.	3/30/01 C	M. Lamastra, FCSS
4. Final Standard Review Plan	12/14/01 C	Yawar Faraz, FCSS

Through December 2003		
Milestone	Date	Lead
51. Develop guidance document for §70.76 BackfittingBackfit	06/2003	Bill Gleaves, FCSS

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

Stakeholder agreement on the contents of the Standard Review Plan (SRP) was achieved in November 2001. The NRC staff finalized the SRP in December 2001, and made it available from the NRC website in mid-January 2002. The staff published the SRP as NUREG-1520 on March 29, 2002. The NMSS Risk Task Group was significantly involved with the finalization of the SRP chapter on ISAs.

5. The date revision to June 2003 reflects the time needed for internal development and review of guidance, and for obtaining and incorporating CRGR comments and public comments.

VII. Topic Area: Materials and Waste Programs

K. Develop Rulemaking for Parts 40, 75, 110, and 150 (Implement IAEA Safeguards Agreement)

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

Gatherine Haney, Joseph Shea, Acting Deputy Director for Nuclear Security Policy, Division of Nuclear Safety (DNS), Office of Nuclear Security and Incident Response (NSIR)

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 to June 2003		
Milestone	Date	Lead
1. Submit options paper to Commission (SECY-01-0164) (200100047)	8/24/01C	B. Moran, FCSS
2. Submit supplement memo to SECY-01-0164 to Commission	1/25/02C	B. Moran, FCSS
1. Combine options paper and supplement memo and submit to Commission	2/28/03	M. Kelly DNS/NSIR

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
32. Submit final rulemaking plan to Commission for approval (199900118)	6 months after US Government assignment on responsibility	P. Eng D. Tiktinsky, IMNS

Beyond December 2003		
43. Submit proposed rule to Commission for approval (199900118)	9 months after Commission approves Rulemaking plan	P. Eng D. Tiktinsky, IMNS

Comments:

1. Per staff requirements memorandum dated January 14, 2003, (WITS 200100047) the Commission approved the staff recommendation to withdraw SECY-01-0164, and directed the staff to submit a new notation vote paper combining the information in SECY-01-0164 and the supplement memo (SECY-02-0164).
- 3, 42-3. Awaiting US Government assignment on responsibility after Commission decision on the options paper replacing SECY-01-0164 and supplement.

VII. Topic Area: Materials and Waste Programs

L. Mixed Oxide (MOX) Fuel Facility Licensing

SES Manager: Melvyn N. Leach, Chief, Special Projects and Inspection Branch, FCSS

Project Manager: Andrew Persinko, SPIB/FCSS

Objective: To review license applications for the construction and operation of the MOX fuel fabrication facility and to prepare an Environmental Impact Statement.

Coordination: NMSS has the agency lead for coordination with the MOX consortium and internally with NRR, RES, OIP, and ADM on issues concerning MOX fuel fabrication licensing and subsequent irradiation. OGC will be consulted on legal matters regarding MOX.

Prior to June 2003		
Milestone	Date	Lead
1. Initiate review of construction authorization application received 3/1/01	3/1/01C	A. Persinko, FCSS
2. Issue Notice of Intent for environmental impact scoping meetings	3/07/01C	T. Harris, DWM
3. Complete acceptance review of construction authorization application	3/28/01C	A. Persinko, FCSS
4. Conduct environmental impact scoping meetings	4/17/01C 4/18/01C 5/08/01C	T. Harris, DWM
5. Issue environmental impact statement scoping meeting summary report for MOX fuel fabrication facility	8/09/01C	J. Davis, DWM
6. Issue draft safety evaluation report for MOX fuel fabrication facility	4/30/02C	A. Persinko, FCSS
7. Initiate review of supplemental environmental report	7/11/02C	T. Harris, DWM
8. Hold public meeting near the site to discuss the NRC's draft safety evaluation report	8/28/02C	A. Persinko, FCSS
9. Initiate review of supplemental construction authorization request supplement	10/31/02C	A. Persinko, FCSS
10. Issue draft environmental impact statement for MOX fuel fabrication facility for public comment	2/03	T. Harris, DWM

Prior to June 2003		
11. Issue revised draft safety evaluation report for the MOX fuel facility	4/03	A. Persinko, FCSS

Through December 2003		
Milestone	Date	Lead
10. Issue draft environmental impact statement for MOX fuel fabrication facility for public comment	2/03	T. Harris, DWM
11. Issue revised draft safety evaluation report for the MOX fuel facility	4/03	A. Persinko, FCSS
12. Issue final safety evaluation report, Record of Decision and licensing decision on MOX fuel fabrication facility construction authorization application	9/03	A. Persinko, FCSS T. Harris, DWM

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

This program depends on a number of factors outside of NRC control, including national policy, DOE funding, and Russian progress on dispositioning excess plutonium.

- 6- 11. On February 13, 2002, the applicant informed NRC: 1) about changes to the MOX facility that result from DOE-announced changes to the surplus plutonium disposition program, and 2) that it will be supplementing its application for construction authorization in October 2002 and its Environmental Report in July 2002.

VII. Topic Area: Materials and Waste Programs

M. Material Protection, Control, and Accounting (MPC&A)

1) MPC&A Regulatory Program Support to Russia, Ukraine, and Kazakhstan

SES Manager: Joseph Shea, Acting Deputy Director for Nuclear Security Policy, Division of Nuclear Security (DNS), Office of Nuclear Security and Incident Response (NSIR)

Project Manager: Michael Kelly, Fuel Cycle and Special Security Programs Section, DNS/NSIR (MPC&A)
 Nancy Fragoyannis, Fuel Cycle and Special Security Programs Section, DNS/NSIR (Physical Protection)

Objective: To provide MPC&A regulatory program support to the regulatory agencies of Russia, Ukraine, and Kazakhstan.

Prior to June 2003		
Milestone	Date	Lead
1. Commission paper on the status of the NRC's MPC&A support efforts under the Department of Energy's Interagency Agreement funding (200100036) (SECY-02-0024)	2/1/02C	M. Kelly, NSIR
2. Meet with the regulatory agencies of Russia, Ukraine, and Kazakhstan. (SRM on SECY-02-0024)	9/11/02C	M. Kelly, NSIR
3. Based on regulatory agency meetings, determine if NRC should continue to provide MPC&A support to any of these countries. Provide results of the determination to the Commission, while addressing issues identified in SECY-02-0024 SRM dated 2/22/02. (200100036)	2/25/03	M. Kelly, NSIR

Through December 2003		
Milestone	Date	Lead
4. Future work to be determined, resulting from milestone 3 above.	TBD	M. Kelly, NSIR N. Fragoyannis, NSIR

Beyond December 2003		
Milestone	Date	Lead
5. Future work to be determined, resulting from milestone 3 above.	TBD	M. Kelly, NSIR N. Fragoyannis, NSIR

Comments:

In July 2000, the NRC signed an Interagency Agreement with DOE to continue MPC&A support to the regulatory agencies of Russia, Ukraine, and Kazakhstan. With the exception of providing limited direct support to DOE in its MPC&A support program activities to Russia, limited progress to date has occurred with regard to the NRC's providing direct assistance to Russia. Discussions continue with DOE management to pursue funding for Ukraine and Kazakhstan. On March 22, 2002, an SRM was issued pertaining to SECY-02-0024, directing the staff to meet with the three regulators. From these meetings, NSIR will determine which MPC&A projects identified by the regulators, if any, merit NRC support. After these meetings, the staff is directed to provide the Commission with a paper on any identified needs of these countries for NRC MPC&A support, and address the following three issues for any candidate projects to be funded by other than DOE or Freedom Support Act Funds: 1) whether the needs are, or can be met, by other agencies/organizations; 2) the estimated level of NRC funding needed to support all or part of each project; and 3) the impact of NRC funded projects on DOE's program. SECY provided a due date of August 23, 2002, (which was extended to November 27, 2002) for staff to address all of the SRM directives.

2. The trip to Kazakhstan was postponed, due to visa problems, until September 2002.
3. The associated Commission paper is currently being revised and due date for completion of this paper has been extended to February 25, 2003.
4. Modified to take into account possible mid-term activities.
5. Modified to take into account possible long-term activities.

VII. Topic Area: Materials and Waste Programs

M. Material Protection, Control, and Accounting (MPC&A)
2) Part 74 Rulemaking: Material Control and Accounting

Since all actions in Topic M are complete and no further actions are planned, this action will be removed from the CTM.

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

~~_____ Catherine Haney, Deputy Director, Division of Nuclear Safety, Office of Nuclear Security and Incident Response (NSIR)~~

~~Objective: To amend the material protection, control and accounting (MPC&A) requirements. The reporting requirements for submitting Material Balance Reports and Inventory Composition Reports are being revised to reduce unnecessary regulatory burden on licensees. The remaining MPC&A requirements are being relocated to Part 74 (from Part 70) and the requirements for Category II facilities are being more risk-informed.~~

~~Coordination: OGC~~

Prior to June 2003		
Milestone	Date	Lead
1. Proposed Rule to Commission (200000088) (SECY-01-0066)	4/20/01C	M. Horn, IMNS
2. Publish proposed rule (200000088) (66 FR 29251)	5/30/01C	M. Horn, IMNS
3. Final rulemaking package to Commission (200000088)	10/2/02C	M. Horn, IMNS

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
None		

Comments:

3. Final rule published 12/23/02 (67 FR 78130)

VIII. Topic Area: Changes to NRC's Hearing Process

A. Use of Informal Adjudicatory Procedures

SES Manager: Joe Gray, OGC

Objective: Streamline the hearing processes required by Part 2 of the regulations for license applications and amendments.

Prior to June 2003		
Milestone	Date	Lead
1. Commission decision on proposed rulemaking	2/16/01C	OGC S. Treby
2. Publish proposed rules for comment	4/16/01C	OGC S. Treby
3. Comment period ends	9/14/01C	OGC S. Treby
4. Submit Final rules to Commission	4/26/02C	OGC S. Treby
5. Commission approves/affirms final rules	TBD	OGC S. Treby
6. Publish final rules in Federal Register	TBD	OGC S. Treby
7. Final Rules effective	TBD	OGC S. Treby

Through December 2003		
Milestone	Date	Lead
None		

Comments:

- 3. Comment period was extended from 7/15/01 to 9/14/01.
- 4. Receipt of comments was impacted due to events from 9/11. Final rule date changed. Additionally, a large number of comments were received which also impacted the due date for the final rules.
- 5-7. The final rules will be effective 30 days after approval by the Commission.

IX. Topic Area: State Programs

A. Agreement with the State of Pennsylvania

SES Manager: Josephine Piccone, Deputy Director, Office of State and Tribal Programs

Objective: To enter into an Agreement with the State of Pennsylvania pursuant to Section 274b of the Atomic Energy Act, as amended.

Prior to June 2003		
Milestone	Date	Lead
None		

Through December 2003		
Milestones	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
1. Pennsylvania Governor to file application for an Agreement	03/02/04	R. Blanton, STP
2. Negative consent paper to Commission (199900121)	06/15/04	R. Blanton, STP
3. Commission negative consent to publish proposed agreement	06/29/04	
4. Commission paper recommending final agreement (199900121)	10/19/04	R. Blanton, STP
5. Commission SRM approving the Agreement	11/02/04	
6. Agreement effective	11/30/04	

Comments:

In an e-mail dated May 28, 2002, from David Allard, Program Director, Pennsylvania indicated that the formal request by the Governor for an Agreement will be delayed for 18 months until March 2004 . The reasons stated for the delay include Commonwealth personnel resource limitations. Based on this e-mail , the projected effective date for the Agreement is early FY 2005. In December 2002, Pennsylvania indicated that the level of support for the Agreement by Governor-elect Randall will not be known until after he takes office on January 20, 2003.

IX. Topic Area: State Programs

B. Agreement with the State of Wisconsin

SES Manager: Josephine M. Piccone, Office of State and Tribal Programs

Objective: To enter into an Agreement with the State of Wisconsin pursuant to Section 274b of the Atomic Energy Act, as amended.

Prior to June 2003		
Milestone	Date	Lead
1. Wisconsin Governor to file application for an Agreement	09/09/02C	L. Bolling, STP
2. Negative consent paper to Commission (200100090)	02/05/03	L. Bolling, STP
3. Commission negative consent to publish proposed agreement	02/19/03	
4. Commission paper recommending final agreement (200100090)	05/07/03	L. Bolling, STP
5. Commission SRM approving the Agreement	05/28/03	

Through December 2003		
Milestones	Date	Lead
6. Agreement effective	7/01/03	

Beyond December 2003		
Milestone	Date	Lead

Comments:

Target dates have changed due to the need to address questions, and request additional information from Wisconsin, regarding compatibility of Wisconsin's final regulations on license termination and staffing levels required for the Agreement.

IX. Topic Area: State Programs

C. Agreement with the State of Minnesota

SES Manager: Josephine M. Piccone, Office of State and Tribal Programs

Objective: To enter into an Agreement with the State of Minnesota pursuant to Section 274b of the Atomic Energy Act, as amended.

Prior to June 2003		
Milestone	Date	Lead
1. Minnesota Governor to file application for an Agreement	TBD	C. Maupin, STP

Through December 2003		
Milestones	Date	Lead
1. Negative consent paper to Commission (200100091)	TBD	C. Maupin, STP
2. Commission negative consent to publish proposed agreement	TBD	
3. Commission paper recommending final agreement (200100091)	TBD	C. Maupin, STP

Beyond December 2003		
Milestone	Date	Lead
1. Commission SRM approving the Agreement	TBD	
2. Agreement effective	TBD	

Comments:

The State of Minnesota has revised its schedule for submission of an Agreement per e-mail from the State dated 7/9/02. On September 12, 2002, NRC staff provided comments on the Minnesota July 22, 2002-draft application package. On November 18, 2002, NRC staff requested updated information from the State with regard to its response to NRC comments.

January 31, 2003

The State is working to address NRC staff comments on the draft application and will provide a new date for submittal of the final Agreement Application at a future time.

X. Topic Area: NRC Administration and Support Functions

A. Agency-wide Documents Access and Management System (ADAMS)

SES Manager: Lynn B. Scattolini, OCIO/ADAMS

Program Manager: Lynn B. Scattolini, OCIO/ADAMS

Objective: To execute tasks in the ADAMS program plan to improve ADAMS functionality, reliability, and document and data integrity. ADAMS supports electronic document creation or capture, distribution, records management, and search and retrieval by both NRC staff and the public.

Coordination: CIO is coordinating with senior managers, the ADAMS Working Group, and office and regional management as necessary to implement policy/procedural changes and software upgrades.

Prior to June 2003		
Milestone	Date	Lead
1. Transfer responsibility for completing the processing of staff generated documents to OCIO	7/01C	L. Scattolini, OCIO
2. Complete development and deploy ADAMS Version 3.3	9/01C	A. Levin, OCIO
3. Deploy ADAMS legacy library	1/03C	J. Schaeffer, OCIO
4. Implement ADAMS as an electronic recordkeeping system. Begin filing records electronically. Obtain NARA approval of record schedules.	3/02C	L. Scattolini, OCIO
5. Complete development and deploy ADAMS Version 4.0	12/02C	J. Schaeffer, OCIO

Through December 2003		
Milestone	Date	Lead
None		

Beyond December 2003		
Milestone	Date	Lead
63. Improve ADAMS data integrity by completion of cleanup of ADAMS database	08/04	L. Scattolini, OCIO

Comments:

3. Staff has converted all legacy data from the NUDOCS and PDR's legacy system to the ADAMS Legacy Library for the NRC staff and the public. A final checkout of the system is being conducted prior to deployment. In addition, data migration issues have been analyzed, and the significant ones that require action prior to system deployment are being resolved. Plans are to have a group of NUDOCS users from the offices do further testing on the system and provide input into the disposition of other data migration issues. In order to minimize the risks related to the deployment of ADAMS Version 4.0, we will first deploy ADAMS 4.0 (see comment 5), and then establish a schedule in November 2002 for deploying the ADAMS Legacy Library. The ADAMS Legacy Libraries were deployed to the general public and the NRC staff on 1/13/03. At that time, OCIO has prepared also provided users with search aids to assist the public in performing searches using the ADAMS Public Legacy Library that are similar to what the public used when searching the PDR's Bibliographic Retrieval System, and to assist the NRC staff in performing searches using the ADAMS Main Legacy Library that are similar to what they used when performing searches using NUDOCS. The ADAMS Legacy Library will be deployed in January 2003.

5. OCIO has made substantial progress toward the development and deployment of ADAMS 4.0. OCIO successfully deployed a new software release at the desktop and at the Main Library and Public Library Servers. The new release provided users with improved performance and some additional software features. OCIO acquired an additional powerful, easy-to-use search engine, designed the user interface, and is in the process of testing the software outside the NRC firewall. This prototype application will provide the public with Web-based access to ADAMS public documents. OCIO also re-indexed the ADAMS Main Library and Public Library and conducted acceptance testing. During the week of November 18, 2002: (1) The public and the NRC staff were informed of the availability of full-text search capability on the ADAMS Main Library and Public Library and (2) the prototype web-based access to ADAMS public documents was released to the ADAMS Public Users Group. This group, comprised of about 50 users from utilities, public interest groups, law firms, and information brokers will evaluate the application and provide the NRC with feedback prior to general deployment to the public and the NRC staff. OCIO is currently preparing the Web-based application for general deployment. OCIO is also re-indexing the ADAMS PARS Library to ensure that all public documents can be retrieved when conducting full-text searches. ADAMS 4.0, a new software release of the desktop and server, was successfully deployed to public and NRC users in November 2002. Both the Public and Main Libraries have been re-indexed and full-text search capability is available for public and staff use. Web-based access to ADAMS public documents was deployed to the ADAMS Public User Group in November and to the general public and NRC staff in January 2003.

63. Since the ADAMS Assessment Action Plan was prepared, OCIO has performed an assessment of the condition of the database, defined what cleanup needs to be done, and estimated how long it will take. OCIO is standardizing the data allowed for certain fields (docket, document type code, author affiliation, recipient affiliation, and some types of titles) and then modifying all applicable existing data values to conform with them. This approach will ensure consistent data in the future. Considerable progress has been made. The docket and title fields are complete and the approximately 17,000 author and recipient affiliations that existed prior to controlling the lists of acceptable values for these fields have been reviewed and, when appropriate, edited. OCIO reviewed, and edited as necessary 3,641 docket numbers that did not have the appropriate License Numbers included in the profile. In addition, OCIO implemented two rules to the ADAMS Validation process which will prevent ADAMS profiles from being declared Official Agency Records if the information contained in the Availability field and the Date to be released field are not consistent with each other. We estimate completion of all work by August 2004.

X. Topic Area: NRC Administration and Support Functions

B. Strategic Workforce Planning (SWP)

SES Manager: James McDermott, Deputy Director, Office of Human Resources

Project Manager: Len Reidinger, Chief, Specialized Training and Support, Office of Human Resources

Objective: Take steps to plan for, acquire, develop, maintain, deploy and retain NRC's core scientific, engineering and technical staff capacity in support of current and future NRC strategic goals.

Coordination: Staff will coordinate with EDO, NMSS, NRR, RES, CIO, CFO, OGC, and other NRC offices as appropriate.

Prior to June 2003		
Milestone	Date	Lead
1. Submit Action Plan for Maintaining Core Competence	1/31/01G	Bird/ McDermott
2. Survey Program Office Directors (NRR, NMSS, RES) on critical skill needs for current, FY 2003 PBPM cycle, and future needs	2/28/01G	Bird/ McDermott/ Office Directors
3. Analyze Office Director survey results and identify skill gaps	3/31/01G	Lee
4. Develop and implement sourcing strategies to address skill gaps identified by Office Directors	3/31/01G	Lee
5. Survey selected NRR, NMSS, and RES Branch/Section Chiefs on critical skill needs for current and future needs	4/30/01G	Lee
6. Brief PRC on Core Competency/Human Capital Initiatives and funding requirements for FY 2002 and FY 2003	4/27/01G	Bird/McDermott
7. Develop pilot skills survey to assess core competencies within selected NRR, NMSS, RES branches/sections	5/23/01G	Lee
8. Conduct pilot skills survey within selected branches/sections in NRR, NMSS, and RES	6/29/01G	Lee
9. Evaluate both commercial off-the-shelf (COTS) automated strategic workforce planning (SWP) software tools and alternative software means of automating SWP data collection, needs assessment, and workforce analysis	8/31/01G	Reidinger

10. Analyze branch/section pilot survey results and identify skill gaps	9/28/01C	Reidinger
11. Determine automated software tools to be used for both interim and longer-term strategic workforce planning (COTS or alternative means of automating SWP data collection, needs assessment, and workforce analysis)	8/31/01C	Reidinger
12. Identify with Office Directors and Regional Administrators critical skill needs, skill gaps, and gap closure strategies for the FY 2004 PBPM cycle	4/02C	Bird/McDermott Reidinger Office Directors
13. Evaluate pilot implementation of skills survey to assess core competencies and incorporate lessons learned as appropriate	11/30/01C	Bird/McDermott Reidinger Office Directors
14. Implement employee self-assessment on-line skills survey for staff in Engineering, Scientific, and Technical Occupational Series	6/10/02C	Reidinger
15. Implement employee self-assessment on-line skills survey for staff in Occupational Series not defined in item 14	7/15/02C	Reidinger

Through December 2003*		
Milestone	Date	Lead
16. Evaluate SWP software for applicability as long term solution.	6/03	Reidinger

Beyond December 2003*		
Milestone	Date	Lead
17. Evaluate SWP software for applicability as long term solution.	6/04	Reidinger

*Subject to funding

Comments:

XI. Topic Area: Nuclear Security

A. Reactor Safeguards Initiatives

SES Manager: Glenn Tracy, Director, Division of Nuclear Security (DNS), Office of Nuclear Security and Incident Response (NSIR)

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. Conduct a pilot of the Safeguards Performance Assessment (SPA) program, an industry initiative, and incorporate lessons learned in the rulemaking effort. Update power reactor safeguards and security regulatory guidance for the revision to 10 CFR Part 73.55 requirements.

Coordination: NRR, NMSS

Through December 2003		
Milestone	Date	Lead
1. Proposed rule published in the Federal Register with a 75-day comment period	TBD	C. Nolan, NSIR
2. Resolution of public comments	TBD	C. Nolan, NSIR
3. Final rule ACRS Briefing	TBD	C. Nolan, NSIR

Beyond December 2003		
Milestone	Date	Lead
4. Final rule CRGR Briefing	TBD	C. Nolan, NSIR
5. Final rule to EDO (199800188)	TBD	C. Nolan, NSIR
6. Final rule to Commission	TBD	C. Nolan, NSIR
7. Initiate SPA pilot program	TBD	A. Madison, NSIR
8. Completion of SPA pilot program	TBD	A. Madison, NSIR
9. Publication of final rule	TBD	C. Nolan, NSIR
10. Lessons Learned from SPA pilot (200100060)	TBD	A. Madison, NSIR

Comments:

In SECY-02-0104, dated June 14, 2002, the staff informed the Commission of its strategy for completing a comprehensive review of the NRC's safeguards and security program. The staff is continuing this integrated review, which includes threat definition, vulnerability assessments, and regulatory improvements.

- 7, 8, 10. SECY-01-0060, "The Safeguards Performance Assessment (SPA) Pilot Program," was issued on April 5, 2001. This paper informed the Commission of implementation and policy issues associated with the initiation of the pilot program. The SRM for SECY-01-0060 was issued on July 5, 2001, and approved the SPA pilot program. Since the terrorist attacks on September 11, 2001, the industry has been operating at Security Level 3, with significant NRC oversight. As a result, the inspection activities associated with force-on-force drills and exercises have been suspended, including the initiation of the SPA pilot program.
- 1 - 6, 9. The staff issued SECY-01-0101 on June 4, 2001, which discussed extending the schedule for completing the final rule until June 2003, from the current date of November 2002, in order to take full advantage of the lessons that can be learned from completion of the one-year SPA pilot program. In accordance with an SRM dated October 30, 2001, SECY-01-0101 has been withdrawn to allow the staff to consider whether the events of September 11, 2001, would require revision of the staff's proposed rule in SECY-01-0101.