

July 24, 2007

MEMORANDUM TO: Robert C. Pierson, Director  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

FROM: Michael F. Weber, Director **/RA/**  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: TASKING MEMORANDUM ON CLARIFICATIONS TO LICENSING  
GUIDANCE AND OVERSIGHT PROGRAM FOR FUEL CYCLE  
FACILITIES (DPO-2006-005)

Based on a recent review of our licensing guidance and oversight program for fuel cycle facilities, I am assigning the Division of Fuel Cycle Safety and Safeguards the following tasks, with estimated completion dates. Please complete these tasks in consultation and coordination with appropriate staff and management in FCSS, Region II, Office of Enforcement, and Office of the General Counsel.

1. Review and revise, as necessary and appropriate, NRC's licensing guidance (e.g., NUREG-1520) to incorporate the guidance on the information needed for licensing fuel facilities in accordance with 10 CFR Part 70 based on the August 4, 2006, memorandum. This guidance should address, among other aspects, what constitutes the licensing basis for fuel cycle facilities in accordance with Subpart H of Part 70 and related aspects. In any revisions to the licensing guidance, consideration should be given to any additional clarifications resulting from: (1) lessons learned in applying the guidance in recent licensing reviews, and (2) ongoing interactions with stakeholders on related licensing matters, such as applying the change controls consistent with the criteria in 10 CFR 70.72 and reporting consistent with the criteria in Appendix A of Part 70. Estimated Completion Date: 12/2009 [Estimate 6 months for working group to conduct review and recommend any changes; balance of time to proposed and complete development of any SRP revisions, allowing for incorporation of additional revisions related to other ongoing initiatives]
2. Review and update, as necessary and appropriate, inspection guidance for conducting the operational readiness review required in 10 CFR 70.32(k) that confirms, with reasonable assurance, that uranium enrichment facilities have been constructed in accordance with the requirements of the license. The inspection guidance should ensure that necessary design information about Items Relied on For Safety (IROFS) that is not contained within the applicant's ISA Summary will be available to inspectors to fulfill their confirmatory functions (IROFS Boundary Packages). The guidance should also confirm that inspection staff are suitably qualified to perform their confirmatory reviews, including change

reviews conducted by the licensee under 10 CFR 70.72. As part of this review, consider the merits of identifying key features that require confirmation by the NRC, similar to the inspections, tests, analyses, and acceptance criteria (ITAAC) established for new reactors under 10 CFR Part 52. Estimated Completion Date: July 2008

3. Develop and execute a communication plan for FCSS and Regional staff, licensees, and other stakeholders on any clarification and revisions to the licensing guidance and oversight program, including the scope of the changes, the basis for the revisions, and plan for implementation, including training of license reviewers and inspectors. Estimated Completion Date: December 2008

Although I am aware of current activities within FCSS that are related to these tasks, I recognize that resources within the division are limited and that these tasks are currently unbudgeted in FY07-09. Consequently, please use the add/shed process to determine the impacts of these assignments and advise accordingly. If additional resources are necessary outside of FCSS, please advise.

Thanks

cc: D. Collins, Region II  
R. Pedersen, OE

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DOCUMENT NAME: a:/Final Decision: Differing Professional Opinion on Management Policy on Licensing New Fuel Cycle Facilities (DPO-2006-005)

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