Administrative Considerations in the Development of a Performance Indicator Program

The following actions must be completed before the staff can either request or use new information from the licensees. This restriction applies even if the information is voluntarily provided; however, the U.S. Nuclear Regulatory Commission (NRC) can use historical data as input to the action matrix until this process is completed.

Assumption: On a parallel path with the development of the fuel cycle oversight process (FCOP), the Nuclear Energy Institute (NEI) will produce a document similar to NEI 99-02 "Regulatory Assessment Performance Indicator Guideline," Revision 6, October 2009, that includes the fuel cycle performance indicator (PI) program and the NRC will review and endorse the end product.

1. Industry supplies its proposed PIs; starts the approval process

2. The staff reviews and obtains concurrence on a supporting statement; thus, subject to public comment, the NRC will be able to endorse the industry proposal. The staff will produce a *Federal Register* notice (FRN) for the PI program and send it to the Office of Information Security (OIS) for publication to start the Office of Management and Budget (OMB) clearance process: **90 days**

3. OIS publishes the FRN for comment: **84 days** (dependent on 2)

4. The staff dispositions of all comments and drafts OMB submission ready for dispatch: **45 days** (dependent on 3)

5. Concurrent with the above, the staff produces a letter to industry announcing concurrence with the proposed PIs: **45 days** (dependent on 2)

6. OIS publishes a second FRN for comment announcing the OMB Submittal (30 days mandatory): **30 days** (dependent on 4)

7. Begin holding public meetings near each fuel cycle facility: (dependent on 5) These must be completed before roll out (9)

8. Concurrent with (6), OIS will provide a "Supporting Statement" to OMB seeking the clearance to collect the PI data: **180 days** (dependent on 4**)**

9. Issue regulatory issue summary to roll out the program to all stakeholders: **30 days** (dependent on 8, but can start early)

10. Prepare management directive that covers the entire program

- Results in a **minimum** of **429 days** (8 is outside NRC control) from the submission of the PIs by industry until they can be implemented as part of the FCOP.