

Proposed Criteria for Identifying Materials Licensees for Discussion at the AARM

The U.S. Nuclear Regulatory Commission (NRC) is preparing to revise the current criteria used to determine nuclear material licensees with significant performance issues that will be discussed at NRC's Agency Action Review Meeting (AARM). The current criteria may be found in Enclosure 2 of SECY-08-0135, "Revision of the Criteria for Identifying Nuclear Materials Licensees for Discussion at the Agency Action Review Meeting," dated September 16, 2008 (ADAMS Accession Number: ML082480564). The agency currently identifies nuclear material licensees for AARM discussion based on operating performance, inspection results, and judgment of the severity of problems of safety performance. The proposed changes to the criteria will continue to be based on the same principles of the existing criteria. However, this proposed criteria provides an additional criterion to address licensees previously discussed at the AARM.

NRC is proposing the following revision to the current criteria:

I. Strategic Plan

Licensee has an event that results in the failure to meet a Strategic Outcome for Safety or Security in the NRC Strategic Plan (NUREG-1614).

II. Significant Issue or Event

Licensee has an issue or event that results in:

1. An Abnormal Occurrence Report to Congress (per Management Directive 8.1), or
2. A severity level I or II violation, as described in the NRC Enforcement Policy (including equivalent violations dispositioned by Alternative Dispute Resolution), or
3. A Level 3 or higher International Nuclear Event Scale Report to the International Atomic Energy Agency (per Management Directive 5.12),

and

There are unique or unusual aspects of the licensee's performance that warrants additional NRC oversight (e.g., a significant event, which requires an Incident Investigation Team (IIT) or Augmented Inspection Team (AIT)).

III. Performance Trend

Licensee has multiple and/or repetitive significant program issues identified over more than one inspection, or inspection period, and the issues are supported by severity level I, II, or III violation, as described in the NRC Enforcement Policy (including equivalent violations dispositioned by Alternative Dispute Resolution).

and

There are unique or unusual aspects of the licensee's performance that warrants additional NRC oversight (e.g., oversight panel formed for order implementation).

IV. Identified for Discussion at Previous AARM

Licensee's corrective actions did not address or were ineffective in correcting the underlying issues that were previously discussed at the AARM.

You can find NRC's strategic plan (NUREG-1614) and the referenced Management Directives and enforcement policy on NRC's public document collections webpage at <http://www.nrc.gov/reading-rm/doc-collections/>.