

December 6, 2010

MEMORANDUM TO: R. W. Borchardt  
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS – COMSECY-10-0007 – PROJECT  
PLAN FOR REGULATORY PROGRAM REVIEW TO SUPPORT  
EXTENDED STORAGE AND TRANSPORTATION OF SPENT  
NUCLEAR FUEL

The Commission has approved in part and disapproved in part the staff's plan for review of the regulatory program to support extended storage and transportation of spent nuclear fuel, as described below. The Commission has approved the overall goals and phased approach of the plan and the initiation of activities identified below.

In February 2011, the staff is to provide the Commission with a plan for a longer-term waste confidence rulemaking to address the impacts of storage beyond 120 years, as directed by the SRM in SECY-09-0090. In that paper, the staff should address the integration of the two plans.

The February document should reflect the resources available in the FY 2012 budget and present the Commission with a prioritization of the main elements of the plan as well as general resource estimates for years beyond FY2012. The impacts on activities which may be deferred due to the waste confidence rulemaking should be included. Since incorporating these changes to the February waste confidence paper might require additional time, the staff should provide a detailed schedule for when the paper will be submitted.

The staff should pay careful attention to the timing and sequencing of activities. In particular, before moving forward with activities related to security or financial assurance, the staff should inform the Commission through an appropriate Commission paper.

The staff should provide the Commission with an annual information paper that updates the status of activities and any changes in future direction for the program review. Should a policy issue arise in the interim, the staff should inform the Commission.

The Commission has specifically approved: 1) the staff advancing the regulatory process improvement review to identify near-term efficiency and effectiveness enhancements to the licensing and inspection programs, 2) continuing with its current research activities that support long term storage, and 3) the extended storage and transportation gap assessments identified as Phase 1 of the project.

Given the substantial resources involved, the staff should ensure that performance metrics exist that provide a clear measure of whether the plan's implementation has resulted in efficiencies in the regulatory processes.

cc: Chairman Jaczko  
Commissioner Svinicki  
Commissioner Apostolakis  
Commissioner Magwood  
Commissioner Ostendorff  
OGC  
CFO  
OCA  
OPA