



# **Assessing the Current Research and Test Reactor License Renewal Process**

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September 13, 2011



## Purpose

- This workshop provides an opportunity for the NRC staff to answer questions and solicit feedback about potential changes to the license renewal process.
- Early stakeholder participation is essential to improve the products that are developed through the regulatory process.
- Written comments can be provided through the NRC feedback form. The NRC will consider all comments, but does not intend to provide formal responses to comments at this time.
- There will be a formal comment period once a proposed regulatory basis is issued in the *Federal Register*.

## Introduction

- How did we get here
- Developing a long-term solution
- Findings to date
- Possible approaches for reorganizing regulations
- Questions for discussion
- Next steps



## How Did We Get Here?

- Large backlog and delay in reviewing license renewal applications
- 2008 Commission direction to examine the license renewal process for research and test reactors (RTRs)



## How Did We Get Here? (cont.)

- Causes of backlog and delay
  - Historically Limited staffing in the research and test reactors branches at the U.S. Nuclear Regulatory Commission (NRC)
  - Limited licensee resources
  - Licensing infrastructure
  - Regulatory requirements and broad scope of license renewal process



## How Did We Get Here? (cont.)

- NRC's short-term solution
  - Increased staff levels
  - Developed Interim Staff Guidance
  - Contractor support for application reviews
  - Developed project management system to monitor progress



## How Did We Get Here? (cont.)

- NRC initiated a longer-term solution
  - Staff recommended consideration of rulemaking as a possible “fix”
  - Commission directed the staff to “accelerate the rulemaking to establish a more efficient, effective and focused regulatory framework” (August 26, 2009, Staff Requirements Memorandum)
  - Contractor support to study the issue



# Developing a Long-Term Solution

- Major tasks
  1. Identify constraints/limitations in the existing regulations in Title 10 of the *Code of Federal Regulations* (10 CFR)
  2. Evaluate the existing regulatory structure, and consider alternatives
  3. Consult with stakeholders
  4. Consider alternative approaches through benchmarking (e.g., Department of Energy, Department of Defense)
  5. Based on the above, consider changes to regulations and/or guidance



### 1. 10 CFR 2.109, “Effect of Timely Renewal Application”

- License renewals may be submitted as late as 30 days before license expiration
- The NRC was unable to complete acceptance reviews within the 30-day period
- No provisions for an acceptance review, and insufficient time to supplement an application

## 2. Organization and presentation of requirements

- Licensing requirements and information are scattered across 10 CFR, in NRC guidance documents, and industry standards
- NUREG-1537 “consolidates” the information, but ties to regulations are not always clear

### 3. Lack of periodic updates and reporting

- SARs frequently have not been maintained throughout the licensing period
- As a result, license renewal reviews must address all issues related to the licensing basis

### 4. Re-licensing as opposed to license renewal

- Currently, a license renewal application contains the same information as a new license application

### 5. Reliance on implementation guidance and industry standards, rather than regulations

- Regulations do not explicitly address license renewal for RTRs
- NUREG-1537 standardized NRC's expectations for format and content of applications
- Lots of variation in format and content of applications that did not follow NUREG-1537 guidance
- Extensive supplements to applications

### 6. Other regulatory issues not specific to license renewal

- Technical changes and updates
  - Clarify definitions (e.g., research reactor, testing facility)
  - Basis for power level thresholds
- Other changes and updates being identified



# Approaches for Reorganizing Regulations

- Evaluating options, advantages, disadvantages
- “No action” also possible



## Approaches for Reorganizing Regulations (cont.)

- If requirements are added to explicitly address RTR license renewal, they will be added in either an *integrated* or *segregated* manner
- Currently, RTR requirements are *integrated* with
  - requirements for nuclear power reactor licensees
  - requirements for non-reactor licensees
- License renewal requirements for power reactors are *segregated* in 10 CFR Part 54





## Approaches for Reorganizing Regulations (cont.)

- Option 1: Leave current regulations integrated and integrate any new regulations
- Option 2: Segregate license renewal requirements for RTRs
- Option 3: Segregate licensing requirements for RTRs
- Option 4: Segregate all requirements for RTRs



## Question #1 for Discussion

When and how often do you refer to

- NRC's regulations?
- NUREG-1537?



## Question #2 for Discussion

Is the organization of the RTR regulations an impediment?

- If so, how?
- Examples?



## Question #3 for Discussion

If NUREG-1537 effectively consolidates information on RTR license renewal requirements, why does the organization of the regulations in 10 CFR matter?



## Question #4 for Discussion

What are the benefits of

- segregating license renewal requirements?
- segregating all licensing requirements?



## Question #5 for Discussion

What specific technical fixes are needed

- to the regulations?
- to the guidance?



## Question #6 for Discussion

### NUREG-1537

- What improvements or changes are needed to NUREG-1537 in particular?

## Next Steps

- Compile results of outreach and analyses
- Consider the technical, legal, and policy issues
- Determine whether changes to regulations or guidance are warranted
- Complete regulatory basis by January 2012
- Publish draft regulatory basis for public comment in 2012
- Hold a public meeting after publishing the regulatory basis





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