Withdrawn

NRC Regulatory Issue Summary 2014-13, “Planned Licensing Action Submittals for All Power Reactor Licensees,” dated December 17, 2014, has been withdrawn.

ADAMS Accession Number: ML14329A165

See *Federal Register* notice dated October 25, 2016.

81 FR 73448

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, DC 20555-0001

December 17, 2014

NRC REGULATORY ISSUE SUMMARY 2014-13
PLANNED LICENSING ACTION SUBMITTALS
FOR ALL POWER REACTOR LICENSEES

ADDRESSEES

All power reactor licensees, including those that have elected to permanently cease operations and have submitted certifications pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.82(a)(1).

INTENT

The U.S. Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to ask licensees to provide information regarding the licensing actions that they plan to submit to the NRC for review over the next 3 calendar years and power uprate applications that they plan to submit to the NRC for review over the next 5 calendar years. The NRC plans to continue to request this information of the licensees on an annual basis. Submittal of the requested information is strictly voluntary. No specific action or written response is required.

The NRC is issuing this RIS for the following purposes:

(1) To assist the NRC in determining resource and budget needs with respect to future licensing activities and other anticipated 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities,” licensing actions.

(2) To assist the NRC in planning the technical resources needed to conduct the reviews of the licensing activities for the next 3 calendar years.

(3) To assist the NRC in planning for the review of power uprates that will be submitted in the next 5 calendar years.

This RIS is intended to promote early communication with NRC licensees regarding the 10 CFR Part 50 planned licensing activities. This information will assist the NRC in allocating its resources for the licensing reviews. This RIS does not transmit or imply any new or changed requirements or staff positions. Although no specific action or written response is required, submission of the requested information will enable the agency to more efficiently and effectively plan its licensing work.

BACKGROUND INFORMATION

To meet the requirements of the *Government Performance and Results Act of 1993*, the NRC has continued to develop a series of initiatives to improve the agency's planning process. Among those initiatives, the NRC has implemented an integrated planning, budgeting, and performance

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measurement process. This process applies the business principles of goal setting, strategy development, resource allocation, and performance measurement to NRC activities. Among other benefits, the integrated process strongly ties the agency's budget and resource allocation process to its strategic plan, its strategic arenas, and its performance goals and measures. In addition, to ensure that performance measures and corresponding resource allocations are as accurate as possible, the NRC periodically assesses the appropriateness of the information and assumptions used in the budget development process.

The NRC formulates its budget by projecting 2 years beyond the current fiscal year in which it is operating. To help the NRC plan its resources appropriately, information from the licensees regarding their intentions to submit a licensing action will assist the NRC in planning for the necessary resources during the budget process, as well as plan for any schedule needs in preparation for the review prior to the submittal of the licensing action.

SUMMARY OF ISSUE

During the budget development process, the NRC allocates resources based on an assumed number of licensing actions of certain types (e.g., license amendments, exemptions, relief requests) that will be submitted for that particular fiscal year. To the degree that these assumptions do not correlate to incoming requests, the agency’s budget estimates can be significantly incorrect in either total resources, specific skill sets, or both. This ultimately impedes the NRC’s ability to process licensing actions on a timely basis and can cause a significant delay in processing licensing actions when the required resources are not available. Specifically, licensing actions include requests for license amendments, renewals, and transfers; requests for exemptions; relief requests from inservice inspection and testing requirements; program reviews; review of topical reports submitted on a plant-specific basis; and power uprate requests.

To more accurately forecast the resources needed to complete the requested licensing actions, the NRC is asking that all power reactor licensees, including those that have determined to permanently cease operations and have submitted certifications under 10 CFR 50.82(a)(1), to voluntarily provide information regarding the number of licensing actions they plan to submit for NRC review for the next 3 calendar years and any planned power uprates that will be submitted in the next 5 calendar years. The responses to this request are not binding and can be updated as needed. The NRC plans to continue to request this information of the licensees on an annual basis. This information will enable the agency to better meet its performance and timeliness goals under the agency's strategic plan.

To adequately capture the resource impact of the various licensing action reviews, the NRC is requesting the licensees to provide information such as a brief title and description of each of their planned licensing action submittals, an indication of whether the review would be a first-of-a-kind, an estimate of when it will be submitted to the NRC and the requested completion date. Licensees would also assist the NRC by indicating if the licensing action is routine or if it is outage-related. Based on the information received, the NRC will determine the complexity of the review and the technical skill set needed to perform the review, and develop preliminary review schedules. The NRC will use this information in planning for the future workload and as the basis for allocating future technical resources.

The NRC encourages continued communication between the licensees and the site-specific NRC project managers with regards to plant licensing actions and schedules for submittal of licensing actions. This RIS is not intended to replace the communications that take place between the

licensee and the project managers regarding current and planned licensing actions by the licensee. The continued communication will play a large role in improving project planning by the NRC. However, as stated above, the information provided in the response to this RIS will help the NRC improve project planning and resource allocation throughout the entire budget cycle.

Licensees are asked to voluntarily provide the information addressed above regarding their estimates of licensing action requests to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to Tracy Orf, Division of Operating Reactor Licensing Technical Assistant, U.S. Nuclear Regulatory Commission, Mail Stop O-8C2, Rockville, MD 20852-2738, within 45 calendar days of receipt of this RIS.

VOLUNTARY RESPONSE

The NRC is developing budgetary, licensing, and project plans for its operating reactor licensing program. To support this effort, the NRC is seeking new or updated information regarding planned licensing action submittals, including schedules for submitting these various licensing actions.

RIS 2004 11, "Supporting Information Associated with Requests for Withholding Proprietary Information," dated June 29, 2004, provides additional information about requests for withholding proprietary information from public disclosure. The NRC asks potential applicants to request withholding only for information that they currently treat as proprietary and to provide, where necessary, the proprietary information in designated attachments to their response to this RIS. If an addressee chooses to provide a voluntary response, the NRC would like to obtain the information within 45 days of the date of this RIS. Respondents are requested to provide answers to the following questions to the best of their ability, providing as much detail as possible.

The following questions and the table in Enclosure 1 have been provided solely as a guide to assist the licensees in providing information in a useful format to the NRC. Submittal of this information, in the given format, is strictly voluntary and non-binding. To assist the staff in the budgetary, licensing and project planning, addressees are requested to voluntarily submit this information on an annual basis.

- For all planned licensing actions expected to be submitted in the next 3 calendar years, the licensee is requested to provide the following information:
    - Plant name
    - Licensing action type (i.e., amendment, relief request, etc.)
    - Licensing action description
    - Projected submittal date
    - Whether the action is needed for an outage and, if so, the date needed by
    - Comments (to assist the staff's planning efforts)
- The licensee is requested to address if they plan to apply for a power uprate (please indicate whether it is a measurement uncertainty recapture (MUR), stretch, or

extended power uprate (EPU)) in the next 5 calendar years. (If the answer is no, please skip the next four questions.)

- What percent increase in power from the current licensed thermal power (CLTP) limit does the licensee plan to apply for? (Please write N/A in any unit that does not apply or that is not planned for a power uprate.)

  Unit 1_____% Unit 2_____% Unit 3_____% Unit 4_____%

- What is the planned increase from the CLTP limit in megawatts thermal?

  Unit 1_____MWt Unit 2_____MWt Unit 3_____MWt Unit 4_____MWt

- What is the expected schedule for filing the application (month/year)? (If the month is not known, please provide the quarter and/or year.)

  Unit 1_____ Unit 2_____ Unit 3_____ Unit 4_____

- What is the expected date for power ascension with uprated conditions (month/year)?

  Unit 1_____ Unit 2_____ Unit 3_____ Unit 4_____

- Can the NRC staff make the above information public? Yes / No[1]

Please note that there will not be a separate survey regarding the intent for the licensees to submit a power uprate request to the NRC. This will be the only request to submit information regarding planned submittals of power uprate requests. Any licensee that plans to submit a power uprate request to the NRC within the next 5 calendar years is requested to respond to the power uprate survey questions. The responses to this request are not binding and can be updated as needed.

As stated above, addressees that choose to provide a voluntary response are requested to send their response to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy to Tracy Orf, Division of Operating Reactor Licensing Technical Assistant, U.S. Nuclear Regulatory Commission, Mail Stop O-8C2, Rockville, MD 20852-2738.

[1] If the licensee selects "no" above, the information provided will be initially withheld (pending review) from public disclosure. In addition, under 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements on its own initiative, as the NRC has determined that it is appropriate to do so in this case since responses to the survey that contain business-sensitive information, the disclosure of which is likely to cause competitive harm, are considered by the NRC to constitute proprietary information. The licensee should also understand that the NRC may have cause to review this determination in the future, for example, if the scope of a Freedom of Information Act request includes the licensee's information. In all review situations, if the NRC makes a determination adverse to the above, the licensee will be notified in advance of any public disclosure. For example, the licensee may be requested to submit an affidavit at that time.

BACKFITTING AND ISSUE-FINALITY DISCUSSION

This RIS does not require any action or written response; any action on the part of addressees to collect and transmit information in accordance with the guidance in this RIS, for the purpose of aiding the NRC in planning the use of its resources, is strictly voluntary. Therefore, this RIS does not constitute a backfit under 10 CFR 50.109, "Backfitting," and the staff did not perform a backfit analysis.

FEDERAL REGISTER NOTIFICATION

The NRC did not publish a notice of opportunity for public comment on this RIS in the *Federal Register* because it relates to an administrative aspect of the regulatory process that involves the voluntary submission of information on the part of addressees and does not represent a departure from current regulatory requirements.

CONGRESSIONAL REVIEW ACT

This RIS is not a rule as defined in the Congressional Review Act (5 U.S.C. §§ 801-808).

PAPERWORK REDUCTION ACT STATEMENT

This RIS contains information collection requirements that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). These information collections were approved by the Office of Management and Budget, approval number 3150-0221, which expires July 31, 2017.

The burden to the public for these voluntary information collections is estimated to average 5 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the date needed, and completing and reviewing the information collection. Send comments on this burden estimate or any other aspect of these information collections, including suggestions for reducing the burden, by mail to the FOIA, Privacy, and Information Collections Branch (T-5F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to INFOCOLLECTS.RESOURCE@NRC.GOV; and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0221), Office of Management and Budget, Washington, DC 20503.

Public Protection Notification

The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid OMB control number.

CONTACT

Please direct any questions about this matter to the technical contact listed below.

/RA/

Lawrence E. Kokajko, Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Technical Contact: Tracy Orf
301-415-2788
E-mail: Tracy.Orf@nrc.gov

Enclosure:
1. Table of Estimated Licensing Actions (Example)

CONTACT

Please direct any questions about this matter to the technical contact listed below.

/RA/

Lawrence E. Kokajko, Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Technical Contact: Tracy Orf
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Enclosure:
Table of Estimated Licensing Actions (Example)

ADAMS Accession No.: ML14329A165; ***via email** **TAC No.: MF5299**

OFFICE	NRR/DORL	NRR/DORL	NRR/DORL	NRR/DORL	QTE
NAME	AChereskin	TLamb	TOrf	MKhanna	CHsu *
DATE	12/01/2014	12/01/2014	12/01/2014	12/01/2014	12/05/2014
OFFICE	OE	NRR/DPR	OIS	OGC	NRR/DPR
NAME	GGulla *	LHill *	TDonnell *	JBiggins	CHawes
DATE	12/04/2014	12/04/2014	12/08/2014	12/10/2014	12/10/2014
OFFICE	NRR/DPR	NRR/DORL	NRR/DPR	NRR/DPR	
NAME	***TKeene for*** SStuchell	MEvans	AMohseni	LKokajko	
DATE	12/11/2014	12/03/014	12/11/2014	12/17/2014	

OFFICIAL RECORD COPY

TABLE OF ESTIMATED LICENSING ACTIONS
[PLANT NAME]
[UNIT NO.]
[DOCKET NO.]

LICENSING ACTION NUMBER	LICENSING ACTION	LICENSING ACTION DESCRIPTION	PROJECTED SUBMITTAL DATE	OUTAGE RELATED? IF SO, DATE NEEDED	COMMENTS (AS NEEDED)
1	License Amendment Request (LAR) (10 CFR 50.90)	Allow Operation in Maximum Extended Load Line Analysis Plus (MELLA+)	January 1, 2015	Yes, needed by January 30, 2017	This LAR is anticipated to involve technical review in several areas.

EXAMPLE