

Public Meeting

Rulemaking to Streamline License Renewal for Non-Power Production and Utilization Facilities

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OPENING REMARKS

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Agenda

- 1:00 PM - 1:10 PM Opening remarks
- 1:10 PM - 2:30 PM Background and status for proposed rulemaking
- 2:30 PM - 3:30 PM Stakeholder discussion
- 3:30 PM - 4:00 PM Invitation for public discussion
- 4:00 PM - 4:50 PM Schedule and next steps
- 4:50 PM - 5:00 PM Conclusion

* All times in Eastern Time

BACKGROUND AND STATUS FOR PROPOSED RULEMAKING

Regulatory Basis

- Commission direction to streamline license renewal for non-power production or utilization facilities (NPUF)
- Regulatory Basis completed August 2012
 - Rulemaking justified
- Basis for development of proposed and final rule language

Regulatory Basis – Summary

- The regulatory basis analyzed 10 options:
 - 5 options directly address license renewal
 - 5 *sub*-options to address constraints and limitations
- Proceeding with option 5 for Class 104 including testing facilities
 - Non-expiring licenses for Class 104a and 104c
- Tailoring option 3 for Class 103 facilities
 - License renewal still applicable for Class 103
- Incorporating 3 of 5 sub-options

Option for Indefinite Licenses

- Option 5: Rulemaking that eliminates license renewal
 - Require periodic updates to the SAR
 - Limited interaction for licensing
 - Amendments
 - FSAR and 50.59 reviews
 - Review of operating and special reports
 - Additional regulatory guidance document
- Applies to Class 104a and 104c NPUFs including testing facilities*

Option for License Renewal

- Option 3: Rulemaking to streamline license renewal
 - Revise the timely renewal requirement
 - New section in Title 10 of *Code of Federal Regulations*, Part 50
 - Streamlined concepts to the depth of review for Class 103
 - Require periodic updates to SARs
 - Additional regulatory guidance document
- Applies to Class 103 facilities

Sub-Options

6. Revise Section 50.59
7. Revise definitions and terminology
8. ~~Document technical basis for testing facility~~
9. Develop accident dose criteria for research reactors
10. ~~Segregate licensing regulations~~
 - Additional Scope

STAKEHOLDER DISCUSSION AND COMMENTS

Class 104a and 104c Non-power production or utilization facilities

Non-expiring License Rationale

- AEA does not establish a license term for Class 104a. or 104c.
 - Limited only by 10 CFR 50.51(a) to ≤ 40 years
 - Staff currently licensing NPRs for 20 year terms
- Non-expiring license is consistent with AEA Sec. 104 to “...impose only such minimum amount of regulation...under this act to promote the common defense and security and to protect health and safety of the public...”

Non-expiring License Features

- Timely renewal
 - 10 CFR 2.109 no longer applicable
- Eliminate license terms
 - Modify 10 CFR 50.51
 - License term changes by Order
- Periodic updates to FSAR
 - Incorporated into 10 CFR 50.71(e).
 - Propose 5 year cycle
- Application for license termination
 - Still required under 10 CFR 50.82

Non-expiring License Implications

- Public Health and Safety
 - Result in more up-to-date licensing basis
- Licensee
 - Order to modify license term
 - No additional information collection requirements
 - Requirement for 5 year FSAR update
 - Oversight activities unchanged
- NRC staff
 - Non-recurring costs and tasking
 - rulemaking, modify facility licenses and generate guidance
 - Review of FSAR and licensee report submittals, etc.

Class 103

Non-power production or utilization facilities

License Renewal Rationale

- AEA does establish a license term for Class 103 not to exceed 40 years.
 - Imposed by 10 CFR 50.51(a) to ≤ 40 years
 - Staff will typically issue license for 20 year term
- Streamlined license renewal is consistent with AEA and Title 10 of the *Code of Federal Regulations* to promote the common defense and security and to protect health and safety of the public.
 - “Delta” review has precedent
 - Focused reviews of ISG
 - 10 CFR Part 54

License Renewal Features

- Timely renewal
 - 10 CFR 2.109 modified
 - File application two years prior to expiration
- License terms unchanged
 - Fixed period not to exceed 40 years per 10 CFR 50.51
- Periodic updates to FSAR
 - Incorporated into 10 CFR 50.71(e).
 - Propose 5 year cycle
- Application for license termination
 - Still required under 10 CFR 50.82

License Renewal Implications

- Public Health and Safety
 - Result in more up-to-date licensing basis
- Licensee
 - Streamlined process for “delta” review
 - No additional information collection requirements
 - Small increase due to 5 year FSAR update requirement
 - Oversight activities unchanged
- NRC staff
 - Non-recurring costs and tasking
 - Rulemaking and generate procedures and guidance
 - Review of FSAR and licensee report submittals, etc.

License Renewal “Delta” Review

- Complete application still required under 10 CFR Part 50
- Assess required and priority areas
 - radiation protection
 - potential aging degradation
 - changes in:
 - design,
 - technical specifications,
 - security program,
 - emergency planning,
 - Financial qualifications,
 - Operator requalification

INVITATION FOR PUBLIC DISCUSSION

SCHEDULE AND NEXT STEPS

Schedule and Next Steps

- Development Schedule
 - Periodic public meetings
 - Proposed Rule for public comment, September 2016
 - Final Rule published → 2019
 - *Pilot study no longer needed*
 - Orders issued effective date of final rule
 - Two year implementation period for FSAR updates

Conclusion

Thank you for your Participation!

Further questions or comments:
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BACKUP SLIDES

Rulemaking - Background

- Starting in 2001, a backlog and delay in reviewing NPR license renewal applications developed
- To create a long-term solution for license renewal, the Commission directed the staff to “accelerate the rulemaking to establish a more efficient, effective and focused regulatory framework” (August 26, 2009, Staff Requirements Memorandum)
- In response, the NRC staff prepared a regulatory basis and is proceeding with proposed rulemaking to streamline license renewal and eliminate license terms for certain non-power production and utilization licensees.

Options to Streamline License Renewal

1. No action
2. No rulemaking
3. Rulemaking adopting streamlined license renewal
4. Eliminate license terms, add PSRs
5. Eliminate license terms, add enhanced inspections