

Supplement to Fuel Cycle Program Integrated Schedule
Last Updated Wednesday, June 7, 2016

This supplement provides a public version of the purpose, brief overview, and background documentation available for the regulatory activities being tracked on the Fuel Cycle Cumulative Effects of Regulation Integrated Schedule. Links to the background documents have been included where possible.

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RULEMAKINGS

Part 61 “Proposed Rule: Low-Level Radioactive Waste Disposal”	
Key Contact:	Gary Comfort , 301-415-8106.
Purpose:	Rulemaking for a site-specific analysis or performance assessment for the disposal of depleted uranium and other long-lived isotopes in a near-surface disposal facility.
Key Information	<ul style="list-style-type: none"> • Proposed rule (80 FR 16082) and related guidance (80 FR 15930) were published in the <i>Federal Register</i> for public comment on March 26, 2015. The comment period originally ended on July 24, 2015. It was reopened (80 FR 51964) on August 27, 2015 and closed on September 21, 2015. • The NRC binned and drafted responses to the public comments. The final rule package is expected to be submitted to the Commission by mid-September 2016.
Related Documents	<ul style="list-style-type: none"> • http://www.regulations.gov/#!docketDetail;D=NRC-2011-0012. • http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/potential-part61-revision.html. • http://www.nrc.gov/about-nrc/regulatory/rulemaking/potential-rulemaking/uw-streams.html. • Technical basis for proposed rule dated April 28, 2011 (ML111040419). • Preliminary proposed rule language dated May 2011 (ML111150205). • COMWDM-11-0002/COMGA-11-0002 - Revision to 10 CFR Part 61 dated November 3, 2011 (ML113070543). • SRM-COMWDM-11-0002/COMGEA-11-0002 - Revision to 10 CFR Part 61 dated January 19, 2012 (ML120190360). • Draft 10 CFR Part 61 proposed rule package (SECY-13-0075) dated July 18, 2013 (ML13128A160). • Staff requirements memorandum – SECY-13-0075 – proposed rule: Low-Level Radioactive Waste Disposal (10 CFR Part 61) (RIN 3150-A192) dated February 12, 2014 (ML14043A371).
Meeting Information	<ul style="list-style-type: none"> • None scheduled.

Part 73 “Part 73-Enhanced Security for SNM”	
Key Contact:	Keith McDaniel , 301-415-5252.
Purpose:	Update security regulations within <i>Title 10 of the Code of Federal Regulations</i> (10 CFR) Part 73 that govern the security for special nuclear material at fixed sites and during transportation. Update considers material attractiveness.
Key Information	<ul style="list-style-type: none"> • Make generically applicable security requirements similar to those imposed by security orders issued following the terrorist attacks of September 11, 2001. • Consider risk insights, operational oversight, inspection activities, and international guidance (e.g., Material Attractiveness, Dose Limit Threshold, Sabotage, Safety-safeguards Interface). • Improve consistency and clarity. • Use a risk-informed and performance-based structure. • Public comments on the draft regulatory basis in a <i>Federal Register</i> notice closed on October 17, 2014. • The staff has reviewed the regulatory basis and determined that it provides adequate justification to initiate the rulemaking. • The release date of preliminary rule language has yet to be determined. • Proposed rule to the Commission by a date to be determined. • Final rule to the Commission by a date to be determined.
Related Documents	<ul style="list-style-type: none"> • "Security-Related Rulemaking to Update 10 CFR Parts 73 and 26" http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html. • SRM-SECY-09-0123 – "Material Categorization and Future Fuel Cycle Facility Security-Related Rulemaking," dated July 8, 2010 (ML101890711). • SRM-COMSECY-05-0058 – "Schedule and Resources for Security Rulemakings," dated November 16, 2005. • Part 73: Final Regulatory Basis (ML14321A007). The notice was published on April 22, 2015.
Meeting Information	<ul style="list-style-type: none"> • None Scheduled.

Part 73 “Cyber Security”	
Key Contact:	Matt Bartlett , 301-415-7154.
Purpose:	The Commission directed the U.S. Nuclear Regulatory Commission (NRC) staff to proceed with a proposed rulemaking to implement cyber security into Part 73 for certain fuel cycle facilities. The Commission directed the rulemaking to be a high priority, expedited rulemaking that uses a graded, consequence based regulatory approach and is informed by industry’s voluntary efforts.
Key Information	<ul style="list-style-type: none"> • The NRC staff published SECY-14-0147, “Cyber Security For Fuel Cycle Facilities,” in December 2014, which proposed three options to implement cyber security. These options included orders, rulemaking, or continuation of voluntary initiatives. • The Commission provided SRM-SECY-14-0147, “Staff Requirements – SECY-14-0147 – Cyber Security for Fuel Cycle Facilities” in March 2015, which directed the NRC staff to proceed with rulemaking. • The NRC published the Regulatory Basis and Comment Resolution document for the cyber security proposed rulemaking on March 3, 2016 (ML15355A461). • The NRC staff provided draft proposed rule language (ML16131A115) for discussion at a public meeting on May 19, 2016. Comments received at the meeting will inform the staff’s development of the proposed rule package which is due to the Commission by March 2017.
Related Documents	<ul style="list-style-type: none"> • June 2012 – SECY-12-0088, “Cyber Security Roadmap” (ML12135A050). • December 2014 – SECY-14-0147, “Cyber Security for Fuel Cycle Facilities” (Non-public). • March 2015 – SRM-SECY-14-0147, “Staff Requirements – SECY-14-0147 – Cyber Security for Fuel Cycle Facilities” (ML15083A175). • Commissioner Baran's Vote on SECY-14-0147 – Cyber Security for Fuel Cycle Facilities (ML15118A921). • Commissioner Ostendorff's Vote on SECY-14-0147 – Cyber Security for Fuel Cycle Facilities (ML15132A632). • August 27, 2015 – “Draft Regulatory Basis - Cyber Security at Fuel Cycle Facilities” (ML15198A019). • September 4, 2015 – “<i>Federal Register</i> Notice for Draft Regulatory Basis for Cyber Security at Fuel Cycle Facilities [Package]” (ML15198A024). • “Documents to Support December 10, 2015, Public Meeting on Cyber Security for Fuel Cycle Facilities [Package]” (ML15344A296). • February 18, 2016, “Summary of Public Meeting to Discuss Fuel Cycle Cyber Security Proposed Rule Concepts” (ML16054A160). • March 17, 2016, “Public Meeting Summary Regarding [Concepts for the] Proposed Cyber Security Rulemaking at Fuel Cycle Facilities” (ML16092A124). • Draft proposed rule text to support the May 19, 2016, public meeting (ML16131A115).

Meeting Information	<ul style="list-style-type: none">• July 2016 – Public meeting to discuss updates to the draft proposed rule and related draft regulatory guidance.• August 2016 – Public meeting to discuss updates to the draft regulatory guidance.• July 2017 – September 2017, 90 day comment period on proposed rulemaking.• July 2017 – Public meetings to support comment period on the proposed rulemaking.• April 2018 – Public meeting to discuss completion of the final rule and implementation period. <p>(Note: Additional public meetings will be conducted, as needed).</p>
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Part 74 “Material Control & Accounting of Special Nuclear Material”	
Key Contact:	Tom Pham , 301-415-7254.
Purpose:	This rulemaking revises and consolidates the material control and accounting (MC&A) requirements in order to update, clarify and strengthen them.
Key Information	<ul style="list-style-type: none"> • The schedule has been revised to extend the completion date by 1 year to allow resolution of comments. • The NRC plans to issue the revised regulatory analysis for the draft rule, including the revision of the backfit analysis exclusion. • Regulatory Guide DG-5057 for non-fuel cycle facilities was issued in May 2015 for comment (ML15015A271). • The final rule due date has yet to be determined. • The re-baselining decision did not specifically address Part 74 rulemaking (SECY-16-0009). NRC is considering reprogramming resources to resume the rulemaking in fiscal year 2017.
Related Documents	<ul style="list-style-type: none"> • Regulations.gov Material Control and Accounting of Special Nuclear Material. • OIG Report 03-A-15 dated February 6, 2013 (ML13037A476). • SECY-08-0059 dated April 2008 (ML080580273). • SRM-SECY-08-0059 dated February 2009 (ML090360473). • SECY-11-0175 dated December 2011 (ML113400134). • SRM-SECY-11-0175 dated April 12, 2012 (ML121030104). • COMSECY-12-0026 dated November 2012 (ML12311A436). • SRM-COMSEC-12-0026 dated May 2013 (ML13130A077). • SECY-16-0009 – Enclosure 2 dated February 1, 2016 (ML16028A433).
Meeting Information	<ul style="list-style-type: none"> • None scheduled.

NON-RULEMAKINGS

Part 21 Draft Guidance - 3049	
Key Contact:	Jennifer Fisher , 301-415-1456.
Purpose:	Develop a draft regulatory guide to provide guidance to non-reactor and non-power reactor licensees on the implementation of Part 21. The draft guide will provide guidance and clarification on key definitions and describe the processes for evaluating deviations and reporting defects and noncompliance. The draft guide would provide guidance of commercial grade dedication and describe how this process intersects with the licensee’s existing quality assurance requirements. The draft guide title is DG-3049, “Reporting of Defects and Noncompliance and the Commercial Grade Dedication Process for Fuel Cycle, Materials, Waste Disposal, Packaging and Transportation, Independent Storage, and Non-Power Reactor Licensees.”
Key Information	<ul style="list-style-type: none"> • The Part 21 rulemaking effort was discontinued by a Commission decision on re-baselining. As directed in SRM SECY-16-0009, the Commission approved the staff’s recommendation to continue with guidance development using the existing regulatory requirements. • The Office of New Reactors is drafting two regulatory guides to provide clarification on the implementation of Part 21 for power reactors. When these draft guides are issued for public comment, they will be available on the public website. <ul style="list-style-type: none"> ○ DG-1291, “Evaluating Deviations and Reporting Defects and Noncompliance under 10 CFR Part 21.” ○ DG-1292, “Dedication of Commercial-Grade Items for Use in Nuclear Power Plants.” • The public comment period of DG-3049 is estimated for fall 2016.
Related Documents	<ul style="list-style-type: none"> • Regulations.gov Clarifying Requirements in Part 21. • 10 CFR Part 21 Clarification and Rulemaking OIG-10-20 dated September 28, 2010 (ML102710583). • OIG-11-A-08 dated March 23, 2011 (ML110820426). • SECY-11-0135 dated September 29, 2011 (ML112430138). • SECY-16-0009 dated January 31, 2016 (ML16028A208). • SRM-16-0009 dated April 13, 2016 (ML160104A158).
Meeting Information	<ul style="list-style-type: none"> • To Be Determined – Public meeting will be held on DG-3049 during the public comment period.

ANS 57.11 “ISA Standard”	
Key Contact:	Margie Kotzalas , 301-415-7298.
Purpose:	American Nuclear Society (ANS) is developing an integrated safety assessment (ISA) standard that would provide clear guidelines for licensees to perform an ISA and improve the ability to identify those elements which serve as leading indicators of ISA quality.
Key Information	<ul style="list-style-type: none"> The draft version of the ANS ISA Standard was returned to the working group in spring 2016 to be reworked.
Related Documents	<ul style="list-style-type: none"> www2.ans.org (search ANS 57.11) (http://www2.ans.org/standards/committees/nfsc/calendar/files/ans-57-11pins(2)-fornfscapproval.doc).
Meeting Information	<ul style="list-style-type: none"> None Scheduled.

NUREG-1520, Revision 3, “Standard Review Plan for the Review of a License Application for a Fuel Cycle Facility”	
Key Contact:	Robert Johnson , 301-415-7314.
Purpose:	Update the guidance for standard review plans for fuel cycle facilities.
Key Information	<ul style="list-style-type: none"> The second revision to NUREG-1520 was completed and made publicly available in June 2015. The NRC staff anticipates that another revision will be needed after the ANS ISA standard is issued. Staff will evaluate the need for future revisions, as appropriate.
Related Documents	<ul style="list-style-type: none"> SECY-12-0091 dated June 30, 2012 (ML12128A343). SRM-SECY-12-0091 dated October 9, 2012 (ML12284A033). regulations.gov Standard Review Plan for Review of Fuel Cycle Facility License Applications. The Advisory Committee on Reactor Safeguards (ACRS) provided a letter that they do not need to review the update to NUREG-1520 (ML14196A236). Comments on the draft NUREG-1520 are available on regulations.gov (NRC-2012-0220). Comment resolution table dated March 23, 2015 (ML15065A286). Revision 2 available in the NRC public library: http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1520/
Meeting Information	<ul style="list-style-type: none"> None scheduled.

Acute Chemical Exposures (Dermal and Ocular)	
Key Contact:	Marilyn Diaz , 301-415-7110.
Purpose:	Provide guidance for reviewing chemical hazards in the ISA and quantitative standards used to assess the consequences to an individual from licensed material or hazardous chemicals produced from licensed material.
Key Information	<ul style="list-style-type: none"> • The draft interim staff guidance (ISG) was published in the <i>Federal Register</i> (80 FR 11692; March 4, 2015). Based on the public comments received, the staff revised the ISG (ML16056A301). • The Advisory Committee on Reactor Safeguards and the Committee to Review Generic Requirements recommended and endorsed the issuance of the ISG on October, 8, 2015, and March 25, 2016, respectively. • As a next step, the staff plans to conduct audits at each fuel cycle facility to gather information on the licensee’s chemical safety programs and practices. The audits will be completed by August 2016. • The Commission Paper regarding the issuance of this ISG and any policy implications related to this guidance will now be submitted to the Commission in December 2016.
Related Documents	<ul style="list-style-type: none"> • Information Notice (IN) 2007-22, “Recent Hydrogen Fluoride Exposures at Fuel Cycle Facilities” (ML071410230). • Nuclear Energy Institute (NEI) and NRC exchanged letters discussing the regulatory basis for requiring licensees to consider dermal and ocular exposures in the ISA (ML083360632, ML082900889, ML090690732 and ML090920296). • Response to NEI letter regarding back-fit concern for dermal and ocular exposure standards (ML14251A150). • NEI letter regarding concerns related to back-fit evaluation for dermal and ocular exposure standards (ML14322B019). • <i>Federal Register</i> Notices (80 FR 11692; March 4, 2015 and 80 FR 21274; April 17, 2015). • OGC Response to NEI regarding the backfitting concerns (ML15126A070) • ACRS Letter to EDO regarding Acute Chemical Exposures ISG (ML15293A314). • CRGR Letter to EDO regarding Acute Chemical Exposures ISG (ML16032A047) • Revised version of the ISG (ML16056A301) and public comment resolution matrix (ML15253A694 and ML15295A163).
Meeting Information	<ul style="list-style-type: none"> • October 2016 – Public meeting

Material Control and Accounting Regulatory Guides	
Key Contact:	Glenn Tuttle , 301-415-7230.
Purpose:	Effort to update the regulatory guides to be consistent with the 2006 agency expectation for regular revisions.
Key Information	<ul style="list-style-type: none"> • The purpose of this effort is to consolidate and eliminate outdated guidance. • 27 MC&A guidance documents are consolidated into eight documents. <ul style="list-style-type: none"> ○ Draft Guide (DG) 5049 - Independent Assessment of Nuclear Material Control and Accounting Systems. The staff is resolving public comments. ○ DG-5056 - Material Control and Accounting Physical Inventories and Material Balances. Out for public comment August 2016. ○ DG-5051 - Shipping, Receiving, and Internal Transfer of Special Nuclear Material. Out for public comment July 2016. ○ DG-5052 - Determination of Uranium or Plutonium: Methods based on the Analysis of Samples. The five regulatory guides consolidated into DG-5052 are under review. ○ DG-5053 - Determination of Uranium or Plutonium: Nondestructive Assay Methods. The eight regulatory guides consolidated into DG-5053 are under review. ○ DG-5054 - Design Considerations to Minimize Residual Holdup of Special Nuclear Material in Process Equipment. The three regulatory guides consolidated into DG-5054 are under review. ○ DG-5055 - Statistical Concepts for Material Control and Accounting. Tentative - four statistics related regulatory guides may be deleted. ○ DG-5050 - Selection of Material Balance Areas and Item Control Areas. Delayed. TBD.
Related Documents	<ul style="list-style-type: none"> • SECY-13-0031 dated March 28, 2013 (ML13063A051). • A cross-walk that links the old regulatory guides to the new DGs (ML15056A518).
Public Interaction	<ul style="list-style-type: none"> • July-August 2016 – DG-5051; 60 day comment period. • August-September 2016 – DG-5056; 60 day comment period.

Fuel Cycle Information Exchange	
Key Contact:	Leira Cuadrado , 301-415-0597.
Purpose:	The Fuel Cycle Information Exchange (FCIX) provides an opportunity for NRC staff, industry representatives, licensees, and other stakeholders to openly discuss regulatory issues of mutual interest, as they relate to key sectors of the nuclear fuel cycle.
Key Information	<ul style="list-style-type: none"> The FCIX will be held biennially. Therefore, there will be no FCIX in 2016.
Related Documents	<ul style="list-style-type: none"> Link to the NRC public website on the FCIX http://www.nrc.gov/public-involve/conference-symposia/fcix.html.
Meeting Information	<ul style="list-style-type: none"> To-Be-Determined.