July 25, 2016

COMSECY-16-0016

PLEASE RESPOND BY:
August 10, 2016

MEMORANDUM TO: Chairman Burns
Commissioner Svinicki
Commissioner Baran

FROM: Victor M. McCree ***/RA/***
Executive Director for Operations

SUBJECT: PROPOSED REVISION TO THE NOTIFICATION PROCESS FOR FORCE-ON-FORCE INSPECTIONS

The purpose of this memorandum is to request Commission approval to revise the process for notifying nuclear power plant licensees of upcoming U.S. Nuclear Regulatory Commission (NRC)-conducted force-on-force (FOF) exercises to maintain alignment with the Reactor Oversight Process (ROP).[1] Specifically, the staff is requesting that the Commission approve adjusting the 9 to 15 month FOF inspection notification window to 24 months, consistent with recent revisions to the ROP notification process, as described in Inspection Manual Chapter (IMC) 0305, "Operating Reactor Assessment Program" (Agencywide Documents Access and Management System (ADAMS) No. ML15317A147) dated December 23, 2015.

In COMSECY-15-0025, "Proposed Revision to the Notification Process for Force-on-Force Inspections" dated September 11, 2015 (ADAMS Accession No. ML15231A232), the staff recommended that the Commission approve revising the notification window for FOF inspections from 8 to 12 weeks to 9 to 15 months. This recommendation was intended to make FOF notifications consistent with the ROP, minimize potential disruptions to the NRC and licensees without impacting the integrity of the inspection program, and better align the FOF inspection program with the ROP. The Commission approved this recommendation in SRM-COMSECY-15-0025, dated October 6, 2015 (ADAMS Accession No. ML15279A468).

On December 23, 2015, the Office of Nuclear Reactor Regulation issued a change to IMC 0305. This change increased the ROP inspection planning notification timeframe from 18 months to 24 months following the end of the ROP assessment period.

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[1] While the ROP does not apply to Category I fuel cycle facilities, they would be notified along timeframes similar to those for power reactor licensees.

As articulated in COMSECY-15-0025, the staff requested Commission approval to align the FOF notification window with the ROP notification process because both headquarters and regional staff were challenged when FOF inspections were not noticed as far in advance as other at-facility NRC activities and, therefore, not included in the Reactor Program System (RPS). The RPS Inspection Planning (IP) application integrates all site and inspection activities, including the Institute of Nuclear Power Operations' activities and outages. When the FOF notifications are not included in the RPS IP application, the NRC staff has limited flexibility to coordinate FOF inspections with other NRC inspections and onsite activities.

Inclusion of FOF inspections into the RPS IP application increases the efficiency of the NRC inspection program and provides the NRC staff with greater flexibility to coordinate FOF inspections within the broader NRC inspection program by using the RPS IP application. The staff believes that changing the advanced notification period for FOF inspections to 24 months to maintain consistency with the ROP will not have a negative impact to the FOF inspection program. The staff will engage the Commission if it identifies any subsequent adjustments needed to the FOF notification process.

The Office of the General Counsel has reviewed this memorandum and has no legal objection.

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