

## **U.S. Nuclear Regulatory Commission Public Meeting Summary**

**Title:** Public Meeting to Discuss rulemaking for streamlining non-power reactor license renewal

**Meeting Identifier:** 20160666

**Date of Meeting:** Monday, August 22, 2016

**Location:** Albuquerque Marriott Pyramid North, Albuquerque, New Mexico

**Type of Meeting:** Category 3

### **Purpose of the Meeting(s):**

To provide external stakeholders an opportunity to ask the Nuclear Regulatory Commission (NRC) staff clarifying and amplifying questions on the proposed non-power production or utilization facility (NPUF) license renewal rulemaking currently before the Commission for approval. It also provides an opportunity for external stakeholders and the NRC staff to exchange information on the proposed rule to facilitate more accurate and complete understanding by all parties on the subject matters.

### **General Details:**

The NRC conducted public meeting from 1:30PM - 5:00PM Central Standard Time in conjunction with the annual conference of the National Organization of Test, Research and Training Reactors (TRTR). The meeting was attended by 23 individuals primarily representing industry representatives and NRC staff. In addition to the 23 in-person attendees, some individuals participated in the meeting through audio teleconferencing and webinar. The meeting began with an introduction of NRC staff and a review of meeting ground rules, followed by a short presentation on the license renewal rulemaking. As was stated in the public meeting notification, the participants were reminded that this meeting was not a forum to negotiate the content of the proposed rule or guidance documents and no formal comments on the proposed NPUF rule or guidance documents were solicited at this meeting.

In addition to NRC staff, meeting participants included representatives from TRTR, members of the research and test reactor community, government representatives from Sandia and Idaho National laboratories, and licensees. No members of the public were in attendance,

### **Summary of Presentations:**

The NRC staff provided a review of the proposed rulemaking and a status update on the rulemaking, which had been discussed in a prior meeting held October 2015. The NRC staff reviewed the provisions of the proposed rulemaking, which would establish non-expiring license terms for most Class 104a and 104c NPUF licenses, while maintaining license renewal for facilities with Class 103 licenses and testing facilities. All facilities would be required to submit updates to the NRC every five years for their final safety analysis reports (FSARs). In addition, the rulemaking would lengthen the existing timely renewal provision, extend applicability of Section 50.59 to decommissioning facilities that have removed fuel,

revise definitions and terminology, and provide accident dose criteria for non-power production and utilization facilities.

The NRC staff explained that the NPUF proposed rule is currently with the NRC Commission for review and approval, with an anticipated review by the Commission in the fall of 2016, but no firm date for approval of the NPUF proposed rule has been established. Once the Commission approves the proposed rule, the NRC staff explained that they will issue a Federal Register notice (FRN) with the proposed rule asking the public for comments. There will be a 75 day comment period to respond to the FRN.

#### Stakeholder Discussion

During the open discussion part of the meeting, some industry representatives expressed concern about implementation and the timing of required initial submission of FSAR updates. NRC staff explained that eligible facilities with Class 104a or 104c licenses would be required to submit the initial updated FSAR within two years of the effective date of the rule. The NRC staff explained that FSAR submissions would be staggered to avoid a backlog from developing again.

Other discussion topics included questions regarding the NRC's guidance document for FSAR updates. The NRC's proposed guidance describes one acceptable approach for identifying changes to the FSAR (e.g., change bars in the margin). NRC staff explained that project managers would generally focus on changes to the FSAR (i.e., a "delta" review). The NRC staff reiterated that the NRC staff would not approve FSAR updates. The NRC staff indicated that FSAR updates will not be approved by the NRC. Participants were encouraged to provide comments to the staff regarding the draft regulatory guide when it is published for comment along with the proposed rule.

Additional information on the NPUF license renewal rulemaking can be found on <http://www.regulations.gov/> under Docket ID "NRC-2011-0087."

#### Action Items/Next Steps:

- Proposed NPUF rule is expected to be issued for public comment in the fall of 2016. Stakeholders and members of the public will be provided a 75-day comment period.
- All supporting documents will be issued with the Federal Register Notice announcing the proposed rule and comment period.
- A public meeting will be held during the public comment period.
- The final NPUF rule should be issued early in 2018

#### Attachments:

- Meeting agenda - <http://meetings.nrc.gov/pmns/mtg?do=details&Code=20160666>.
- NRC staff presentation - ADAMS Accession No.: ML16190A416
- NRC Meeting summary - ADAMS Accession No.: ML16252A383