



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

COMSECY-17-0026

August 24, 2017

PLEASE RESPOND BY:
September 13, 2017

MEMORANDUM TO: Chairman Svinicki
Commissioner Baran
Commissioner Burns

FROM: Michael R. Johnson */RA/*
Deputy Executive Director for Reactor
and Preparedness Programs
Office of the Executive Director for Operations

SUBJECT: REQUEST TO CHANGE THE REPORTING FREQUENCY ON
PETITIONS UNDER TITLE 10 OF THE *CODE OF FEDERAL
REGULATIONS*, SECTION 2.206

In the staff requirements memorandum (SRM) dated February 3, 1994, associated with SECY-93-355, "Review of Regulations and Practice Governing Citizen Petitions under [Title 10 of the *Code of Federal Regulations* (10 CFR) Section] 2.206," dated December 23, 1993, the Commission directed the staff to prepare a single agency monthly report on the status of 10 CFR 2.206 petitions. These status reports, along with other information on the 10 CFR 2.206 petition process, are available on the U.S. Nuclear Regulatory Commission public Web site at <http://www.nrc.gov/reading-rm/doc-collections/petitions-2-206/>.

In the SRM dated August 8, 2013 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13220B056), associated with COMSECY-13-0009, "Modification or Closure of Action Items in the Commission Tracking System," dated March 27, 2013 (ADAMS Accession No. ML13072A534), the Commission approved changing the report frequency to quarterly. The SRM also noted that the staff should "[s]end an email to Commission distribution list the day the report is available with the ML#." This quarterly report is tracked as work item tracking system task 200700062. The most recent quarterly report (ADAMS Accession No. ML17181A046) was transmitted to the Commission distribution list on July 11, 2017.

As part of its ongoing enhancement to the effectiveness and efficiency of its activities, the staff has further evaluated and is developing potential changes to the 10 CFR 2.206 process, including an update to Management Directive (MD) 8.11, "Review Process for 10 CFR 2.206 Petitions." One proposed change is in the frequency of public 2.206 status updates. The staff recognizes the value of a single publicly available status report that provides a comprehensive review of 10 CFR 2.206 petition status. The staff proposes, however, that a semi-annual frequency provides an appropriate balance of efficiency and effectiveness given the current optimization of staff activities related to 10 CFR 2.206 petitions. Implementing this change would save approximately 80 hours of staff resources per year.

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In addition to a semi-annual report, there will remain multiple means keeping the Commission, petitioners, and other interested stakeholders fully informed. Publicly available documents distributed via Listserv provide specific updates as the status of individual petitions changes. Acknowledgement letters, for example, summarize actions on a petition up to the point of issuance. Director's Decisions provide a complete description of the process and actions leading up to issuance, and an opportunity for review is provided to the Commission as part of the MD 8.11 process. In addition, petitioners are directly informed by the petition manager every 60 days, at a minimum, about the status of a petition, and more often if a significant action occurs relating to the petition. The 10 CFR 2.206 coordinator and the petition managers are publicly identified, and any questions from internal or external stakeholders on the status of a specific 10 CFR 2.206 petition can easily be answered by the petition manager or 10 CFR 2.206 coordinator. Finally, internal stakeholders including the Commission will be provided real-time access to a working version of the status report via SharePoint; while this report will not reflect management review, it is maintained current by the 10 CFR 2.206 project manager.

Therefore, the staff requests approval to adjust the frequency of 10 CFR 2.206 petition reporting tracked under work item tracking system task 200700062 to semi-annual, with the next report due on January 31, 2018. In completing the revision to MD 8.11, the staff will include the Commission-approved frequency.

SECY, please track.

cc: SECY
OGC
OCA
OPA
CFO

REQUEST TO CHANGE THE REPORTING FREQUENCY ON PETITIONS UNDER TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS*, SECTION 2.206, DATED August 24, 2017

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